

**Report of the Built Environment Senior Project Officer**

**Report to the Head of Service Learning Systems**

**Date: 17<sup>th</sup> February 2017**

**Subject: Design & Cost Report for the 'Early Works' required to facilitate the Learning Places expansion of Bramley Primary School**



**Capital Scheme Number: 32450/BRA/000**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Bramley & Stanningley		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		

**Summary of main issues**

1. The purpose of this report is to seek approval to incur capital expenditure of £249,000 from capital scheme number 32450/BRA/000 for the completion of essential 'Early Works' necessary to facilitate the expansion of Bramley Primary School from an intake of 40 pupils up to 60 for September 2017. This works are critical to ensure the Learning Places expansion accommodation is in place for commencement of the next academic year.
2. In December 2016 the Executive Board approved the principal of a project to expand Bramley Primary from 280 places to 420 with effect from September 2017, with a funding envelope of £3.25m assigned to deliver the necessary development and construction works. In line with the associated waiver report the scheme is to be delivered via the Leeds Local Education Partner (LLEP) with their preferred construction partner, Interserve Construction Limited (ICL), and Norfolk Property Services (NPS) provided design and architectural services.
3. The final proposals for the development at Bramley are to be covered from within the £3.25m approved project fund approved at the December 2016 Executive Board, the works detailed herein will be deducted from the construction allocation as they represent essential works brought forward from the overall construction programme. Completion of the 'Early Works' package will establish the site compound, accelerate works to form the new school park and secure a factory allocation and materials for delivery of the modular building, along with associated fees.

4. The works detailed within this report are required to ensure a September 2017 completion, when the statutory expansion takes formal effect. In the event the formal contract is not entered into the authority will be left with an improved asset in the form of a new school car park but also subject to abortive costs on the modular build.
5. The project is to be delivered by Children's Services Built Environment Team in conjunction with the LLEP and ICL. Contract and Legal support is to be provided via the Projects, Programmes & Procurement Unit (PP&PU) who in turn will be drafting the appropriate 'early works' agreement in conjunction with the LLEP and our independent technical advisors.
6. A revised procurement strategy requesting authorisation to appoint the Council's Strategic Partner, Leeds LEP Limited, to deliver the expansion to Bramley Primary School will be submitted to the School Places programme Board in February 2017. The Internal Service Provider does not have the capacity to deliver the work in the necessary timescales.
7. In accordance with this approval, this report has been issued for consideration and supported to the Deputy Chief Executive, Director of City Development and Executive Member for Children & Families via email on 17<sup>th</sup> February 2017.
8. In December 2016, Executive Board approved the Learning Places Programme report recommendation to delegate authority to the Director of Children's Services to approve Design and Cost reports for individual projects, subject to support by the Deputy Chief Executive and the Director of City Development. As such this report represents a subsequent approval and therefore an administrative decision exempt from call-in.

## **Recommendations**

The Head of Service Learning Systems is requested to:

1. Sanction the requirement to enter into an 'Early Works Agreement' with the LLEP for ICL to deliver a package of works to facilitate the Learning Places expansion at Bramley Primary School. This will take the form of an 'Early Works' agreement between the authority and Leeds D&B One Ltd for the sum of £249,000.
2. Approve the expenditure of £249,000 from capital scheme number 32450/BRA/000 for the completion of a package of 'Early Works' necessary to deliver the expansion of Bramley Primary School for a September 2017 occupation. This is to be funded from the £3.25m allocated for the full expansion of Bramley Primary as part of the Learning Places Programme report approved at the December 2016 Executive Board.
3. Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision, represents the critical path for project success and must be adhered to where possible.
4. Note that a separate DCR will be submitted for the main works once financial close has been achieved in March 2017.
5. Note that the officer responsible for implementation is the Head of Service Learning Systems.

## **1.0 Purpose of this Report**

1.1. The purpose of this report is:

- To provide background information in respect to the expansion at Bramley Primary School and the necessity to enter into an 'Early Works Agreement' for the delivery of critical works required to adhere to the expansion programme.
- Contextualise the associated cost and risk implications of the 'Early Works', both in terms of the construction programme at Bramley and the wider Learning Places programmes implication.
- To seek authority to enter into an 'Early Works Agreement' with the LLEP and ICL to deliver a package of works required to facilitate the expansion programme at Bramley Primary School and incur expenditure of up to £249,000 to achieve this.

## **2.0 Background Information**

2.1. The Learning Places programme represents the Council's response to the demographic growth pressures in primary school provision. The increasing birth rate in Leeds has required Leeds City Council to approve an increasing number of new reception places since 2009 in order to fulfil its statutory duty to ensure sufficiency of school places.

2.2. The scale of the response cannot be met through the existing estate; therefore the expansion of existing schools or the creation of new schools has been required in many instances. The capital school building solutions to the demographic need is managed via Children's Services Learning Places Programme.

2.3. A report to Executive Board on 9<sup>th</sup> March 2016 detailed the outcome of consultation on the proposal to expand primary provision at Bramley Primary School from a capacity of 280 pupils to 420 pupils with an increase in the admission number from 40 to 60 with effect from September 2017. The proposal also included establishing provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 6 pupils. Executive Board approved the recommendation to publish a Statutory Notice. The final determination was granted at the 22<sup>nd</sup> June 2016 Executive Board meeting.

2.4. The proposal for Bramley Primary School will form part of the on-going work to address capacity and sufficiency across all of Children's Services; which includes provision for primary and secondary school places in addition to early years and specialist provision.

2.5. These proposals form part of the Council's Learning Places Programme that embeds the 'One Council' approach in terms of shared ownership of proposed solutions across the various departments involved.

2.6. Considering the time pressures of this scheme and the subsequent accelerated programme for delivery, a delivery partner has to be mobilised immediately, ensuring that the full expansion of the school is complete by September 2017. A revised procurement strategy requesting authorisation to appoint the Council's Strategic Partner, Leeds LEP Limited, to deliver the expansion to Bramley Primary School as it cannot be delivered by the Internal Service Provider or through an



- Approval of authority to spend w/c 20<sup>th</sup> February 2017
- Target Planning determination 23<sup>rd</sup> March 2017
- 'Early Works' lead-in 28<sup>th</sup> March to 10<sup>th</sup> April 2017
- 'Early Works' start on-site 11<sup>th</sup> April 2017
- Contract award (Full Scheme) 14<sup>th</sup> April 2017
- Start on-site 1<sup>st</sup> May 2016
- Completion & handover 1<sup>st</sup> September 2016
- Occupation w/c 1<sup>st</sup> September 2016

## **5.0 Corporate Considerations**

### **5.1. Consultation and Engagement**

- 5.1.1. A report to Executive Board on 9<sup>th</sup> March 2016 detailed the outcome of consultation on the proposal to expand primary provision at Bramley Primary School from a capacity of 280 pupils to 420 pupils with an increase in the admission number from 40 to 60 with effect from September 2017. The proposal also included establishing provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 6 pupils. Executive Board approved the recommendation to publish a Statutory Notice. The final determination was granted at the 22<sup>nd</sup> June 2016 Executive Board meeting.
- 5.1.2. The proposed permanent expansion scheme has been subject to consultation with key stakeholders including Children's Services officers, Ward Members and the Executive Member for Children and Families. Consultation has also involved school staff and governors, the local residents and other colleagues within the Council.
- 5.1.3. Pre-planning consultation has been held with representatives from the Planning Department and LCC Highways. Supporting works to the Highways infrastructure have been identified and these will be addressed during the main construction programme.
- 5.1.4. This report has been issued for consideration and supported to the Deputy Chief Executive, Director of City Development and Executive Member for Children & Families via email on 17<sup>th</sup> February 2017.
- 5.1.5. Children's Services will continue to brief elected members at key stages throughout the project development.

### **5.2. Equality and Diversity / Cohesion and Integration**

- 5.2.1. The recommendations with this report do not have any direct nor specific impact upon any of the groups falling under the remit of the equality legislation and the need to eliminate discrimination and promote equality. A screening document has been prepared to this effect and an independent impact assessment is not required for the approvals requested. The screening document has been sent to the Equality Team to be approved, publishing and held on-file. A copy is included with this report as appendix A.

### **5.3. Council Policies and Best Council Plan**

- 5.3.1. This scheme is due to be delivered under the City Council's Learning Places Programme and is required to fulfil the Local Authority's statutory responsibility to provide sufficient school places. In providing places close to where the children live the proposals will improve accessibility of local and desirable school places, and thus reduce any risks of non-attendance.
- 5.3.2. Contract Procurement Rules (CPRs) apply to this process and this report confirms that the relevant CPRs have been adhered to.
- 5.3.3. This contributes to the 2016/17 Best Council Plan outcomes for everyone in Leeds to 'Do well at all levels of learning and have the skills they need for life'; 'Be safe and feel safe' and 'Enjoy happy, healthy, active lives'. It also supports the vision in the supporting Children and Young People's Plan 2015-19 to build a child-friendly city with a focus on ensuring all children and young people are safe from harm; do well at all levels of learning and have the skills for life; enjoy healthy lifestyles; have fun growing up; are active citizens who feel they have a voice and influence. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

### **5.4. Resource and Value for Money**

- 5.4.1. The estimate scheme cost is £249,000; this includes site establishment costs, works to the car park area, securing of the modular building manufacturer availability along with long lean-in materials and associated design fees.
- 5.4.2. The cost will be met through capital scheme number 32450/BRA/000 as part of the Learning Places Programme.
- 5.4.3. Considering the time pressures of this scheme and the subsequent accelerated programme for delivery, a delivery partner has to be mobilised immediately, ensuring that the full expansion of the school is complete by September 2017. A revised procurement strategy requesting authorisation to appoint the Council's Strategic Partner, Leeds LEP Limited, to deliver the expansion to Bramley Primary School as it cannot be delivered by the Internal Service Provider or through an existing Framework Agreement by September 2017, will be submitted to the School Places Programme Board in February 2017.
- 5.4.4. An Early Works Agreement is critical to ensure that accommodation is available for September 2017.

#### 5.4.5. Capital Funding & Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2016 £000's				
			2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	0.0					
<b>TOTALS</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2016 £000's				
			2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	239.0		239.0			
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	10.0		10.0			
<b>TOTALS</b>	<b>249.0</b>	<b>0.0</b>	<b>249.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2016 £000's				
			2016/17 £000's	2017/18 £000's	2018/19 £000's	2019 on £000's
	0.0					
Basic Need Grant	249.0		249.0			
	0.0					
<b>Total Funding</b>	<b>249.0</b>	<b>0.0</b>	<b>249.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Parent Scheme Number:** 32274/000/000

**Title:** Basic Need Primary Expansion 2017/18

#### 5.5. Revenue Effects

- 5.5.1. Any additional revenue consequences that may arise as a result of the project will be managed within the respective school budgets.

#### 5.6. Legal Implications, Access to Information and Call-In

- 5.6.1. The Director of Children's Services has been granted the delegated authority to approve this project to proceed after complying with the conditions established by Executive Board in December 2016. As outlined in this report the Director of Children's Services has the support for the decisions in this report from the Deputy Chief Executive and Director of City Development, and has consulted with the appropriate Executive Members on the proposals.
- 5.6.2. The approval of this report constitutes a 'Significant Operational Decision' and as such will not be subject to 'Call-In'.
- 5.6.3. A revised procurement strategy will be submitted to the Director of Children's Services, requesting that the Council's Strategic Partner-Leeds LEP Limited, be commissioned to deliver the expansion to Bramley Primary School, as it cannot be delivered by the Internal Service Provider or through an existing Framework Agreement by September 2017.

## **5.7. Risk Management**

- 5.7.1. Risk is to be managed through the application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' methodology. Experienced project management resource has been allocated from within the Built Environment. Contractual and legal support for the formation of the programme contracts, early works agreements and formal sign-off of the NPP stages is to be provided to Children's Services from within PP&PU.
- 5.7.2. Further support on risk is to be provided by the independent technical advisors assigned to the programme. A financial and technical review will be completed at the end of each key stage and are key components for sign-off and progression into future work packages. Further support will be extended to any necessary value engineering requirements. NPS have been appointed to undertake this function for the wider project, including the element of 'Early Works' detailed herein.
- 5.7.3. A risk log has been developed for the scheme and will be updated and maintained throughout the project by the assigned project officer. Escalation of any risk will be via the Children's Service Head of Service Learning Systems.
- 5.7.4. To limit the authority's exposure to risk work on-site required under the 'Early Works' programme will not commence until planning has been granted and the determination report issued. Extensive consultation has taken place with the assigned Planning Officer and no major impediment has been noted which would affect determination. Granting of planning permission is the critical path, failure to achieve this within the timeline detailed in section 4.0 will result in programme delay.

## **6.0 Conclusions**

- 6.1. In order to provide the necessary accommodation to implement the formal expansion of Bramley Primary School, from an intake of 40 pupils per year up to 60, it is necessary to undertake extensive construction work on-site to ensure the necessary accommodation is available for September 2017. Due to the tight timescale involved with this project it is essential that the package of 'Early Works' detailed within this report are approved in order to ensure key critical path items are achieved prior to financial close and signing of the construction contract.
- 6.2. The provision of the new accommodation at Bramley Primary School will be managed by Children's Services in conjunction with the LLEP, ICL and NPS. These works will be delivered in partnership with the school and other key stakeholders. The cost of the accommodation, and necessary supporting works, will be met through capital scheme 32450/BRA/000 to the value of £249,000.
- 6.3. The requirement to provide additional accommodation at Bramley Primary School for a September 2017 delivery has been developed through continued consultation with the appropriate stakeholders.
- 6.4. The cost of the works detailed within section 3 will be met through capital scheme 32450/BRA/000 to the value of £249,000.

## **7.0 Recommendations**

- 7.1. The Head of Service Learning Systems is requested to:
- 7.1.1. Sanction the requirement to enter into an 'Early Works Agreement' with the LLEP for ICL to deliver a package of works to facilitate the Learning Places expansion at Bramley Primary School. This will take the form of an 'Early Works' agreement between the authority and Leeds D&B One Ltd for the sum of £249,000.
  - 7.1.2. Approve the expenditure of £249,000 from capital scheme number 32450/BRA/000 for the completion of a package of 'Early Works' necessary to deliver the expansion of Bramley Primary School for a September 2017 occupation. This is to be funded from the £3.25m allocated for the full expansion of Bramley Primary as part of the Learning Places Programme report approved at the December 2016 Executive Board.
  - 7.1.3. Note the programme dates identified in section 4.0 of this report, in relation to the implementation of this decision, represents the critical path for project success and must be adhered to where possible.
  - 7.1.4. Note that a separate DCR will be submitted for the main works once financial close has been achieved in March 2017.
  - 7.1.5. Note that the officer responsible for implementation is the Head of Service Learning Systems.

## **8.0 Background Documents<sup>1</sup>**

- 8.1. None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.