

Report of the Built Environment Senior Project Officer

Report to the Director of Children & Families

Date: 4th May 2017

Subject: Design & Cost Report for an extension to 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 £577,000 from capital scheme number 32450/BRA/000 for the extension of the 'Early Works', both in respect of the activity schedule and time allowance, 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. Extension of the 'early works' will allow a site presence to be maintained and progress on-site to continue whilst the contract is agreed and signed. This extension will allow work to

continue on the new car park, the new Multi-Use Games Area (MUGA) to be formed, procurement of materials for the new modular build, procurement of the fire evacuation lift, demolition works to allow the new hall extension to commence, general ground works and external development.

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 and MUGA 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 28th April 2017.
8. In December 2016, Executive Board approved the Learning Places Programme report recommendation to delegate authority to the Director of Children & Families 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 subsequent operational decision and therefore exempt from call-in.

Recommendations

The Director of Children & Families is requested to:

1. Sanction the requirement to extend the '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 extension to the existing 'Early Works' agreement between the authority and Leeds D&B One Ltd for the sum of £577,000.
2. Approve the expenditure of £577,000 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 May 2017.

5. Note that a previous 'Early Works' agreement has been approved at a value of £249,000 which covered the April 2017 activity schedule. The proposals detailed herein are in addition to this figure and will cover the May 2017 activity schedule.
6. Note that the officer responsible for implementation is the Head of Learning Improvement.

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 extend the '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 extend the 'Early Works Agreement' with the LLEP and ICL to continue works on-site necessary to facilitate the expansion programme at Bramley Primary School and incur additional expenditure of up to £577,000 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 9th 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 22nd 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. As the work cannot be delivered by the Internal Service Provider, or through an existing Framework Agreement, by this deadline it has been necessary to submit a revised procurement strategy. This document requested authorisation to appoint

the Council's Strategic Partner, Leeds LEP Limited, to deliver the expansion to Bramley Primary School and was approved on 17th March 2017 (D44225). Leeds LEP has confirmed they can meet the September 2017 deadline.

- 2.7. A scheme budget of £3.25m was previously approved by Executive Board in December 2016.
- 2.8. A previous package of 'Early Works', at a value of £249,000, was approved on the 17th March 2017 (DDN D44225). This package covered the initial stages of construction with notable tasks including establishment of site welfare, securing orders for long lead-in items and commencement of construction of the new car park. These elements are now approaching completion and an extension of the 'early works' period is necessary to ensure the site does not demobilise, at additional cost to the Authority, in the intervening period whilst the full construction contract is entered into.

3.0 Main Points

Design Proposals and Full Scheme Description

- 3.1. This proposed extension of the 'Early Works Agreement' at Bramley Primary consists of the following essential components required to facilitate a September 2017 occupation of the new accommodation and ensure continuation of activities on-site into May 2017:
 - Continuation of the works to form the new staff car park, currently this area is due to be handed over for use by the school in within the May 2017 activity period.
 - Commencement of the installation of new external drainage and services to the new extension.
 - Commencement of fencing installation in line with the external landscaping proposals.
 - Formation of the new Multi-Use Games Area.
 - Procurement of long lead-in items, namely external canopies and fire evacuation lift.
 - Next phase of modular design and fabrication.
- 3.2. Due to the constricted programme and necessity to deliver the additional accommodation for commencement of the new academic year in September 2017 it is essential to extend the 'Early Works' period to cover the May 2017 activity schedule in order to ensure the critical path for project delivery is met. By extending 'Early Works' period as detailed this will allow work to continue uninterrupted on-site, thus removing the cost risk associated with de-mobilising and re-mobilising once the full construction contract has been entered into.
- 3.3. The planning submission for the scheme was submitted on the 26th January 2017 and was subsequently granted on the 21st April 2017. The works detailed herein are covered within this planning determination and no planning impediment exists that would preclude work commencing on-site.

3.4. The costs noted herein represent the maximum exposure to the Authority with respect to the works detailed above. This takes the project to financial close and signing of the full construction contract on the 15th May 2017. This further approval is sought due to delay in receiving planning permission and subsequently the final cost plan for the works.

4.0 Programme

4.1. The works highlighted in point 3.1 above are required to be instigated by the week commencing 1st May 2017 to ensure continuity of progress on-site prior to signing of the formal construction contract on the week commencing 15th May 2017.

4.2. The key milestones to achieve this programme are as follows:

- Planning application validated 26th January 2017
- Approval of authority to spend w/c 20th February 2017
- Planning determination 21st April 2017
- 'Early Works' lead-in 28th March to 10th April 2017
- 'Early Works' start on-site 11th April 2017
- Extended 'Early Works Period' May 2017
- Contract award (Full Scheme) w/c 15th May 2017
- Contract Start on-site w/c 15th May 2017
- Completion & handover 1st September 2017
- Occupation w/c 1st September 2017

5.0 Corporate Considerations

5.1. Consultation and Engagement

5.1.1. A report to Executive Board on 9th 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. Executive Board approved the recommendation to publish a Statutory Notice. The final determination was granted at the 22nd 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 and are to be included within the main scheme Design & Cost Report.

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 28th April 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 Procedure Rules (CPRs) apply to this process and this report confirms that the relevant CPRs have been adhered to. A waiver report has been submitted, and subsequently approved (DDN D44340) to allow the appointment of the Leeds Local Education Partnership. CPR's 9.1 and 9.2 have been waived in this instance as a consequence of the internal service provider's inability to resource the project within the prescribed timescales.
- 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 £577,000; this will allow work to continue on the new car park, formation of the Multi-Use Games Area (MUGA), procurement of materials for the new modular build, procurement of the fire evacuation lift, demolition works to allow the new hall extension to commence, general ground works and external development.
- 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, has been submitted and approved. These works cannot be resourced by the Internal Service Provider or through an existing Framework Agreement within the prescribed delivery timeframe.

5.4.4. Extension of the 'Early Works' Agreement is critical to ensure that work continues on-site during May 2017 whilst the construction contract is being finalised. This will ensure the essential 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)	239.0		239.0			
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	10.0		10.0			
TOTALS	249.0	0.0	249.0	0.0	0.0	0.0
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)	577.0			577.0		
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	0.0					
TOTALS	577.0	0.0	0.0	577.0	0.0	0.0
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	826.0		249.0	577.0		
	0.0					
Total Funding	826.0	0.0	249.0	577.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0

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 & Families 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 & Families must have the support of the Deputy Chief Executive and Director of City Development, and has consulted with the appropriate Executive Members on the proposals, before approval can be granted.

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 waiver report has been submitted, and subsequently approved (DDN D44340), to allow the appointment of the Leeds Local Education Partnership. CPR's 9.1 and 9.2 have been waived in this instance as a consequence of the internal service

provider's and / or pre-existing framework's inability to resource the project within the prescribed timescales.

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. Planning has been determined for this project and as such no impediment exists to prevent commencing with the construction works detailed herein.

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 necessary to extend the 'Early Works' period, as detailed within this report, in order to ensure key critical path items are achieved during the intervening period until the 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 £577,000.
- 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 £577,000.

7.0 Recommendations

- 7.1. The Director of Children & Families is requested to:
- 7.1.1. Sanction the requirement to extend the '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 extension to the existing 'Early Works' agreement between the authority and Leeds D&B One Ltd for the sum of £577,000.
 - 7.1.2. Approve the expenditure of £577,000 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 May 2017.
 - 7.1.5. Note that a previous 'Early Works' agreement has been approved at a value of £249,000 which covered the April 2017 activity schedule. The proposals detailed herein are in addition to this figure and will cover the May 2017 activity schedule.
 - 7.1.6. Note that the officer responsible for implementation is the Head of Learning Improvement.

8.0 Background Documents¹

- 8.1. None

¹ 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.