

**Report of the Director of Children & Families and the Director of City Development**

**Report to the Executive Board**

**Date: 17 March 2021**

**Subject: Cockburn Laurence Calvert Free School Temporary Site  
Proposals for September 2021 and Design Cost Report**



Are specific electoral wards affected? If yes, name(s) of ward(s): Middleton Park	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary**

**1. Main Issues**

- The purpose of this report is to provide Executive Board with: the current position regarding the proposed Cockburn Laurence Calvert free school approved in 2017 which is being delivered by the Department for Education (DfE); information regarding the approval from the DfE to open a temporary school on land adjacent to the permanent Laurence Calvert site; the current position regarding the delivery of the temporary school to ensure its delivery for September 2021 and to seek approval to inject and authority to spend £6,713,261 of funding being provided from DfE funding and the Council Learning Places Programme to enable the delivery of the temporary school.
- In addition, the report provides details of the proposed Development Agreement for the delivery of the temporary school between the DfE and the Council. Once the Development Agreement has been agreed with the DfE and the works are complete the Council will enter into a lease with Cockburn Multi Academy Trust (MAT) which is to last for the duration of the temporary school on site.
- The growing pressure for secondary school places in south Leeds has been known for some time and in 2017, the Council supported the successful wave 12 Free School application from Cockburn MAT for the creation of a new 7 form of entry (FE) free school – Cockburn Laurence Calvert, to be delivered on the former Middleton High School site for September 2019. In supporting this ambition in September 2018 Executive Board approved the disposal of the Middleton Park Depot to the Ministry for Housing, Communities and Local Government in

order to allow the construction of a new school for the Cockburn Laurence Calvert Academy Free School and by December 2018, the site was decanted in anticipation of the proposed school development.

- The DfE are responsible for the delivery of the permanent Cockburn Laurence Calvert free school and their current programme shows a very constrained programme for the opening of the school for September 2022. Recent conversations with the DfE have highlighted the potential for an opening of the school at a point in time during the 2022/23 academic year. To date the on-going shortfall in South Leeds has been managed through placing temporary bulge cohorts and permanently expanding existing schools in the South. However, without the Cockburn Laurence Calvert free school opening for 2021 and potentially 2022, it is no longer possible to meet the full need through our existing portfolio. As a consequence the Council and the DfE have agreed to open a temporary school for September 2021. The site in question, identified in discussions with ward members is an area adjacent to the permanent Cockburn Laurence Calvert free school, on the Middleton Leisure Centre site.
- The temporary school, when delivered for September 2021 will effectively bring forward the opening of the Cockburn Laurence Calvert free school, albeit the permanent site will not be complete by then. On the basis that the Cockburn Laurence Calvert free school is unlikely to open for the start of the 2022 academic year the temporary solution has been designed to provide 2 years of accommodation - 210 pupils per years for a maximum of two years (total of 420 pupils)
- The works consist of classroom provision, office accommodation, group rooms, storage, conference/meeting room, ICT suite, main hall, kitchen and welfare facilities as well as car parking and pupil drop off, all of which increases from year 1 to year 2 as the pupil and staff number increase. The estimated cost of the works is £6.7m in total, the cost of which is broken down across the 2 years, with the DfE and the Council funding the Year 1 accommodation requirements and the Council funding Year 2.
- The impact of the Covid-19 pandemic on project risk, programme and cost is currently unknown, this is being actively managed by each of the Project Teams to ensure the schemes are delivered for September 2020.

## **2. Best Council Plan Implications**

- The scheme will 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.
- The scheme contributes to the 2020/2021 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'. They also support the vision in the supporting Children and Young People's Plan 2018-23, 'Leeds to be the best city in the UK and the best city for children and young people to grow up in. We want Leeds to be a child friendly city'. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

## **3. Resource Implications**

- The total project spend of £6,713,261 will be a combination of capital and revenue costs as the modular units will be procured on a rental basis to ensure value for money (vfm) due to the temporary nature of the school. The capital costs will consist of the manufacturing and

installation of the modular units and the ground works associated with the foundations, drainage, car park and playground etc.

- The project delivery will be split into two phases – Year 1 (2021/22 for 210 pupils) and Year 2 (2022/2023 for 420 pupils). The DfE will contribute to the funding of Year 1 costs associated with the accommodation and infrastructure required for September 2021 (210 pupils) and contribute to the site reinstatement works that will take place once the temporary school site closes. The Council is responsible for funding the Year 2 accommodation for September 2022 (420 pupils) and contributing to the site reinstatement works in 2023. However there are efficiencies to be gained for delivering some of the infrastructure and accommodation required for Year 2 simultaneously with the Year 1 works. As a consequence there will be a requirement for Council funding to be included as part of the delivery of Year 1.
- The costs for Year 1 and Year 2 (including reinstatement works following the closure of the temporary site and highways works) is broken down as follows:
  - **Year 1 for September 2021 – Construction**
    - DfE funded = **£1,994,456**
    - LCC funded = **£2,086,474**
  - **Year 2 for September 2022 Construction**
    - LCC funded = **£1,450,513**
  - **Reinstatement works**
    - DfE funded = **£593,402**
    - LCC funded = **£588,416**
- The total funding from the DfE for both phases is **£2,587,858**
- The total contribution from LCC for both phases is **£4,125,403**
- The capital investment will be met through the following scheme number 33177/LAU/000 for Laurence Calvert Temporary Site as part of the Learning Places Programme.
- The above figures include internal and external project fees, furniture and equipment and highways works.

#### 4. Recommendations

Executive Board is requested to:

- a) Note the continued secondary place pressure in South Leeds and the ongoing measures developed to address them.
- b) Note the approval from the DfE for the opening of a temporary Cockburn Laurence Calvert 7Fe School for provisionally up to 2 years, in advance of the permanent Cockburn Laurence Calvert School opening to address the shortfall of places in inner South Leeds.
- c) Approve authority to spend and incur capital expenditure of £4,932,032 from capital scheme number 33177/LAU/000 and note revenue costs of £1,781,229 will also be incurred for construction works associated with opening of the temporary Cockburn Laurence Calvert Free School (7FE) on a site adjacent to the permanent school location for September 2021.
- d) Note the requirement for the approval of the temporary school site is subject to a Development Agreement between The DfE and The Council for the creation of the school

and approve the entering into the Development Agreement as detailed in Section 3.2.3 of the report, to be delegated to the Director of City Development.

- e) Note within the Development Agreement is the requirement to enter into an Agreement for Lease for Cockburn MAT for the site and approve the principle terms of the Agreement for Lease as detailed in section 3.2.4 of the report and approve the recommendation to delegate to the Director of City Development to conclude the details of the final lease agreement.
- f) Note the programme dates identified in section 3.2 of this report require the Council to award the construction contract on the 22<sup>nd</sup> March 2021, which is within the call-in period and the critical timeline to ensure the success of the project; and as such approve the recommendation to exempt this report from call-in.
- g) Note that the officer responsible for implementation is the Head of Service Learning Systems in Children and Families Directorate.

## **1.0 Purpose of this report**

1.1 The purpose of this report is:

- To provide background information and detail to Executive Board on the decision to open a temporary school on a site adjacent to the Cockburn Laurence Calvert Free School for September 2021 in order to meet a 7FE shortfall in the South, in advance of the Cockburn Laurence Calvert free school opening between 2022 and 2023.
- Contextualise the associated costs and risk implications of the proposed scheme, both in terms of the construction programme but also wider Learning Places Programme obligations.
- To seek authority to spend and incur a total expenditure of £6,713,261 to deliver the accommodation required to open Cockburn Laurence Calvert free school on a temporary site for September 2021.

## **2.0 Background information**

2.1 The Learning Places programme represents the Council's response to the demographic growth pressures in school place provision. The increasing birth rate in Leeds has required Leeds City Council to approve an increasing number of new school places since 2009 in order to fulfil its statutory duty. Since 2009, Leeds City Council's Learning Places Programme has created over 11,500 primary school places across the city in response to rising birth rates which increased from 7,500 per year in 2001 to a peak of 10,350 in 2012. Whilst from a primary perspective the demand for places has peaked and is now starting to decline, as expected, as children move through primary and into secondary school. The demand for year 7 places has started to rise with 9254 places allocated for the academic year 2019/20 (an increase by nearly 300 children on the previous year) Projections estimate that in 2020/2021 it will increase by nearly 500 children and then by a similar amount in 2021/2022.

2.2 The growing pressure in South Leeds has been known for some time and in 2017 and as a consequence several bulges and expansions have already taken place including:-

### **2018**

Cockburn permanent expansion x 30

Woodkirk Academy x 20

Cockburn John Charles x 20

### **2019**

Cockburn John Charles x 60 bulge  
Bruntcliffe Academy x 30 bulge  
Rodilian x 30 bulge  
Woodkirk Academy x 20 bulge  
Royds x 20 bulge

**2020**

Cockburn J Charles x 60 bulge  
Cockburn x 60 bulge  
Rodilian x 30 bulge  
Woodkirk Academy x 20 bulge  
Bruntcliffe Academy x 40 bulge

- 2.3 To address the ongoing pressure in the South, in 2017 the Council supported a successful wave 12 Free School application from Cockburn MAT for the creation of a new 7 form of entry (FE) free school – Cockburn Laurence Calvert.
- 2.4 Following an extensive site search, the council owned Middleton Park Complex was identified as the only site that met the location and size requirements for such a school. The Ministry for Housing, Communities and Local Government (MHCLG) have proposed to purchase the required area of the site to deliver the 7Fe Cockburn Laurence Calvert School, with the potential to also purchase part of the site that is being retained for the LeedsWatch service, should that service relocate in the future. In September 2018 Executive Board approved the recommendations for the disposal of the Middleton Park Depot to MHCLG and in December 2018, the service occupying the premises (Highways and Transportation) were relocated to St. George’s House.
- 2.5 The Cockburn Laurence Calvert free school being led by the DfE is not due to open until 2022 at the earliest, according to the current programme. As a consequence there is and will continue to be a significant shortfall of secondary places in South Leeds, annually 7Fe of which was expected to be addressed by the permanent Cockburn Laurence Calvert free school . To date the shortfall has been met through existing schools going over the Pupil Admission Number (PAN) and managing the additional pupils within the current building accommodation or by taking bulge cohorts requiring capital investment from the Council. However it is no longer possible to meet the full need through our existing asset portfolio and therefore it is necessary to open a temporary school for September 2021.
- 2.6 A site options appraisal was initially carried out by LocatEd on behalf of the DfE to consider all potential sites in the area which could come forward as a temporary school. The outcome of which was that due to a number of reasons i.e. the land was not owned by LCC or the site was outside the catchment area for where the places are needed none of the options put forward were viable. Following discussions with ward members and a local football club the preferred site location was confirmed as land with Middleton Leisure Centre site. The land in question has not formally been laid out as playing fields, however is part of a wider area of public open space. Middleton Park Juniors FC and Leeds Corinthians RUFC were consulted as part of the process to ensure that any proposals did not affect any areas of the site they may use for training and matches and Parks and Countryside were also consulted regarding any other formal team games taking place on site (the latter confirmed there are no other formal lettings on site). As a consequence the land currently marked up on Appendix 1 as a pitch was identified as the preferred solution.
- 2.7 The location of the temporary site is vitally important from a demographic point of view. With increasing demand for secondary school places within the Middleton area, it is crucial to the strategic planning of secondary school places within the inner south that the location is close to area of highest population density, to ensure local children are able to obtain a local school place. This location delivers provision central to the main pressure area. The only other options for consideration would be to bus children out of area to schools in the East and North East, potentially from 6 miles up to 12 miles away from their local school.

- 2.8 Following confirmation of the site a self-delivery business case was submitted to the DfE requesting approval for LCC Projects & Programmes Team to deliver the temporary solution in partnership with Leeds Local Education Partnership (Leeds LEP). This was formally approved on 20 October 2020 and feasibility commenced straight after. Initial discussions in late September/October 2020 focused on agreeing the schedule of accommodation with the DfE and Cockburn MAT ensuring it falls in line with the Education Skills Funding Agency (ESFA) guidance BB103.
- 2.9 As the build solution will be in modular form Portakabin were commissioned by Leeds LEP through the DfE's framework agreement (following approval to do so by the DfE)
- 2.10 Throughout October and early November the project team has been finalising the schedule of accommodation to enable Portakabin to provide draft building layouts for discussion with the school. Early discussions also took place with planning and highways officers to gauge any potential risks that needed mitigating i.e. trees/ecology, access location, staff parking/parental drop off, off-site highways measures and the change of use from public open space to a temporary school site which was advertised in the Yorkshire Evening Post on 28 November and 5 December. No comments were received by members of the public in relation to the change of use.
- 2.11 As per the requirements under the Academies Act and as detailed in the proposed Development Agreement, once the temporary school is constructed, the land is required to be leased to Cockburn MAT at a peppercorn for the duration of the period it will be used as the temporary site for Cockburn Laurence Calvert.

### **3 Main Issues**

#### **3.1 Cockburn Laurence Calvert Free School – Temporary site**

- 3.1.1 The proposed site to allow the opening of a temporary school in advance of the delivery of the Laurence Calvert free school is located to the eastern end of the Middleton Leisure Centre site. It is an area that was formerly scrubland and was infilled as part of the pitch improvement works during 2012/13. To the north of the site is the home of Leeds Corinthians and the St George's Centre which is currently being used as a Covid testing centre. To the east of the site is St Georges Road and to the South, housing. The site location is shown at Appendix 1
- 3.1.2 It is proposed to access the land for the temporary school from the north utilising the access road constructed as part of the St Georges Centre. The road is adopted highway land and there will be a spur off it southwards across the existing footpath into the site.
- 3.1.3 The schedule of accommodation (SOA) required to deliver 7FE (210 Year 7 places) on the temporary site was developed in conjunction with the DfE as part of feasibility stage and formed part of many school engagements with Cockburn MAT. It is in line with the DfE schedule of accommodation for a temporary solution (in advance of the permanent school opening) with the exception of a learning resource centre (LRC) and food tech prep area which LCC has agreed to fund. The MAT do not believe it is possible to deliver the full curriculum needs without the LRC or Food Tech Prep Area and this is the fundamental reason for LCC agreeing to fund over and above what the DfE's expectations are for a temporary solution.
- 3.1.4 The scope of works proposed for Cockburn Laurence Calvert temporary site to accommodate the 7FE requirements for September 2021 (and most likely September 2022), which are aligned to the Building Bulletin Guidance BB103, will be delivered in two phases and consist of the following elements which will be delivered through a modular form of construction:

### **Phase 1 – September 2021 (210 Year 7 pupils)**

- 7 General teaching classrooms
- 2 Science classrooms and 1 science prep area
- Food tech classroom and 1 food tech prep area
- Design and technology classroom
- Large group room
- LRC
- Office space (including heads office and general office)
- Teaching stores
- Conference/meeting room
- Main hall
- Staff room
- Kitchen/servery
- Pupil toilets
- Staff toilets
- Hygiene suite and accessible toilets

The total gross area for phase one is circa 1500m<sup>2</sup>

3.1.5 In addition to the above the external works for phase one consist of creating access into the site off St Georges Road, staff/visiting parking and parental drop off, cycle storage for pupil and staff an area of hard and soft play for social/recreational purposes and a secure fence line around the whole perimeter of the temporary site with additional internal fence lines for safeguarding reasons.

3.1.6 In order to ensure value for money and to not duplicate accommodation the school will utilise the sports hall, squash courts, dance studio and 3G/multi use games area (MUGA) associated with Middleton Leisure Centre which is adjacent to the temporary site for Laurence Calvert and is therefore easily accessible via the existing footpaths. The details have been set out in the user agreement which was developed for the school as part of the permanent solution. This user agreement will be brought forward by 12 months to enable to school to access the Leisure Centre for the delivery of their curriculum.

### **3.1.7 Phase 2 - September 2022 (210 Year 7 & 210 Year 8 pupils – 420 in total)**

- 4 further general teaching classrooms
- Music classroom
- ICT suite

The total gross area for phase 2 is 443.12m<sup>2</sup> and will be installed (if the second year is needed) during the summer break of 2022 in order to be ready for the 2022/2023 academic year. The layout plan of the proposals is attached at Appendix 2.

3.1.8 All of the above works require planning approval and the application was submitted on 11 December and planning approval was secured on the 24<sup>th</sup> February 2021. This decision date is essential to allow the funding agreement for the school to be approved in Mid-March, at which point places for the school will be offered.

## **3.2 Programme**

3.2.1 The programme for both phases is shown below.

<b>Milestone</b>	<b>Date</b>
Submission of planning application for each scheme	11 December 2020

Planning approval (delegated decision)	24th February 2021
Contract award	22 <sup>nd</sup> March 2021
Start on site – Phase 1 works (210 pupils)	5 <sup>th</sup> April 2021
Mobilisation	w/c 22 March 2021
Decant into building for furniture and ICT equipment	18 August 2021
Practical Completion	30 August 2021
Start of term	3 September 2021
Start on Site – Phase 2 works (to increase to 420 pupils)	July 2022
Handover of Phase 2	September 2022

- 3.2.2 It should be noted that the programme for the delivery of this school is extremely challenging. The contract award date of the 22<sup>nd</sup> March 2021 is the key date from which the mobilisation period will commence to ensure that the start on site date of the 5<sup>th</sup> April is met. The 22<sup>nd</sup> March sits within the 10 day call-in period and as a consequence, it is necessary to exempt the report from call in.
- 3.2.3 To secure the Funding Agreement for the creation of the temporary school, effectively allowing the school to formally open and to be able to offer places, as well as securing the DfE grant funding, the DfE and the Council are required to enter into a Development Agreement. The Development Agreement sets out the conditions and terms under which the Council procures and delivers the school – it is the construction contract between the two parties. The Council is required to enter into the Development Agreement prior to the 22<sup>nd</sup> March 2021 (the contract award date between LCC and the Contractor). Therefore it is essential that the Development Agreement is completed as soon as possible prior to the contract award DATE.
- 3.2.4 Once the Development Agreement has been agreed and signed off with the DfE, there is the requirement to lease the site of the temporary school to the Cockburn MAT. The lease will be granted for a maximum period of 5 years with break clauses in favour of the Council (6 months' notice only once the permanent site has reached practical completion) and Cockburn MAT (on an unconditional basis with 3 months' notice). Effectively this means that the MAT lease the site at a peppercorn for up to 5 years and once the permanent school site is constructed the lease will terminate after a period of 3 months following the occupation of the permanent school.

## **4 Corporate considerations**

### **4.1 Consultations and engagement**

- 4.1.1 The proposed scheme has been subject to consultation with key stakeholders including; Childrens & Families officers, Head Teachers & Governing Bodies/Academy Trusts and the Executive Member for Learning, Skills and Employment, Middleton Park Ward Members and the local community. We will continue to brief senior officers and Ward Members at key stages of the delivery to ensure they are kept up to date on progress.
- 4.1.2 This proposal has involved a number of school engagements with key representatives i.e. Head Teacher and members of the Trust.
- 4.1.3 Consultation with statutory consultees, namely Planning, Landscape, Highways has been ongoing since project inception and will continue as the designs are developed. The planning officer is recommending a delegated decision based on the feedback from statutory consultees and no local objections having been received to date.

- 4.1.4 Ward Members were briefed on 3 occasions prior to the submission of the planning application on 16 and 20 November and again on the 8 December 2020.
- 4.1.5 The proposal detailed herein has been tabled at Good Learning Places Board and Programme Risk and Control Group. Members of School Places Programme Board including the Director for Childrens & Families, the Director for City Development and the Director for Resources & Housing have also been regularly briefed since the start of the process.
- 4.1.6 A public consultation including a flyer drop to local residents was carried out between 27 November and 4 December and there is a further opportunity for the local community to comment as part of the formal planning process.
- 4.1.7 Consultation has also taken place with the tenants associated with St Georges One Stop Centre i.e. NHS Trust as there will be a requirement for vehicles to enter the school site off St Georges Road which is also the access route for the centre. The schools access will not have a negative impact on the centre or its car park as the school site is self-contained and will have sufficient parking for all staff members (full time equivalent) with overspill for visitors and drop off for parents.

## **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 The recommendations contained in this report do not have any direct nor specific impact on any of the groups falling under equality legislation and the need to eliminate discrimination and promote equality. A screening document has been prepared capturing the scheme (attached at Appendix 3) and the outcome of the screening is that an independent impact assessment is not required for the proposal set out in this report.

## **4.3 Council policies and the Best Council Plan**

- 4.3.1 The 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 proposal will improve accessibility of local and desirable school places, and thus reduce any risks of non-attendance.
- 4.3.2 The scheme contributes to the 2019/2020 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 2018-23. , 'Leeds to be the best city in the UK and the best city for children and young people to grow up in. We want Leeds to be a child friendly city'. The programme seeks to deliver a supply of good quality accessible local school places which can contribute to these outcomes.

### **Climate emergency –**

- 4.3.3 A sustainability statement was included in the planning submission and will address the following aspects of LCC's climate change agenda. As this is a temporary solution it is not deemed best use of council money to fund the installation of renewables such as photovoltaics etc. The accommodation is only required for a maximum of 2 years therefore any financial benefit/payback would not be reached in this time. However the design specification does reflect other areas of energy efficiency in terms of lighting and heating systems etc.

- a) The project will respond to sustainable travel policies outlined in the 'Leeds Core Strategy', particularly in reference to the following:
  - i. Policy T1 – Transport Management

- ii. Policy T2 – Accessibility requirements and new developments
- iii. Policy P10 – Design

Noting the requirements outlined in the 'Parking SPD', 'Travel Plan SPD' and 'Sustainable Educational Travel Strategy for Schools and Colleges 2017 – 2021'.

4.3.4 The contractor for the proposed developments will need to demonstrate a robust Waste Management Plan, be registered with the 'Considerate Constructors Scheme', of which, the main consideration of the scheme falls into three categories: The general public, the workforce and the environment. Contractors will also need to be sympathetic to the 'Leeds Talent and Skills Plan' by seeking to employ local trades where possible thus reducing the impact of extended travel.

4.3.5 The following standard planning conditions will be addressed as the project develops:

- Development of the school 'Travel Plan' to seek sustainable travel options, the project will respond to the requirements of the Travelwise Team and colleagues from Highways to ensure appropriate pedestrian and cycle provisions are allowed for.
- To protect and enhance the visual amenity approved plans will need to include a programme of replacement tree planting at a 3:1 ratio. Tree loss will be kept to a minimum with any replacement anticipated to be 'extra heavy standard'.
- Due to this being a temporary scheme highways colleagues have supported not including electric charging points which are usually a standard on all new schools or when expanding existing ones. It is not best use of council money to fund something which will then be taken out 2 years later when the permanent school opens and the temporary site is reinstated into a grassed pitch.

#### **4.4 Resources, procurement and value for money**

- The total cost of £6,713,261 (Year 1 and 2) is a combination of capital and revenue investment. The revenue aspect is because the modular units will be hired rather than purchased due to the temporary nature of the site. The total rental cost associated with both phases is £1,781,229. The total capital investment of £4,932,032 for both phases includes the fabrication and installation of the modular units and the ground works associated with the building foundations and creation of the car park and hard and soft play areas.
- The DfE will contribute to funding Year 1 costs for the temporary site (and contribute to the reinstatement works required after the temporary school site closes) and should the accommodation be required for the 2022/2023 academic year LCC will be responsible for paying for the Year 2 costs (along with contributing to the required reinstatement works) However there are efficiencies in cost terms if some of the infrastructure required for Year 2 is delivered as part of the Year 1 works and so the Council will be making a financial contribution as part of the Year 1 works. The costs associated with phase 2 are significantly cheaper and more value for money than if LCC were to explore delivering alternative options on existing school sites in the South. The phase 1 costs LCC are contributing to include the early delivery of some phase 2 works for September 2021 i.e. all the toilets and staff accommodation, the entire hard and soft play areas and the whole of the parking requirements as this makes sense from a buildability point of view and also from a value for money aspect. LCC are also funding the cost associated with the LRC and Food tech prep area as mentioned earlier in the report.



**Parent Scheme Number: 33177/000/000**

**Title: BASIC NEED EXPANSIONS 2021/2022**

#### **4.6 Revenue Effects**

- 4.6.1 The total revenue cost associated with this project is £1,781,229. The DfE is paying £574,052 (for the Year 1 accommodation for 210 pupils) and LCC is funding £213,439 for Year 1 and £993,73 (for the Year 2 accommodation (for 420 pupils)).
- 4.6.2 Cockburn MAT will be responsible for funding any revenue costs over and above what the DfE and LCC has agreed to spend i.e. for additional furniture and equipment or staff etc.

#### **4.7 Legal implications, access to information and call-in**

- 4.7.1 The approval of this report constitutes a 'Key Decision' however due to programme restrictions and the urgency to deliver this for September 2021 so the Council doesn't fail in its statutory duty to provide a school place for every child, as such it is recommended that this report be exempt from "call in" This approach has been agreed with the Executive Member for Learning, Skills and Employment. It was not possible to seek an earlier decision than March 2021 from Executive Board as officers in City Development and Children's and Families have only recently received confirmation of the total projected cost and validation from the quantity surveyor that it is deemed value for money.
- 4.7.2 There are no other legal implications or access information issues arising from this report.

#### **4.8 Risk management**

- 4.8.1 Completion of the work detailed in this report is essential in order to provide the required accommodation associated with the secondary places needed for September 2021 (and potentially for September 2022)
- 4.8.2 The Covid-19 pandemic and imposition of lockdown measures remain an escalating risk to the project, whilst it is too early to assess the full impact of this virus on project success every endeavour is being made by the Project Teams to manage this risk and ensure the scheme remains within the tolerances outlined herein.
- 4.8.3 Risk has been managed through application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' risk methodology. Project management resource from City Development is tasked with ensuring the project remains within the predetermined risk tolerances.
- 4.8.4 A joint risk log will be developed with the appointed contractor to ensure all construction related risks for the project are identified together with the relevant owner of the risk. The Council's project risk log will continue to be maintained and updated throughout the project and escalation of any risks that sit outside of the agreed tolerances will be managed via the Head of Projects and Programme, City Development.

#### **5 Conclusion**

- 5.1 In order to implement the temporary solution for Cockburn Laurence Calvert free school for September 2021 it is necessary to deliver the works detailed in section 3.0 *Main Issues – Design Proposals*.
- 5.2 The impact of the Covid-19 pandemic on the successful delivery of the project is subject to continual monitoring and mitigation measures, the overall risk remains an unknown at present however the Project Teams are taking every step to ensure the project remains within the critical path and funding tolerances detailed herein.

5.3 The delivery of the work at the temporary school will be managed by City Development's Projects & Programme's Team in Asset Management and Regeneration on behalf of Childrens & Families in conjunction with the joint venture partners (NPS), the Leeds Local Education Partner (LLEP), the appointed contractor, the school and other key stakeholders.

## 6 Recommendations

6.1 Executive Board is requested to:

- a) Note the continued secondary place pressure in South Leeds and the ongoing measures developed to address them.
- b) Note the approval from the DfE for the opening of a temporary Cockburn Laurence Calvert 7Fe School for provisionally up to 2 years, in advance of the permanent Laurence Calvert School opening to address the shortfall of places in inner South Leeds.
- c) Approve authority to spend and incur capital expenditure of £4,932,032 from capital scheme number 33177/LAU/000 and note revenue costs of £1,781,229 will also be incurred for construction works associated with opening of the temporary Cockburn Laurence Calvert Free School (7FE) on a site adjacent to the permanent school location for September 2021.
- d) Note the requirement for the approval of the temporary school site is subject to a Development Agreement between The DfE and The Council for the creation of the school and approve the entering into the Development Agreement as detailed in Section 3.2.3 of the report, to be delegated to the Director of City Development.
- e) Note within the Development Agreement is the requirement to enter into an Agreement for Lease for Cockburn MAT for the site and approve the principle terms of the Agreement for Lease as detailed in section 3.2.4 of the report and approve the recommendation to delegate to the Director of City Development to conclude the details of the final lease agreement.
- f) Note the programme dates identified in section 3.2 of this report require the Council to award the construction contract on the 22<sup>nd</sup> March 2021, which is within the call-in period and the critical timeline to ensure the success of the project; and as such approve the recommendation to exempt this report from call-in.
- g) Note that the officer responsible for implementation is the Head of Service Learning Systems in Children and Families Directorate.

## 7 Background documents<sup>1</sup>

7.1 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.

## **8 Appendices**

8.1 Appendix 1 – Site Location Plan

8.2 Appendix 2 – Layout Proposals

8.3 Appendix 3 – Equality Impact Assessment Screening Document

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