

Report of the Head of Service Learning Systems Children & Families

Report to the Director of Children and Families

Date: 07th March 2021

Subject: Authority to procure report seeking approval to continue the development of the new build Vine scheme with Leeds Local Education Partnership



Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s):	Burmantofts and Richmond Hill
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary

1. Main issues

- In November 2020, the Leeds Local Education Partnership (LLEP) was commissioned by Leeds City Council to undertake a viability study into the proposal to create a new purpose built building to re-house the Vine educational centre. To carry out the viability study, the LLEP engaged the services of Galliford Try (GT).
- The LLEP are currently delivering the new build Trinity Academy, (formerly known as East Leeds Free School) in partnership with GT, which is located on the adjacent site. The Trinity Academy scheme was procured under Leeds City Council's Contract Procedure Rules (CPR) 3.1.5. This provides a unique but time limited opportunity to make efficiency savings by bringing together both schemes under one contractor.
- The proposed location of the new building is on the open space adjacent to the academy and once complete, the provision will cater for up to 60 students with Special Education Needs and Disabilities (SEND) aged between 19 - 25 years of age.

- The key requirement for the scheme is that it needs to be ready for students and staff in 2022.
- In December 2021, members of the Executive Board approved the Business Case that set out the proposal for a new purpose built building to house a commissioned service providing adult education for young people aged 19 - 25 with an Education Health and Care Plan (EHCP).
- Members also noted that the current budget requirement was £10.8m and approved the proposal to delegate the necessary authority for the approval of future Design and Cost Reports (DCR) in relation to the project to the Director of Children and Families (and/or if appropriate, in consultation with School Places Programme Board).

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The Local Authority has a statutory duty to meet the special educational needs of young people with an EHCP until the age of 25. Desirable local learning places is an efficient use of resources and reduces the risk of costly out of area placement with private providers.
- This proposal establishes high quality specialist places within the city for some of our most vulnerable learners, actively contributing towards achievement of the Best Council Plan outcomes of; “Be safe and feel safe”; “Enjoy happy healthy active lives”; “Do well at all levels of learning and have the skills they need for life”.
- The proposal also addresses the lack of sufficiency of educational places for learners aged 19 - 25 with complex special educational needs and meets the child friendly city aspirations of “Helping young people into adulthood to develop life skills and be ready for work” and “Improving social emotional and mental health and wellbeing”.

3. Resource Implications

- Capital investment in a new purpose built accommodation for a 19-25 provision is a balance of cost avoidance and potential savings outlined in the Business Case approved by members of the Executive Board at their meeting in December 2020.
- Appropriate accommodation will avoid substantial uncontrolled costs that contribute to increasing pressure on the High Needs Block. New accommodation will allow expansion of provision to a capacity of 60, creating 10 additional local learning places and create savings through a reduction in future out of area placements.
- In order to meet the aspirational opening date of September 2022, the LLEP, under the existing exclusive supplier arrangements in line with CPR 3.1.5 was commissioned to develop the viability report.
- By using the same procurement approach as the one used for the design and construction of the Trinity Academy on the adjacent sit, it is anticipated that the authority will be able to make savings of up to £460K through exploiting economies of scale.

- This will be achieved by reducing the overall design time by bringing an experienced team with the appropriate proven experience of delivering DfE General Output Specification within the allowable DfE rates. Furthermore, following the same strategy as the one on the Trinity Academy will expedite delivery whilst at the same time provide value for money.
- Below is a summary of the advantages of using the same procurement approach:
 - Reduce procurement timetable;
 - GT's preliminaries and overheads and profits have already been independently benchmarked by colleagues from Norfolk Property Services (Leeds);
 - Use of the existing and established supply chain and sub-contractors will further reduce costs, risks, procurement time and delivery. For instance, it is expected that the same site logistics set up will be used for both schemes;
 - The design team fully understand and appreciate the landscaping nuances of the site and the desire to create accessible public space and protecting the emerging woodland;
 - The GT team have already carried out extensive surveys of the site to establish ecological and arboricultural impact, flood risk, etc. and therefore these will not be repeated which would be the case if the same procurement approach was not adopted.
- As on other schemes, it is proposed that Norfolk Property Services Leeds (NPSL) are utilised to provide technical advisor expertise, commercial support, CDM (client) support roles throughout the scheme. This will provide an appropriate level of independent scrutiny.
- The current site, Queenswood Education centre is not well suited to the needs of learners with such complex special educational needs. Further remediation work to the current building could only be superficial and would not meet the needs of all the learners or allow for growth. It has been the intention to house the Vine in modern, purpose built accommodation since 2016.

Recommendations

The Director of Children and Families is requested to:

- a) Approve the proposal to continue design development of the new purpose built Vine building on the former Arcadia site with the Leeds Local Education Partnership for the sum of £729,811.00;
- b) Note the intention to procure the contract for construction works via the appointment of the LLEP in accordance with CPR 3.1.5. subject to receiving independent validation from Norfolk Property Services (Leeds) that the construction costs offers value for money, This will be subject to approval of a separate Design and Cost Report (DCR) and Tender Acceptance Report (TAR);
- c) Note the responsible officer for implementation is the Head of Learning Inclusion.

1. Purpose of this report

1.1 The purpose of this report is:

- To provide background information and detail in respect of the development of the new purpose built Vine building which will provide adult education for young people aged 19 - 25 with complex special educational needs on the former Arcadia site.
- To seek approval to continue development of the new build Vine building with the LLEP in line with CPR 3.1.5. This will facilitate the accomplishment of key milestones that must be achieved if the challenging timetable is to be met.

2. Background information

2.1 In 2016, the decision to transfer the Vine service for young people with complex special educational needs from Leeds City Council to Leeds City College was taken, changing the Local Authority's relationship with the service from provider to commissioner.

2.2 As part of the 2016 decision to transfer, Leeds City College was granted a three-year lease in the Queenswood Education Centre. This lease was in place to allow a phased move from the current site into the purpose built Beeston Centre. However, rising demand in the city for provision for learners with special educational needs and the increasing complexity of the needs of the learners at the Queenswood centre meant that the transfer did not proceed as originally intended.

2.3 Approximately 20% of the SILC population in Leeds require ongoing educational support and services when they leave special school provision at the age of 19. Currently, the authority cannot meet all the complexity of needs within the city. The shortage of appropriate accommodation and poor quality of facilities for this cohort is contributing to increase use of out of area placements that are more expensive and result in an increase in spend from the High Needs Block of the Designated School Grant.

2.4 Through ongoing sufficiency planning and as part of a new secondary school development, an opportunity for relocation of the Vine has been identified. A suitable spur of land on the same building site as the Trinity Academy, is available. The identified area of land has no commercial value and is already owned by the council. This site provides a time- limited opportunity to create purpose-built accommodation that will both improve the quality and increase the number of places available to meet the specific needs of 60 young people with the most complex needs.

2.5 Leeds City College have and will continue to be involved in the design process and have expressed their approval and commitment to delivering the service from the location. Leeds City College are confident that the accommodation will support the curriculum offer they have developed, which was graded as outstanding in 2018 by Ofsted.

3. Main issues

- 3.1 The Local Authority has a statutory duty to meet the special educational needs of young people with an Education Health and Care Plan until the age of 25. The Vine provision is a commissioned service run by Leeds City College, providing adult education for young people aged 19-25 with complex special educational needs.
- 3.2 The Vine moved into the Queenswood Education Centre in 2012 following the closure of the Blenheim building and the West Leeds Learning Centre. The Queenswood Education Centre has multiple occupants and whilst initial adaptations were made at the time, it was never intended to be a permanent relocation of the Vine.
- 3.4 The Queenswood Education centre is not well suited to the needs of learners with such complex special educational needs. Further remediation work to the current building would only be superficial and would still not meet the needs of all the learners or allow growth to meet increasing demand.
- 3.5 Our ambition to be child-friendly and inclusive is challenged by a lack of suitable accommodation within Leeds for our most vulnerable learners whose educational needs continue into adulthood up to the age of 25. This scheme contributes towards addressing this challenge.
- 3.6 Out of area education for learners with complex needs placed with private providers are more expensive than local area provision and do not necessarily result in positive outcomes. The lack of quality provision in Leeds for this cohort of learners limits the choice and control young people and their families have and can lead to separation of young people from their family and community with significant risk to their long term and even life-long health and wellbeing.
- 3.7 It has been the intention to house the Vine in modern, purpose built accommodation since 2016. An opportunity has now arisen to create a purpose built facility on a spur of land on the same building site as a new secondary academy development.
- 3.8 This opportunity is time-limited in terms of efficiency savings by bringing together both schemes under one contractor. By using the same procurement route as the one used for the Trinity Academy scheme, there is an opportunity to save up to £460K. Once works on the school site are underway, it will become increasingly costly and disruptive to access the site and achieve any of the identified savings.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The process in respect of the proposal has been managed in accordance with the relevant legislation and local good practice.
- 4.1.2 Consultation has and will continue to be undertaken with Leeds City College, young people attending the Vine, parents with a child attending the Vine, parent support groups, local residents, ward members and other relevant stakeholders.

4.2 Equality and diversity / cohesion and integration

4.2.1 The EDCI screening form for the proposal is attached as an appendix to this report.

4.3 Council policies and the Best Council Plan

4.3.1 The Local Authority has a statutory duty to meet the special educational needs of young people with an Education Health and Care Plan until the age of 25. Desirable local learning places is an efficient use of resources, reduces the risk of costly out of area placements with private providers, and supports the council value of spending money wisely.

4.3.2 This scheme will establish high quality specialist places within the city for some of our most vulnerable learners, actively contributing towards achievement of the Best Council Plan outcomes of; “Be safe and feel safe”; “Enjoy happy healthy active lives”; “Do well at all levels of learning and have the skills they need for life”.

4.3.3 The proposal addresses the lack of sufficiency of educational places for learners aged 19 - 25 with complex special educational needs and meet the child friendly city aspirations of “Helping young people into adulthood to develop life skills and be ready for work” and “Improving social emotional and mental health and wellbeing”.

4.3.4 This proposal contributes to the aspiration for Leeds City Council to be the best council and for Leeds to be the best city in which to grow up in. We want all children and young people in the city to have access to a wide range of opportunities, develop key life skills, and be supported on ambitious pathways to enable them to thrive supporting the council’s ambition to produce a strong economy and a compassionate city.

4.3.5 Climate Emergency

4.3.6 A modern, purpose built provision will enable more cost effective heating and lighting to be installed, and by increasing the number of places within the City will reduce travel to external places.

4.3.7 The contractor will be required 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 public, the workforce and the environment. The contractor will also be required to be sympathetic to the Leeds Talent and Skills Plan by striving to employ local trades thus reducing the impact of extended travel.

4.4 Resources, procurement and value for money

4.4.1 The initial high-level construction estimate for a new purpose built accommodation for 60 learners aged 19-25 with Education Health and Care Plans is £10.8m. As reported in the December 2020 Executive Board report, the average cost of an equivalent out of area placement is £50K per annum with costs of Individual placement significantly higher.

4.4.2 Providing places in Leeds allows improved accessibility to local and desirable learning places and is an efficient use of the council’s limited resources.

4.4.3 Upon completion of the detailed design stage and in advance of the construction

stage, a Design and Cost Report (DCR) and Tender Acceptance Report (TAR) seeking approval to enter into a contractual agreement with Leeds D&B One will be submitted. These reports will only be submitted once colleagues from NPS Leeds have independently validated the proposed costs and confirmed that the scheme offers the council value for money.

4.5 Legal implications, access to information, and call-in

4.5.1 The council has a legal duty under the Children and Families Act 2014 and the Education Act 2011 to meet the needs of all learners with Special Educational Needs and Disabilities up to the age of 20 and where there is an Education, Health and Care Plan up to the age of 25.

4.6 Risk management

4.6.1 This proposal has been developed to allow learning places to be delivered for the start of the 2022 / 23 academic year. A decision not to proceed at this stage may expose the council to a risk of uncontrolled costs incurred providing suitable safe placements in private out of area provision, until appropriate accommodation is built or sourced.

4.6.2 Furthermore, a decision not to proceed at this stage would likely result in fresh consultations on new proposals which would mean that the aspirational opening date of 2022 cannot be met. In addition, the savings associated with adopting the same procurement route as that used for the Trinity Academy scheme cannot be achieved.

4.6.2 Demand for specialist learning places is rising. There is also a corporate risk associated with failing to provide sufficient further education places for learners with an Education Health and Care Plan in good quality buildings that meet the needs of local communities.

5. Conclusions

5.1 Our ambition is to be a compassionate city with a strong economy. As a vibrant and successful city, we aspire to be inclusive and to support and protect our most vulnerable children and young people.

5.2 This proposal supports the local authority's statutory duty to meet the further education needs of young people aged 19 - 25 with complex special educational needs who have an Education Health and Care Plan.

5.3 The Vine accommodation situated at Queenswood Education Centre is not well suited to the needs of learners with such complex special educational needs and since 2016; there has been plans to re-site the provision.

5.4 Further remediation work to the current building could only be superficial and would not meet the needs of all the learners or allow for the increase in places that are now needed.

5.5 The alternative to new premises for local provision is increasing private out of area provision. This not only limits the choice and control for young people with complex special educational needs and their families but can also lead to separation of

young people from their family and community with significant risk to their long-term health and wellbeing. This option is also financially more expensive and has not been shown to improve outcomes.

- 5.6 New, purpose built premises are required to ensure the authority is able to meet its legal obligation to provide specialist-learning places for 2022 and beyond. Currently, there is rapidly rising need, and insufficient suitable provision.
- 5.7 Building works for a new secondary school have already been approved. Potential time limited, efficiency savings in build costs for re-siting and extending the Vine provision have been identified on a slip of land on the same site. The slip of land is not otherwise commercially viable and is cost neutral. Once works on the school site are underway, it will become increasingly costly and disruptive to access the site and will reduce or eliminate identified savings.

6. Recommendations

- 6.1 The Director of Children and Families is requested to:
 - a) Approve the proposal to continue design development of the new purpose built Vine building on the former Arcadia site with the Leeds Local Education Partnership for the sum of £729,811.00;
 - b) Note the intention to procure the contract for construction works via the appointment of the LLEP in accordance with CPR 3.1.5. subject to receiving independent validation from Norfolk Property Services (Leeds) that the construction costs offers value for money, This will be subject to approval of a separate Design and Cost Report (DCR) and Tender Acceptance Report (TAR);
 - c) Note the responsible officer for implementation is the Head of Learning Inclusion.

7. Background documents¹

- 7.1 None