

Design and cost report and tender acceptance for the Autistic Spectrum Special Resource provision at Bishop Young C of E Academy.

Date: 13 July 2021

Report of: The Head of Service Learning Systems Children & Families

Report to: The Director of Children's & Families

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- The purpose of the report is to seek approval of authority to spend and incur capital expenditure for the provision of the Autistic Spectrum Condition Special Resource Provision (ASC SRP) at Bishop Young Church of England (C of E) Academy following provisional approval at Executive Board in February 2021. The report also seeks approval to accept the tender from the selected contractor and to enter into a contract with them to deliver the development for the school year commencing September 2021.
- The scheme will be delivered under the City Council's Learning Places Programme and is required to fulfil the Local Authority's statutory duty to ensure sufficiency of school/learning places including Special Educational Needs and Disabilities (SEND) places.
- The scheme contributes to the 2020/2025 Best Council Plan outcomes for everyone in Leeds to 'improve educational attainment and close achievement gaps for children and young people vulnerable to poor learning outcomes'; 'improve social, emotional and mental health and wellbeing' 'help young people into adulthood, to develop life skills and be ready for work' 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'.

Recommendations

- a) Approve the Design and Cost Report for the expenditure of £1,687,904 from capital scheme number 33177/BYA/000 for the BYA ASC Specially Resourced Provision project.
- b) Approve acceptance of the tender submitted via the Bermar Building Company Ltd in the sum of £835,754 inclusive of all professional design fees, development costs and surveys incurred by the appointed contractor. Release of funding for the construction costs will be subject to valuations completed and validated by NPS Ltd Leeds.
- c) Approve entering into a contractual agreement with Bermar Building Company Ltd to deliver the development at Bishop Young Academy.
- d) Note the programme dates identified in section 35 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.

- e) Note that the officer responsible for implementation is the Head of Service Learning Systems in Children's and Families Directorate.

Why is the proposal being put forward?

- 1 The Local Authority's has a duty to ensure a sufficiency of school places, which supports the achievement of the Best Council priority to improve educational attainment and close achievement gaps. The strategic drive to keep pupils in mainstream or with enhanced provision in mainstream school is a key priority for the city. To support this there is an identified need for additional Resource Provision places in mainstream schools, particularly for children and young people with complex communication difficulties which are being identified as a consequence of a substantial increase in Education, Health and Care Plan (EHCP) assessments.
- 2 The number of children and young people living in Leeds has increased over the past decade, which has resulted in rising demand for both mainstream places and specialist provision places across the city. The demand for special needs places within mainstream schools continues to grow with particular increases in complex communication difficulties which are being identified as a consequence of a substantial increase in Education, Health and Care Plan (EHCP) assessments. Demand for new Resource Provision places to be developed in key locations across the city has resulted in these proposals being brought forward at this time.
- 3 On 10th February 2021, Executive Board approved the proposal to establish a 30-place Resource Provision at Bishop Young C of E Academy with effect from September 2021 and granted provisional approval for authority to spend (ATS) £2.2m to deliver the proposed 30-place Resource Provision at Bishop Young C of E Academy.
- 4 In response to this a 30-place Resource Provision at Bishop Young C of E Academy under the Abbey Multi Academy Trust from September 2021 has been developed which will support children with EHCPs to attend local mainstream settings providing both a differentiated curriculum and access to mainstream social and wider curriculum activities. The proposed provision will also potentially benefit other pupils who may be able to access some of the resources created through the scheme where appropriate. Specialist staff with expertise and skills in ASC will lead the provisions, better providing for pupils sensory and learning needs and enhancing the quality of provision for pupils with Special Educational Needs. The Resource Provision will cater for all secondary year groups (ages 11-16) with the learners being on the roll of Bishop Young C of E Academy.
- 5 The works will consist of alterations to the existing SEN base within the school, "the Ark", to develop a combined ASC SRP at first floor level. This will be achieved through the expansion into and remodelling of the existing Learning Resource Centre (LRC) which is situated on the first floor and adjacent to the Ark. The new ASC SRP spaces created from the floor area of the LRC will consist of:
 - Life skills
 - Hygiene suite
 - Independent living
 - 1:1 Room
 - Group Room
 - Calm Room
 - Meeting Room x 2
 - Sensory Room
 - Staff Room
 - Office

- Staff and pupil WC's

The existing LRC will be relocated to the ground floor into the former sixth form base, which requires some remodelling works.

The proposal also provides the development of a dedicated external hard standing and soft play area for the ASC SRP which will provide level access from the new facilities on the first floor due to the layout of the school.

What impact will this proposal have?

Wards Affected: Killingbeck and Seacroft

Have ward members been consulted? Yes No

- 6 The Resource Provisions at Bishop Young Academy will provide for children and young people with complex communication needs including Autistic Spectrum Condition (ASC). Pupils accessing the Resource Provisions will be on the roll of the mainstream school/academy and will spend most of their time in mainstream lessons, accessing additional support as appropriate in relation to their specific needs. The Resource Provisions will incorporate dedicated accommodation within the existing school.
- 7 The provision of sufficient learning places to support new housing growth is an integral part of meeting demand for school places. Resource Provision established at Bishop Young C of E Academy from September 2021 will contribute to an increased need for secondary SEND places linked to new housing developments in the East Leeds Extension.
- 8 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 as part of the background papers) and the outcome of the screening is that an independent impact assessment is not required for the proposal set out in this report.
- 9 The approval of this report constitutes a Significant Operational Decision and as such will not be subject to 'Call-In'.

What consultation and engagement has taken place?

- 10 The proposed scheme has been subject to consultation with key stakeholders including:
- 11 Children's and Families officers, the Executive Member for Learning, Skills and Employment, ward members, local MP, parents, carers, existing pupils, local residents and others including the Catholic and C of E dioceses and various parent groups including EPIC and Zig Zag Autism Leeds
- 12 Executive Board approved on 10th February 2021 the proposal to establish a 30-place Resource Provision at Bishop Young C of E Academy with effect from September 2021 with provisional ATS of £2.2m.
- 13 Throughout the design process we have, and will continue to consult with the school and the governing body to ensure that the final product meets expectations and that any changes proposed do not materially affect the operation and success of the school. The school have been engaged on the development process and are fully supportive of the scheme.

- 14 Consultation has been undertaken with planning officers as statutory consultees. The planning officer has confirmed that the development will not be subject to a planning application due to the nature of the works.

What are the resource implications?

- 15 Following a feasibility study, a fully designed scheme has been developed by NPS. In order to deliver the required accommodation in line with the planned programme to be brought into use in the academic year 2021/22 the works detailed in this report have been procured via the Yorbuild2 framework on a price only basis. An admin decision for this procurement strategy was approved on 26th April 2021.
- 16 The associated procurement rules have been adhered to and are in line with CPR 3.1.4 and CPR 3.1.6.
- 17 The full scheme capital requirement is £1,687,904 and includes the construction works, furniture and equipment, surveys, fees and a client held contingency, commensurate with a project of this value.
- 18 The tender submissions have been evaluated by NPS and the procurement and contracts team. The NPS assessment is that the tender sum with the value of £835,754 inclusive of contractor fees and other services, from Bermar Building Company Ltd, is in line with expectations for the work content identified in the tender package of drawings, arithmetically correct and technically sound. As such, the tender submitted by Bermar Building Company Ltd is considered fair and reasonable from a financial perspective.
- 19 The full scheme cost will be met through capital scheme number 33177/BYA/000 as part of the Learning Places Programme.
- 20 Any additional revenue consequences that may arise as a result of the project will be managed within the schools budget.

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2021 £000's	FORECAST					
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024/25 £000's	2025 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	0.0							
FURN & EQPT (5)	0.0							
INTERNAL DESIGN FEES (6)	0.0							
OTHER FEES / COSTS (7)	0.0							
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2021 £000's	FORECAST					
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024/25 £000's	2025 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	835.8		809.8	26.0				
FURN & EQPT (5)	185.0		185.0					
INTERNAL DESIGN FEES (6)	85.0		85.0					
OTHER FEES / COSTS (7)	582.1	53.8	528.3					
TOTALS	1687.9	53.8	1608.1	26.0	0.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2021 £000's	FORECAST					
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024/25 £000's	2025 on £000's	
LCC Corporate Borrowing	0.0							
Revenue Contribution	0.0							
Capital Receipt	0.0							
Insurance Receipt	0.0							
Lottery	0.0							
Gifts / Bequests / Trusts	0.0							
European Grant	0.0							
Health Authority	0.0							
Private Sector	0.0							
Section 106 / 278	0.0							
Government Grant (Specify)	0.0							
Departmental Borrowing	0.0							
Basic Need Funding	1687.9	53.8	1608.1	26.0				
Total Funding	1687.9	53.8	1608.1	26.0	0.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

What are the legal implications?

- 21 Executive Board approved the key decision to provide the ASC SRP with the provisional ATS of £2.2m in February 2021. Therefore, the approval of this report constitutes a Significant Operational Decision and as such will not be subject to 'call-in'.
- 22 As Bishop Young is an academy school operating under the Abbey Multi Academy Trust, a license to operate for the duration of the works will need to be entered into and is currently being arranged between the legal teams representing the Council and the Trust.

What are the key risks and how are they being managed?

- 23 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.
- 24 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 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.

- 25 The ongoing risk potential of labour resource availability and procurement delays as a consequence of the Covid-19 and current supply and demand issues will be closely monitored throughout progress, regardless the programme and cost tolerances noted in this report remain the critical path and every endeavour will be made to adhere to them by the project team. The cost plan detailed herein is priced to reflect the position known at the current stage as such they reflect the known risk of Covid-19 and supply and demand influences at this time and have adjusted accordingly. Any new escalation of the pandemic, outside of the known parameters, or changes to current Government guidance, remains an unknown and prevalent risk. The project team will continue to monitor this and report back to the Head of Programmes & Project at regular intervals.
- 26 As well as a client held contingency commensurate with a project of this value to address any risks during construction, a separate sum for Covid-19 related risk has been allocated within the budget.
- 27 Completion of the work detailed in this report is essential in order to provide the required accommodation associated with SEND provision at Bishop Young C of E Academy for the academic year 2021-22.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 28 The provision of the ASC ARP at Bishop Young C of E Academy offers additional good quality specialist places in an already established settings, to address increasing demand city-wide and will contribute towards the achievement of the Child Friendly City aim of 'improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'. In turn, by helping young people into adulthood, to develop life skills, these proposals provide underlying support for the council's Inclusive Growth Strategy aim of growth and investment, helping everyone benefit from the economy to their full potential
- 29 The addition of the ASC ARP provision supports the Council's Health and Wellbeing Plan aim of working as a system to ensure people get the right care, from the right people in the right place by ensuring children feel safe and secure within their day to day learning environment, ensuring young people are prepared into adulthood, to develop life skills and be ready for work.
- 30 The proposals include energy saving technologies, with the aim of increasing sustainability and minimising energy consumption. In parallel with this, the school is delivering a BYA Salix funded works to further support overall energy efficiencies.
- 31 The contractor will be required to explore ways in which the environmental performance and sustainability of the scheme delivery might be improved and environmental impact reduced to support the Council's climate emergency agenda.
- 32 Providing Resource Provision places in areas where demand is high is an efficient use of resources which should enable more children and young people to access suitable provision within a reasonable travelling distance of where they live

Options, timescales and measuring success

- 33 The strategic drive to keep pupils in mainstream or with enhanced provision in mainstream school is a key priority for the city. To support this there is an identified need for additional Resource Provision places in mainstream schools, particularly for children and young people with complex communication difficulties which are being identified as a

consequence of a substantial increase in Education, Health and Care Plan (EHCP) assessments.

- 34 Success will be measured through the targeted programme for handover being achieved and the new provision being available for pupils in the academic year 2021/22.
- 35 Completion of the works are essential in order to provide suitable accommodation for SEN provision within Bishop Young Academy and the table below represents the critical path for completion.

Milestone	Date
Tender submissions return date	18 th June 2021
Tender analysis and review completion	6 th July
Authority to spend – DCR and tender acceptance approvals	23 rd July 2021
Contract award and lead in to construction	26 th July 2021
Start on site	9 nd August 2021
Completion and handover of phase 1 ground floor	Early September 2021
Completion and handover of phase 2 1 st floor and external works	Early November 2021

Appendices

None

Background papers

None