

Design & Cost Report for the Health & Safety Programme – Asbestos Works, Electrical Testing, Condition Surveys and Reactive Works 2022-23

Date: 21st July 2022

Report of: Assets and Access Lead

Report to: The Director of Children and Families

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

The Purpose of the report is to Seek authority to spend £1,000,000 from the £6,818,427 of School Condition Allocation in respect of condition works at Community, Voluntary Controlled, Foundation (Trust) Schools and Children's Centres on school sites. The programme of essential works falls into the four categories Asbestos Works, Electrical Testing, Condition Surveying and Reactive Works. The works identified are required to ensure compliance with legislative requirements and discharge the Council's legal and statutory obligations as landlord for school premises. Also to give approval to carry out, on a responsive basis, unknown urgent Reactive Works in the event of failure to major building elements / services.

Recommendations

The Direct of Children and Families is requested to:

- a) Authorise expenditure of £1,000,000 of the available School condition Allocation Grant to spend on these essential condition works.
- b) Approve the proposal to carry out Asbestos Works, Electrical testing, Condition Survey Works and unforeseen urgent Reactive Works at Leeds Schools.

What is this report about?

- 1 Leeds receives an annual School Condition Allocation (SCA) in respect of condition works at maintained schools, Foundation (Trust) schools and children's centres on school sites. The DfE normally confirms the value of annual SCA grant allocations in April or May each year. The latest allocation has been confirmed for the 2022/23 financial year as £6,818,427. It is based on similar methodology to the 2021/22 allocation, with funding being adjusted to take into account schools opening, closing and changing responsible body (i.e. schools converting to Academy status).
- 2 The works identified are required to ensure compliance with legislative requirements and discharge the Council's legal and statutory obligations as landlord for school premises. Also to give approval to carry out, on a responsive basis, unknown urgent reactive works in the event of failure to major building elements / services.
- 3 This report requests Authority to spend £1,000,000 of the available Schools Condition Allocation grant on continuing to carry out Asbestos Works, Electrical Testing, Condition Surveys and Reactive Works in 2022/23.
- 4 These works will contribute towards creating good quality, safe, warm and watertight learning environments for the children of Leeds. This supports the 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'.

What impact will this proposal have?

- 5 Due to the disruptive nature of the schemes and their impact on Health and Safety maximum use will continue to be made of out of hours working around the school day during term time to minimise disruption to learning where possible.
- 6 Reactive works which occur during the course of the programme year will be scheduled as they arise. This will be in full consultation with all stakeholders.
- 7 Funding will be allocated across the four budget headings in accordance with prioritised programmes of work. Regular progress reports will be submitted for review by Children & Families' Programme, Risk & Control Group, and approval sought to re-allocate funds across budget headings if and when necessary to reflect changes in circumstances and priorities that arise throughout the year.
- 8 The recommendations within 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 and an independent impact assessment is not required for the approvals requested. A copy is included as Appendix 1 to this report.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 9 These works will contribute towards the modernisation of school buildings within the city, creating good quality, safe, warm and watertight learning environments for the children of Leeds, supporting the 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'. The works also contribute to the vision in the supporting Children and Young People's Plan 2018-23 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. In addition, the works will ensure that the Council is complying with its legal responsibilities with regards to health & safety legislation and maintaining occupant safety.
- 10 The Assets and Access Team will continue to consult with the Sustainable Energy & Air Quality Team to maximise, wherever possible, the opportunities for incorporating carbon reduction technologies within all works.
- 11 Contractors are encouraged to recycle all redundant materials and construction waste that are removed from site wherever possible.
- 12 Where the Internal Service Provider is unable to resource the works, consideration is given to the contractor's locality during the selection process, to reduce the impact due to excessive travel distances.

What consultation and engagement has taken place?

Wards affected: **ALL WARDS**

Have ward members been consulted? Yes No

- 13 The proposed Health & Safety Works generally have no impact on the community requiring engagement or consultation, however where any of the works would have an impact on neighbouring residents, for example where out-of-hours working would be required either during an evening or weekend, residents will be fully consulted and informed in advance of these works being undertaken.
- 14 It is anticipated the works within this programme will not require planning approval, however officers in both Planning and Building Control will be consulted as a matter of course.
- 15 The Executive Member for Economy, Culture and Education and relevant Ward Members will be consulted and informed of any serious H&S issues that arise during the year.

What are the resource implications?

- 16 To ensure value for money and to procure the works within the agreed timescales, a variety of procurement methods will be employed. Children & Families will commission the necessary works utilising the internal service provider, where possible. Where this is not possible works will be commissioned in accordance with CPR's in order to agree the identified procurement routes.
- 17 Updated spend profiles are to be reported to the Children & Families' Programme, Risk and Control Group on a quarterly basis and approval sought in relation to proposed actions, in order to mitigate any financial risks

18 The cost of the projects will be met through capital scheme number 33544/000/000 as part of the Health & Safety Programme 2022/23

Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2022 £000's	FORECAST			
			2022/23 £000's	2023/24 £000's	2024/25 £000's	2025/26 £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0		0.0			
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0	0.0	0.0			
OTHER COSTS (7)	0.0					
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2022 £000's	FORECAST			
			2022/23 £000's	2023/24 £000's	2024/25 £000's	2025/26 £000's
LAND (1)	0.0					
CONSTRUCTION (3)	900.0		900.0			
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	100.0	0.0	100.0			
OTHER COSTS (7)	0.0					
TOTALS	1000.0	0.0	1000.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2022 £000's	FORECAST			
			2022/23 £000's	2023/24 £000's	2024/25 £000's	2025/26 £000's
SCA grant	1000.0		1000.0			
Total Funding	1000.0	0.0	1000.0	0.0	0.0	0.0
Balance	0.0	0.0	0.0	0.0	0.0	0.0

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

- 19 The programme of works will be carried out in accordance with LCC policies and standards. Risk is to be managed through application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' risk methodology. Experienced Project Management resource has been allocated from within Children & Families.
- 20 Concerns with regard to asbestos will be identified by undertaking appropriate surveys prior to work commencing. Removal of asbestos will be undertaken, as required, out of school hours with suitably qualified specialists being appointed to carry out works, and to undertake testing to current legislative standards with full notification to the Health and Safety Executive if required.
- 21 Updated spend profiles are to be reported to the Children and Families' Programme, Risk and Control Group on a quarterly basis and approval sought in relation to proposed actions, in order to mitigate any financial risks.

What are the legal implications?

- 22 This is a key decision and will be subject to Call-In.
- 23 The proposed capital works are all classified as 'Category B' and as such, the Director of Children and Families has unlimited delegated authority to approve Authority to Spend.
- 24 CPRs apply to this process and this report confirms that the relevant CPRs have and will be adhered to, utilising our Joint Venture Partner, NPS Leeds, to carry out surveys and design works as required. Construction works will be undertaken through a number of providers including the Internal Service Provider, Leeds Building Services, which supports their vision of growth and expansion and is in compliance with CPR 3.1.4 (ISP ability to undertake works).

25 There are no other legal implications or access information issues arising from this report.

Options, timescales and measuring success

What other options were considered?

26 These works are essential to ensure compliance with legislative requirements and discharge the Council's legal and statutory obligations as landlord for school premises.

27 There are no other reasonable or viable routes or options necessary for consideration at this time.

How will success be measured?

28 Success will be measured by ensuring the Council as Corporate Landlord is achieving their legal and statutory requirements for Community, Voluntary Controlled, and Children's Centres on school sites, as well as fulfil the Councils duty to maintain condition at Foundation (Trust) Schools.

What is the timetable and who will be responsible for implementation?

29 The decision is required at the earliest convenience to ensure compliance with legislative requirements and discharge the Council's legal and statutory obligations as landlord for school premises.

30 The key programme dates are from April 2022 to March 2023

Appendices

- Appendix 1 – EDCI Screening Form

Background papers

- None