

<b>Award of Contract for the expansion and partial remodelling of Ormiston Bushfield Academy</b>
<b>Councillor Lynne Ayres, Cabinet Member for Education, Skills, and University</b>
<b>June 2017</b>
<b>Deadline date: June 2017</b>

Cabinet portfolio holders:	Cllr Ayres, Cabinet Member for Education, Skills, and University  Wendi Ogle-Welbourn, Corporate Director, People & Communities
Responsible Director:	
Is this a Key Decision?	YES If yes has it been included on the Forward Plan : Yes Unique Key decision Reference from Forward Plan : KEY/20FEB17/03
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO

## R E C O M M E N D A T I O N S

The Cabinet Member is requested to :

1. Authorise the expansion and partial remodelling of Ormiston Bushfield Academy up to the value of the budget sum of £6m, subject to the Council obtaining consent pursuant to section 77 of the School Standards and Framework Act 1988. This sum shall include the anticipated design and build contract costs and funding for Information and Communications Technology (ICT), site surveys, and technical advisers' fees.
2. Authorise the Council to award the design and build contract to Kier Construction Limited, subject to the recommendations of the value for money report.
3. Authorise the Council to enter into an Early Works Agreement with the contractor to undertake enabling works in advance of the main construction contract.
4. Authorise the Assistant Director for Legal & Governance, or delegated officers, to enter into any other legal documentation on behalf of the Council in relation to this matter, including the design and build contract and early works agreement.

### 1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks the Cabinet Member's approval to the recommendations to expand Ormiston Bushfield Academy by 2 forms of entry (60 pupils per year group) from September 2018, to be phased over five years.
- 1.2 With the rise in the number of four year olds in the City, there are significant pressures within Peterborough primary schools, with the need for significant investment to meet basic

need. The impact of this significant growth in primary age children means that this will eventually put pressure on the Council's secondary schools too. Pressure for Year 7 places started in 2015 and will be critical by 2018.

- 1.3 A key priority for the Council is to provide local school places for children, and the Council is monitoring very closely the demographic trends, along with the growth in housing developments. The Council has analysed the postcode data of children entering our schools to ensure expansions are taking place in the right parts of the City. This data was used to validate the assumption to expand Ormiston Bushfield Academy, and confirmed that expansion is required if places are to continue to be made available to local children.
- 1.4 A design control option for the expansion of Ormiston Bushfield Academy was prepared by the NPS Group, Peterborough City Council's Joint Venture Partner, and this was presented to the Council in December 2016. This confirmed that the proposal to expand the Academy could be accommodated on the site without unduly affecting playing field space.
- 1.5 The expansion proposals will provide the Academy with a 2-storey extension, linked to the existing school, providing general and specialist teaching spaces; some internal remodelling to increase catering provision and provide additional specialist teaching spaces; landscape work to reposition the fence and hedge-line at the rear of the school to accommodate sports pitches; and additional staff car parking.

## 2. PURPOSE OF THIS REPORT

- 2.1 The purpose of this report is to provide background information and seek the Cabinet Member's approval in relation to the recommendations.
- 2.2 This decision is proposed in accordance with the delegations for the Cabinet Member for Education, Skills, and University exercising delegated authority under paragraph 3.4.6 and 3.4.8 (a) of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b).

## 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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## 4. DETAILS OF DECISION REQUIRED

- 4.1 Due to Kier Construction Ltd's extensive knowledge of the Ormiston Bushfield Academy site and buildings, having delivered the original Academy scheme (a sample scheme delivered under the Academies Framework 2010), it is proposed that Kier Construction Ltd are directly appointed using the London Housing Corporation Framework to design and build the new and remodelled accommodation.
- 4.2 The London Housing Corporation Schools and Community Buildings Framework allows Local Authorities to run a mini competition from the Framework to select a construction partner, or to use a direct selection and award process without re-opening competition. The Council is permitted to use this Framework. The Council has previously used the Framework to procure school new build and extension projects. The use of the Framework is significantly advantageous in terms of speed to financial and commercial close and to starting on site with a proven contractor and schemes demonstrated as being value for money. The LHC Schools and Community Buildings Framework (SCB1) was procured in accordance with the Public Contracts Regs 2006 and is an EU compliant framework arrangement that provides five main contractors, appointed on a regional basis, to deliver fast and flexible procurement for new build extensions, alterations and refurbishment works for all primary and secondary schools or other educational buildings. The Schools and Community Buildings Framework (SCB1) was effective from 1 July 2013 and has been extended to 30 June 2017. In view of the very successful experience of Kier delivering on

previous schemes, as well as their extensive knowledge of the site and buildings from delivering the original Academy scheme, it is proposed to use the LHC Schools and Community Buildings Framework (SCB1) to select Kier Construction Ltd.

- 4.3 It is also proposed to enter into an Early Works Agreement with Kier Construction Ltd to undertake internal remodelling works during the 2017 summer break, to take advantage of the school being empty during this time.
- 4.4 A budget of £6m has been set for this project. These funds are allocated against the Medium Term Financial Plan for the period 2017-2022.
- 4.5 The programme of works is scheduled to complete by September 2018, when the two additional forms of entry join the Academy.
- 4.6 The planning application was submitted on 13<sup>th</sup> March 2017 and, if required, is scheduled to be heard at Planning Committee on 12<sup>th</sup> June 2017.
- 4.7 In order to keep to the overall programme timescale, careful consideration has been given to the decisions that will be required to ensure probity in the process. The following milestones and dates should be noted:

Submission of planning application	13 <sup>th</sup> March 2017
Planning decision	12 <sup>th</sup> June 2017
Contractors Proposals submitted	19 <sup>th</sup> June 2017
Early Works Order awarded	10 <sup>th</sup> July 2017
Financial and Commercial close	18 <sup>th</sup> August 2017
Start on site (main contract)	August 2017
All works complete	September 2018

## **5. CONSULTATION**

- 5.1 The Principal, and other key staff from the Academy, have been fully involved in the development of the specification and design for the proposed works. The Academy Trust has also been consulted on the proposals.
- 5.2 A public consultation was held at the Academy on 16<sup>th</sup> February, where the designs for the extension and remodelling works were on display for the public, parents, pupils, staff and governors. The Ward Councillors were invited to the consultation. Although not well attended, the proposals were positively received by those who did attend.
- 5.3 Sport England was informally consulted during the early design stage and will be formally consulted through the planning application process.
- 5.4 The new buildings will be built upon hard/soft play areas, therefore consent is required from the Department for Education pursuant to Section 77 of the School Standards and Framework Act 1988. The application is being made by the Local Authority as landowner to the Department for Education.
- 5.5 Vivacity has been consulted to agree the revised location of the publicly used pitches on the Academy site.
- 5.6 Key stakeholder departments within the Council are fully briefed on the proposals. These include Planning Department, Strategic Finance and Legal Services.

## **6. ANTICIPATED OUTCOMES**

- 6.1 Direct appointment of Kier Construction Ltd to design and build the extension and remodelling works at Ormiston Bushfield Academy.

- 6.2 The programme anticipates completion of the works by September 2018, when the two additional forms of entry join the school.

## **7. REASONS FOR RECOMMENDATIONS AND ANY RELEVANT BACKGROUND INFORMATION**

- 7.1 The impact of significant growth in primary age children is now putting pressure on the Council's secondary schools. Pressure for Year 7 places started in 2015 and will be critical by 2018.
- 7.2 A key priority for the Council is to provide local school places for children, and the Council is monitoring very closely the demographic trends, along with the growth in housing developments. The Council has analysed the postcode data of children entering our schools to ensure expansions are taking place in the right parts of the City. This data was used to validate the assumption to expand Ormiston Bushfield Academy, and confirmed that expansion is required if places are to continue to be made available to local children.
- 7.3 As a result of the above, Ormiston Bushfield Academy needs to expand by two forms of entry. To accommodate additional pupils, the following work will be undertaken:
- construction of a new 2-storey wing, linked to the existing school, providing 2 science labs and prep room; a science studio; a graphics/IT room; new changing rooms with external access; 10 new classrooms; toilets, lockers, and storage facilities;
  - remodelling of existing spaces to provide a larger catering preparation area; Food Technology room, and an IT suite;
  - relocation of the existing hedge and fenceline to improve pitch provision

## **8. ALTERNATIVE OPTIONS CONSIDERED**

The following options were considered and rejected:

- 8.1 To do nothing – this option was rejected due to the demand for secondary school places in the area and the Local Authority's statutory duty to provide sufficient school places.
- 8.2 To tender to the construction market for a contractor – this option was rejected due to the timescales and costs of the tender process and the risk of the project not being completed by September 2018.
- 8.3 To run a mini competition using the LHC Framework – this option was rejected due to the timescales of the tender process, but also to take advantage of the significant knowledge that Kier Construction Ltd already have of the Ormiston Bushfield Academy site and buildings, having been the contractor on the previous Academy scheme. .

## **9. IMPLICATIONS**

- 9.1 The legal and financial implications of this Cabinet Member Decision Notice are set out in the main body of the report.
- 9.2 Environmental - The specification for the works in the new build will include a sustainable approach to ensure that the building envelope meets current building regulations in terms of air quality, air tightness and energy efficiency. An ecology survey has been undertaken to ascertain the presence of species on the site which may require appropriate mitigation

## **10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

None.