

BUSINESS EFFICIENCY SCRUTINY PANEL	Agenda Item No. 8
8 JANUARY 2009	Public Report

Report of the Executive Director – Strategic Resources

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EXECUTIVE DECISIONS

1. PURPOSE

- 1.1 The purpose of this report is to notify the Panel of the Executive Decisions which have been taken and which relate to the Panel's remit.

2. RECOMMENDATIONS

- 2.1 That the Panel identifies any decisions they may wish to examine in more detail.

3. LINKS TO CORPORATE PLAN, SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT

- 3.1 Links to the Corporate Plan, Sustainable Community Strategy and Local Area Agreement are contained within the individual decisions notices.

4. BACKGROUND

4.1 The Green Backyard Update

Authorised the varying of the terms of the decision dated 24 September 2008 by exceeding the term of the lease to five years, with an optional break after two years with three months notice.

Reason

The variation will allow the tenants to apply for a wider range of external funding to support the project.

4.2 Corn Exchange, Peterborough

Authorised the Head of Strategic Property (as Corporate Property Officer), in consultation with the Solicitor to the Council to conclude negotiations for the Council to obtain vacant possession of the building prior to demolition and re-provision of the Streets, Square and Spaces Strategy for Cathedral Square Improvements (formerly known as the Public Realm Strategy).

Reason

The Council acquired the Corn Exchange building in July 2007 under a Deed of Grant from English Partnerships with conditions which obligate the Council to demolish the building and re-provide the public realm as part of the Streets, Square and Spaces Strategy for Cathedral Square Improvements (formerly known as the Public Realm Strategy). This development has to be completed by July 2010. In order to achieve this, vacant possession of the building is required, at the latest, by April 2009 to enable the demolition of the building and the re-provision of the Public Realm under the Streets, Squares and Spaces strategy.

4.3 Schools Broadband Contract

Awarded the Schools Broadband Contract to Udata Infrastructure UK Limited for a term of seven years commencing on 1 April 2009 and ending on 31 March 2016 for the provision of a managed service broadband network to Peterborough City Council schools.

Reasons

Following a number of clarification sessions and revised proposals, Udata Infrastructure UK Limited was identified as the preferred supplier, as it demonstrated that it was most responsive to requests and provided the most clarity in its responses to questions. Udata Infrastructure UK Limited not only performed better when presenting its proposal, its proposal was also deemed to present a lesser risk in terms of hidden costs, such as BT open reach excess charges, and it had very strong recommendations from existing schools clients relating to its flexibility, quality of service provision and its working relationship with schools. Udata Infrastructure UK Limited also compared favourably to the other shortlisted supplier in terms of costs.

To summarise Udata Infrastructure UK Limited was selected because it:

- a) Offered best value for money
- b) Showed and demonstrated significant experience with schools
- c) Offered greater clarity around costs
- d) Excellent recommendations from its existing suppliers

4.4 Preventative and Family Support Services Contracts

Awarded preventative and family support service contracts to:

- i) Family Action (previously Family Welfare Association):
 - Services for Family Group Conferencing at "edge of care"
 - After school club for children with disabilities
- ii) Family Mediation Services:
 - Services providing family mediation for poorer families
 - Counselling for children and young people who are experiencing difficulties related to parental separation, divorce or domestic violence
- iii) Drinksense:
 - Services offering confidential advice, information, counselling and support for children of parents misusing alcohol
- iv) YMCA Cambridgeshire & Peterborough:
 - Services helping children aged 7-13 identified as needing additional support through key transitions in their lives.
- v) Peterborough City Council Sports Development Team:
 - Disability sports project focusing on working with children and young People with disabilities and their families
- vi) Peterborough Women's Aid:
 - Support services for vulnerable children and young people living in the refuge with their mothers who are victims of domestic abuse.
- vii) Bridgegate Drugs Advice Service Ltd:
 - Services offering confidential advice, information, counselling and support to children of parents misusing drugs

for the sums set out in the exempt annex of the decision notice.

Reasons

The need to re-commission preventative and family support services was prompted by the ending of the ring-fenced 'Children's Fund' (the money now comes into the Council through the area based grant). A number of programmes have been supported through Children's Fund and other council contracts with voluntary sector organisations that have not been 'tested' against current priorities and the 'market' in recent years. The decision was taken to undertake a tendering exercise against a specification based on outcomes.

Some proposed programmes are currently supported through the 'Parenting Fund' (a budget external to the council) and it will not be clear until February 2009 whether these services will continue to receive funding through this route. The decisions to award contracts have been built assuming this funding is discontinued. If Peterborough is successful in receiving these funds, the Parenting Fund will support the overall cost in the tender. Therefore the requirement for funding from core Children's Services budgets will be less and will realise significant additional savings.

4.5 Streets, Squares and Spaces Strategy Phase One Cathedral Square Works

Awarded the following contract to the respective contractor who is part of the Midlands Work Framework 3 (MWF3) contract, for the sum set out in the exempt annex of the decision notice:

- 1) Streets, Squares and Spaces Strategy (formerly known as the Public Realm Strategy) Phase One; Cathedral Square, to Geoffrey Osborne Ltd.

Reasons

Following the decision taken on the 28 July 2008, approving the MWF3 contract, there was an understanding that further Cabinet Member Decisions would be sought to award any Growth Area Funding (GAF) round 3 contract to a contractor listed under the framework. The Council is now seeking to award a contract that was approved as part of the GAF Round 3 (2008-2011) decision taken on the 30th July 2008.

The procurement route of the MWF3 was deemed most suitable for this project, following evaluation of the MWF3 and other procurement routes. Utilising the MWF3 for this project will mean that the Council will realise the following benefits:

- Reduced Procurement Costs by using a framework agreement;
- Improved cost certainty through utilising a "target cost" style of contract;
- Reduced construction cost by using early contractor input (ECI) at the design stage to manage and mitigate more effectively any potential build issues with the design.

4.6 Extension of Heltwate School to Provide Four Additional Classrooms and Associated Facilities

Awarded the contract for the extension of Heltwate School to provide four additional classrooms and associated facilities to M.A.R.S (Construction) Limited for the sum outlined in the exempt annex to the decision notice.

Reasons

It has been recognised that demand for places at Heltwate School exceeds current capacity. Funding has been identified to provide increased long term capacity in the school. Funding will be provided at the level of £230,000.00 in the current financial year and £770,000.00 in 2009/10 financial year.

4.7 Phase 2 Secondary School Review (South of the City) Project - Proposed Bushfield Academy

1. Authorised the Executive Directors - Children's Services and Strategic Resources to sign the Expression of Interest if approved by the DCSF, for submission to Ministers
2. Authorised the Executive Director - Children's Services in consultation with the Cabinet Member for Children's Services to carry out all the statutory procedures to close Bushfield School and open an Academy
3. Authorised the Executive Director – Strategic Resources, in consultation with the Executive Director – Children's Services, and the Cabinet Members for Children's Services and Efficiency and Business Improvement, to appoint a Project Management Company to manage the feasibility and implementation phase of the project, including, but not limited to, working with the DCSF and Ormiston Trust as the sponsor
4. Authorised the Executive Director – Children's Services, in consultation with the Cabinet Member for Children's Services, to appoint the Academy Principal working with the DCSF and Ormiston Education Trust as the sponsor
5. Authorised the Executive Director – Strategic Resources to appoint any professional advisers required, including, but not limited to, legal, financial and technical advisers.
6. Authorised the Head of Strategic Property in consultation with the Solicitor to the Council, and in consultation with the Executive Director Children's Services and the Cabinet Member for Children's Services to agree terms and enter into a short term lease for the Academy Trust to occupy the existing Bushfield School buildings.

It should be noted that there will be the need for a further CMDN in respect of the potential for the newly established Academy to move into a new school on a separate site. It is expected that substantial funding will be made available by Partnerships for Schools. Officers are presently in

detailed discussions with Partnerships for Schools in relation to this.

Reasons

The decision to apply to convert Bushfield School to an Academy has been taken after consultation with the governors of the school. The Chair of Governors and Principal wrote to the Director of Children Services on 10 September 2008 advising that following an Extraordinary Governors meeting on 9 September 2008, they overwhelmingly wished to move forward to achieving Academy status with effect from 1 September 2009, working with Ormiston Education Trust as sponsor. A critical factor in taking this decision was that the school was categorised in June 2008 as a "National Challenge" school by the DCSF which meant that it had failed to meet the 5 A*-C GCSE floor target of 30% including English and Maths. The school's GCSE results (un-validated) in August 2008 reinforced its categorisation as a National Challenge School with 13% 5 A*-C GCSE including English and Maths. The school is therefore eligible to become an Academy. If this route is not taken, the DCSF may directly intervene to establish the school as an Academy.

In order to achieve the objective of opening the proposed Bushfield Academy in its existing building with effect from 1st September 2009, delegations need to be put in place to support a smooth and effective process through the prescribed DCSF phases of Expression of Interest, Feasibility and Implementation.

4.8 Sale of Land and Building Known as 12 Dogsthorpe Road, Peterborough

Authorised the Chief Executive (in consultation with the Head of Strategic Property (as Corporate Property Officer,) Executive Director - Strategic Resources and Cabinet Member for Efficiency and Business Improvement (who will liaise with the Leader of the Council) to market, negotiate and conclude the sale of this surplus Council asset based on best consideration principles.

Reasons

The Council is seeking to deliver Capital Receipts from the sale of Council assets which are surplus to requirements in order to support the Council's Medium Term Financial Strategy (MTFS.) The proposed sale provides an opportunity to achieve a capital receipt.

The site - approx. 0.13ha.(0.32 acres) comprises of a pair of large semi detached houses, until recently used by Children's Services, with a linear shaped former orchard to the rear (now fenced off) and was declared surplus by Children's Services in April 2008. The premises are vacant and now at risk from antisocial behaviour. The former orchard land is already attracting antisocial behaviour and fly-tipping, with maintenance implications for the City Council.

A disposal will relieve the City Council of further financial and management responsibility whilst achieving a capital receipt for reinvestment in public services through the Council's Capital Programme

4.9 Schedule of Rates for Capital Civil Engineering Works 2008/10

Authorised:

- (a) entering into a number of call-off contracts, for a period of two years (November 2008 to September 2010), with the contractors listed;

Acrabuild (Anglia) Ltd
J. Breheny Contractors Ltd
A. Coupland (Surfacing) Ltd
C.G. Godfrey Ltd
Ringway Infrastructure Services Ltd
Wrekin Construction Company Limited

A call-off contract in this context is an arrangement with more than one contractor for a defined range of works covering terms and conditions (including price) that users can "call-off" via work orders to meet project requirements.

- (b) delegating the award of individual works orders under the call-off contracts, up to the value of £150,000 per order, to the Executive Director of Operations.
- (c) delegating the authority to the Executive Director of Operations to accept, after the first twelve months of the contract period, revisions to the submitted rates in accordance with the specified mechanism within the call-off contracts.

Reasons

The purpose of these contracts is to ensure an efficient means of procuring a variety of works necessary to deliver the Integrated Transport element of the Local Transport Plan at cost effective rates. The works covered predominantly relate to new construction on the public highway such as junction improvements, pedestrian crossings, bus stop upgrades and traffic calming schemes.

4.10 Riverside Community Sports Pavilion

Awarded the contract to construct the new Riverside Community Sports Pavilion to Kier Eastern for sum outlined in the exempt annex of the decision notice.

Reasons

Riverside is a development of 900 new homes on the old British Sugar site off Oundle Road, Woodston. Whilst the majority of construction phases are complete, some development is still to take place on the site. The existing Section 106 agreement between the Council and British Sugar (the land owner) was negotiated in 1999 and required that the developer provide a youth room, sports facilities and associated exterior lighting installations in respect of two senior football pitches, an all-weather floodlit multi-use games area and a building to provide youth, community and changing facilities. Since the time of negotiating the original Section 106 agreement, the needs of the community has changed and following consultation discussions with Children's Services and a review of the future community requirements for the development, the construction of a multi-purpose community and sports facility was proposed.

Barratt homes indicated that it was willing to provide a cash sum (received March 2008) to the Council for the equivalent of the original amount set out in the Section 106 agreement to build a Pavilion. As there are currently over 1000 families in this area, it would be beneficial to build a multi-use centre providing sports, community and early year's facilities.

5. IMPLICATIONS

- 5.1 Any specific implications are contained within the individual decision notices.

6. EXPECTED OUTCOMES

- 6.1 That the Panel consider the Executive Decisions which are relevant to the remit of the Panel and which have been made since the last meeting and if felt appropriate, to identify any decisions they may wish to examine in more detail.

7. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

Executive Decision notices published from 17 November 2008

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