

**DECISION TITLE: Jack Hunt School Expansion – New Build Project**

**Cllr Ayres, Cabinet Member for Education, Skills and University in consultation with Cllr Seaton, Cabinet Member for Resources**

**July 2018**

**Deadline date: July 2018**

Cabinet portfolio holder: Responsible Director:	Cllr Ayres Cabinet Member for Education, Skills and University in consultation with Cllr Seaton, Cabinet Member for Resources Wendi Ogle-Welbourn - Executive Director People and Communities, Cambridgeshire County and Peterborough City Councils.
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/09JUL18/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	YES

**RECOMMENDATIONS**

The Cabinet Member for Education, Skills and University in consultation with the Cabinet Member for Resources is recommended to:

1. Authorise the Executive Director People and Communities to approve the completion of the construction of new school accommodation at Jack Hunt School up to the value of the budget sum of £4.8m. This sum shall include the anticipated design and build contract costs, funding for Information and Communications Technology (ICT), internal re-modelling to the existing site, off-site highways works, all site surveys and project management and technical advisers fees.
2. Authorise the Executive Director People and Communities to award the design and build contract to the successful contractor from Lot 3 of the Peterborough City Council Construction Framework.
3. Authorise the Head of Legal Services or delegated officers to enter into any legal documentation on behalf of the Council in relation to this matter, including the design and build contract and any required variation to the PFI contract.
4. Authorise the Head of Legal Services or delegated officers to enter into a Development Agreement with Peterborough Keys Academies Trust.

## 1. PURPOSE OF THIS REPORT

- 1.1 This report is for the Cabinet Member for Education, Skills and University in consultation with the Cabinet Member for Resources to consider exercising delegated authority under paragraph 3.4.3 and 3.4.8 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b)

## 2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	N/A
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## 3. BACKGROUND AND KEY ISSUES

- 3.1 This report seeks the Cabinet Member's approval to the recommendations to enable the provision of new accommodation to support the school's expansion from 10 to 11 forms of entry from September 2018. This report is further to a previous key decision ref: KEY/07AUG15/02.
- 3.2 Demographic analysis as captured in the School Organisation Plan, demonstrates a need for secondary school places in the area. In addition to the increase in the feeder primary school cohorts, there is also growth in the area creating the need for additional places. Expansion projects have been completed at four of the feeder primary schools (Gladstone, Ravensthorpe, Thorpe and West Town) in recent years.
- 3.3 The new accommodation will comprise of 11 classrooms, a new kitchen and dining facility and a new science classroom. External facilities include a new all-weather sports pitch, car park extension and new service area for the kitchen.
- 3.4 Planning approval for the scheme was granted in December 2016 and the works originally commenced on site in July 2017. The works were suspended and contract terminated (as set out in KEY/JAN18/88) in January 2018 following the liquidation of the appointed building contractor. The works were on programme and due for completion in July 2018 to support the additional places to be offered at the school for September 2018.
- 3.5 The Council will procure the contract under the Peterborough City Council Construction Framework to appoint a Lot 3 contractor to complete the expansion works at Jack Hunt School. The Council's Construction Framework was procured using the restricted procedure under the Public Contract Regulations 2015. The Framework agreement commenced on 1<sup>st</sup> January 2017 for a period of four years.
- 3.6 The Lot 3 (value £2m - £5m) framework members are as follows:
- Coulson and Son Limited
  - Jeakins Weir Limited
  - Kier Construction Limited
  - Morgan Sindall Construction and Infrastructure Limited
  - RG Carter Cambridge Limited
- 3.7 The framework permits works contracts to be called off under a mini-competition process and the Council intends to procure the works set out in this report through this process.

### 3.8 Programme:

In order to achieve a completion date in June 2019, the key programme milestones are as follows:

- Expression Interest issued on 6 April 2018
- Issue of Invitation to Tender (ITT) issued to Peterborough City Council Construction Framework Lot 3 contractors 22 June 2018
- Tender return 3 August 2018
- Completion of tender review, clarification and value for report preparation 14 Sept 2018
- Contract close end of Sept /beginning of Oct 2018
- Start on site end of Oct 2018
- Completion and handover end of June 2019

3.9 There is a planning condition relating to off-site highways works associated with the school expansion. These works will be completed by Skanska.

3.10 Completion and handover of the new school accommodation is programmed for June 2019 in preparation for a September 2019 opening. In order to meet the obligation to provide the additional 30 places at the school from September 2018, the school will undergo some internal re-modelling to existing accommodation. These works will be completed during the summer break 2018 by the facilities management company Bouygues. Bouygues are responsible under the terms of the PFI contract for all maintenance and building works at the school. There is an agreed programme of works at the school over the summer break 2018 in the same and surrounding areas where the re-modelling is required. Therefore, the remodelling works have been incorporated and will be completed in readiness for September 2018.

3.11 The Council has entered into a Development Agreement with the Academy Trust that will regulate the relationship between the Academy Trust and the Council for the delivery of the project. It provides the basis upon which the Academy Trust participates in the process for design finalisation, is consulted in relation to construction and commissioning matters and has its interests recognised by the Council.

3.12 The Agreement also envisages the novation of the design and build contract to Peterborough Keys Academies Trust at a date immediately following completion of the Defects Liability Period. This ensures that the Academy Trust then has a contractual relationship with the design and build contractor allowing any obligations and liabilities to be directly enforced against the contractor. This allows the Council to drop out of the contractual chain.

3.13 The budget has been allocated in the Medium Term Financial Plan.

3.14 The PFI contract will require a variation in order to reflect the scope of works to be undertaken and the subsequent changes to the unitary charge as a result of providing facilities management and lifecycle services for the additional new accommodation on the school site.

## 4. CONSULTATION

4.1 A briefing was offered to Ward Councillors on 10 February 2016.

4.2 A meeting was held with the residents of Glamis Gardens on 25 February 2016 to explain the rationale for use of Glamis Gardens for construction access.

- 4.3 A public consultation event was held at Jack Hunt School on 2 March 2016 and was attended by school staff, parents and local residents.
- 4.4 A final scheme presentation was held with the Governing Body of Jack Hunt School on 1 March 2016.
- 4.5 Ward Councillors were updated on the progress of the project on 22 June 2018.
- 4.6 Key stakeholder department with the Council were fully briefed on the proposals. These include Planning, Highways, Finance and Legal Services.

## **5. ANTICIPATED OUTCOMES OR IMPACT**

- 5.1 Subject to the evaluation of contractor's proposals by the Councils evaluation team the successful Lot 3 contractor will design and construct the new accommodation at Jack Hunt School under a JCT design and build contract.
- 5.2 The programme anticipates construction of the new school accommodation commencing in October 2018 with a completion and handover date of June 2019.
- 5.3 The school will provide for an additional 30 children in year 7 from September 2019.
- 5.4 Upon expiry of the 12 month defects liability period, the Council will novate the design and build contract to the Academy Trust

## **6. REASON FOR THE RECOMMENDATION**

- 6.1 The Local Authority has a statutory duty to provide school places. There are significant pressures on the city to provide school places in the areas most in need. The decision to expand Jack Hunt School was made by the Cabinet Member for Education, Skills and University following review of demographic data as part of the School organisation Plan 2015-2020.
- 6.2 As a result of the above, the proposed scheme will enable Jack Hunt to expand by 1 form of entry from September 2018. Once completed in June 2019, the new accommodation will provide:  
- 11 new classrooms, a new dining and kitchen facility, science classroom, all weather sports pitch and additional car parking

## **7. ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 The following options were considered and rejected:

To do nothing. This option was rejected due to the Local Authority's statutory duty to provide sufficient school places. Demography analysis demonstrates a need for additional school places in the area. Expansions at feeder primary schools have been carried out in recent years.

To tender outside of the Peterborough Framework. This option was rejected having considered alternative procurement routes which included use of the national Education Skills and Funding Agency Framework. Due to the nature of the project and the need to secure a contractor to complete the works and demonstrate value for money, the Peterborough Framework was chosen as the preferred route for the procurement of the contract.

## **8. IMPLICATIONS**

### **Financial Implications**

8.1 The budget for this project has been allocated in the Medium Term Financial Plan

**Legal Implications**

8.2 The Council shall enter into the agreement(s) pursuant to its powers contained in section 2 of the Local Government Act 2000, section 14 of the Education Act 1996, section 22 of the Schools Standards and Framework Act 1998 and section 111 of the Local Government Act 1972 in order to enable investment in certain educational services and facilities.

**Equalities Implications**

8.3 The design of the new building is compliant with all relevant legislation to ensure accessibility for all.

**9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

9.1 None.

**10. BACKGROUND DOCUMENTS**

- School Organisation Plan 2015 - 2020 (amended in 2017)
- Medium Term Financial Plan

**11. APPENDICES**

11.1 None.