

<b>DECISION TITLE: Award of Contract for the construction of a new school building to accommodate the expansion of Heltwate SEN School</b>
<b>Cabinet Member for Education, Skills and University</b>
<b>September 2020</b>
<b>Deadline date: September 2020</b>

Cabinet portfolio holders:	Cllr Ayres, Cabinet Member for Education, Skills and University and Cllr Seaton, Cabinet Member for Resources
Responsible Director:	Wendi Ogle Welbourne – Corporate Director People & 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/20JAN19/03
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 Project Number: PR002557

<b>R E C O M M E N D A T I O N S</b>	
<p>The Cabinet Member, in consultation with the Cabinet Member for Finance is requested to :</p> <ol style="list-style-type: none"> <li>1. Authorise the expansion of Heltwate SEN School and the construction of new accommodation, up to the value of the budget sum of £6.8m. This sum shall include legal costs associated with the purchase of the Silver Jubilee site and the anticipated design and build contract costs and funding for Information and Communications Technology (ICT), all site surveys and project management and technical advisors fees.</li> <li>2. Authorise the Executive Director People and Communities to award the design and build contract to the successful contractor, subject to planning consent and, approval by delegated members.</li> <li>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.</li> </ol>	

## 1. BACKGROUND AND KEY ISSUES

1.1 Heltwate School is a co-educational special school for children and young people aged 5 to 19 years with Moderate to Severe learning difficulties, Autistic Spectrum Condition and additional medical needs. All children on roll at the school have an Education, Health and Care Plan. The school is located in Heltwate, Bretton and also operates from the St George's site on Lawn Avenue. The existing school site at Heltwate currently accommodates 202 children. This report seeks the Cabinet Member's approval to the recommendations to expand Heltwate School on to the Silver Jubilee pub site, which is adjacent to the current Heltwate site. The proposal includes:

- A substantial new building which will include the provision of five class spaces, hall, sensory rooms, therapy rooms, hygiene rooms, storage, reception and office area, staff room, outdoor covered play area, outdoor hard and soft play areas.
- Improvements to car parking, pupil drop-off and access.
- The removal of temporary accommodation (mobiles).
- Demolition of the existing Silver Jubilee building as this is in a poor condition due to several arson incidents, to enable construction of new school accommodation.
- Taking some public open space into the school site and upgrading and relocating an existing hard games court area used by the local community.
- Acquisition of the Silver Jubilee pub site subject to the grant of planning permission. The acquisition was approved by a previous CMDN in February 2020, reference FEB20/CMDN/81.

1.2 Approval is requested for the construction of new school accommodation on the Silver Jubilee Pub land, to enable Heltwate School to be expanded to take additional pupils in September 2022. The current Heltwate site has been expanded several times and in summer 2019 a double temporary mobile classroom was installed on site to assist with the growing pupil numbers. The current site cannot accommodate any further expansions without the proposed acquisition of the aforementioned land and given the increase in the level of student need and the ongoing health and safety concerns and lack of essential facilities for staff additional accommodation is required.

The mobile has a temporary planning consent and it is unlikely that you can continue to extend a permission for temporary accommodation without any plans for permanent replacement. The temporary accommodation will need to be removed as part of this project.

1.3 The new building will provide special educational needs places for children living in Peterborough. As part of the adopted SEND strategy, special schools are increasingly being asked to provide places for children with more complex needs. Additional facilities are required to ensure there is appropriate accommodation to support the children at the Heltwate site.

1.4 The Council is considering the most appropriate, timely and compliant way to procure a contractor to design and build the new accommodation. The existing Peterborough City Council construction framework expires in December 2020 and is not being renewed. The project value is also above the upper value limit for that framework.

This project is unlikely to be awarded until June 2021 based upon the current project programme. An alternative procurement approach is, therefore, required. Options include using the Cambridgeshire County Council Design and Build framework, an alternative framework or undertaking an individual tender/procurement exercise.

The procurement approach adopted will comply with procurement rules and all relevant legislation.

The Cambridgeshire County Council Design & Build framework has recently been extended to now run to June 30<sup>th</sup> 2021, and was let as a fully compliant framework in line with Official Journal of the European Union (OJEU) requirements.

The Contract Notice for this framework explicitly allowed the framework to be used by any City, District, Borough or other Local Authority within the County of Cambridgeshire, which would include Peterborough City Council.

1.5 Peterborough City Council is able to utilise Cambridgeshire County Council's Design and Build Framework to procure a contractor to deliver the new accommodation. If the CCC framework is selected it would fall into Lot 3 (value £6.5m - £9.99m). The framework members in this lot are as follows:

- Kier Construction Limited
- Morgan Sindall Construction and Infrastructure Limited
- RG Carter Cambridge Limited
- McLaughlin & Harvey Limited
- Lakehouse Contracts Limited

A mini-competition between the framework members would be held to secure the best possible proposal/bid.

## 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 3.4.8 (a) of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (h).

## 3. TIMESCALE

3.1

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

- 4.1
- Demolition of the building on the pub site to allow for construction of a new SEN block
  - acquisition of the Jubilee Pub site subject to the grant of planning permission
  - The authorisations required to allow officers to explore the procurement options and for the eventual award of the design and build contract to the successful contractor.
  - Inclusion of some public open space into the school site in accordance with the planning consent forecast to be received in September/October 2020.
  - Acquisition of the Silver Jubilee pub site subject to the grant of planning permission. The acquisition was approved by a previous CMDN in February 2020, reference FEB20/CMDN/81

4.2 Once the project team are satisfied with the Contractor's Proposals, a value for money report will be produced by the Council's technical adviser for consultation with legal services, finance and prior to approval of the award of the contract to the successful contractor, by the Executive Director People and Communities.

4.3 A budget of £6.8m has been set for the project. Approval to the funding package was agreed at the officer Capital Review Group on 16<sup>th</sup> June 2020 and the Capital Programme Board on 25<sup>th</sup> June 2020.

Formal approval will be given in the autumn by Cabinet and Scrutiny Committee to these funds being allocated against the Children's Services Capital Programme within the Medium Term Financial Strategy (MTFS).

4.4 The expanded Heltwate School is required to be open by September 2022 so as to accommodate the increased intake of pupils.

4.5 The planning application for the new accommodation to be located on the Silver Jubilee site will be submitted in July 2020 to be validated November 2020. The acquisition of the Silver Jubilee site is subject to securing planning consent for the new accommodation.

4.6 In order to keep the overall programme timescales, 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 was completed in early August 2020
- Purchase of the Silver Jubilee site (purchase to be completed once planning permission is approved) December 2020
- Demolition of the Silver Jubilee Building May 2021
- VFM report and Delegated Members Approval Meeting June 2021
- Award of Contract June 2021
- Start of Site September 2021
- Completion of works on site June 2022

4.7 Heltwate School's expansion will be subject to planning consent being obtained followed by approval at the Delegated Members Approval meeting.

## 5. CONSULTATION

5.1 Ward Councillors have been kept informed regarding discussions around the purchase of the Silver Jubilee site through meetings and email updates.

5.2 The Headteacher and representatives of the school have been involved in the development of the specification and design for the new school site.

5.3 The school and governing body have been fully involved in the design process.

- 5.4 A public exhibition was held on 10<sup>th</sup> February 2020 at the school where the designs for the expansion and remodelling were on display for the public, parents, students and staff. The exhibition was well attended and the proposals very positively received. The Cabinet Member for Education, Skills and University, the Ward Councillors and other members of local community were invited to the exhibition.
- 5.5 As a statutory consultee Sport England were informed at an early stage of the proposal and formally consulted through the planning application for the new school building.
- 5.6 Key stakeholder departments within the Council are fully briefed on the proposals. These include the Planning Department, Strategic Finance and Legal Services.
- 5.7 The extension is not being built on existing school fields and therefore consent is not required from the Department of Education pursuant to section 77 of the School Standards and Framework Act 1988. Confirmation has already been received from the Education Funding Agency to this effect.

## 6. ANTICIPATED OUTCOMES

- 6.1 Subject to planning consent for the new accommodation and the evaluation of contractor's proposals by the Councils evaluation team, the successful contractor will design and construct the new accommodation at Heltwate School under a design and build contract.

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

- 7.1 As a result of removing the temporary accommodation, the increase in the level of student need, the ongoing health and safety concerns and lack of essential facilities for staff, Heltwate School is expanding to accommodate their pupils across the three sites – existing Heltwate site, Silver Jubilee site and St Georges, Lawn Avenue site.

## 8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 **The following options were considered and rejected:**  
**To do nothing.** This option was considered and rejected due to the shortage of special school pupil places in the Peterborough area and the Local Authority's statutory duty to provide sufficient school places. Heltwate School's accommodation requires expansion to ensure the number of children on site can be accommodated appropriately without the need for temporary mobile provision.
- 8.2 **To tender via the Peterborough Construction Framework** – this option has been considered and rejected due to the value of the project and the programme which would mean procurement processes would take place after this framework has expired.
- 8.3 **Transport children out of Peterborough to attend other special schools**– this would have considerable financial implications not only for transport costs but also to purchase places at neighbouring authorities, if available. There are statutory guidelines for distances allowed to transport children with special needs and currently there are limited spaces in neighbouring authorities. This could mean children may need to be sent to residential units further afield at a much higher cost.

## 9. IMPLICATIONS

### 9.1 Financial implications

The financial implications of this Cabinet Member Decision Notice are set out in the main body of the report. Finance Business Case BCSC0346 approved on 11<sup>th</sup> October 2019 by Head of Finance – People Directorate

## 9.2 **Legal Implications**

The Cambridgeshire County Council Design and Build framework, permits the Council to use the Framework to procure for the works.

The Council will enter into any agreement 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.

## 9.3 **Equalities Implications**

The design of the new building must be compliant with all relevant legislation and building regulations to ensure accessibility and use for all. Further consideration has been given to the needs of the children attending this school and ensuring the design is fit for purpose.

## 9.4 **Carbon Impact Assessment**

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.

In terms of ventilation and overheating it has been designed in line with BB101 2018 guidance:

The proposed ventilation strategy for the new building comprises ceiling void mounted MVHR units to classrooms, calm rooms, sensory rooms and roof mounted thermal mixing units to the hall and food tech room. The assessment confirms the ventilation strategy is sufficient to pass the CO2 requirements stated in BB101 2018.

The Carbon Impact Assessment was approved on the 18<sup>th</sup> of August 2020.

## 9.5 **DECLARATION / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

None

## 10. **BACKGROUND DOCUMENTS**

- 10.1 Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<https://www.peterborough.gov.uk/upload/www.peterborough.gov.uk/council/jobs-and-careers/schools-and-education/SchoolOrganisationPlan-November2015Revision.pdf>

Medium Term Financial Plan

## 11. **APPENDICES**

- 11.1 None.