

Birmingham City Council

Report to Cabinet

Date: 10th November 2020



Subject: SELLY PARK GIRLS' SCHOOL FULL BUSINESS CASE AND CONTRACT AWARD

Report of: Dr Tim O'Neill
Director for Education & Skills

Relevant Cabinet Member: Cllr Jayne Francis - Education, Skills and Culture
Cllr Tristan Chatfield - Finance and Resources

Relevant O & S Chair(s): Cllr Kath Scott – Education & Children's Social Care
Councillor Sir Albert Bore – Resources

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Bournbrook and Selly Park, Stirchley		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007919/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1.0 Executive Summary

- 1.1 To seek approval for the Full Business Case attached as **Appendix A** and Contract Award for the capital scheme at Selly Park Girls' school. The capital cost of the scheme will not exceed £3,866,477.

2 Recommendations

That Cabinet:

- 2.1 Approves the Full Business Case (**Appendix A**) for the capital works at Selly Park Girls' at a total project cost of up to £3,866,477, which includes Education Infrastructure (EdI) capitalisation of £112,616.
- 2.2 Authorises the Director for Education & Skills in consultation with the Cabinet Member for Finance & Resources to raise a works order up to the value of £3,223,314 with Balfour Beatty in order for works to commence and to release contingencies and place further orders up to £290,000 if required.
- 2.3 Authorises the Director for Education & Skills to place orders up to the value of £228,547 with Acivico for professional services.
- 2.4 Notes that loose furniture up to the value of £12,000 will be ordered directly by the school. Costs will be reimbursed by EdI on production of evidence (paid invoices) which will be verified by EdI.
- 2.5 Authorises the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 The Local Authority has a statutory duty to ensure that there are sufficient pupil places, secure diversity in the provision of schools and increase opportunities for parental choice through planning and securing additional provision (Section 14, Education Act 1996 and Education & Inspections Act 2006). This duty extends to our landlord responsibility to maintain the Education property portfolio to prevent school closure and asset failure, thus improving safeguarding for children.
- 3.2 A report on the changing demand and supply of school places was shared at the Overview and Scrutiny Committee for Learning, Culture and Physical Activity in September 2018.
- 3.3 Selly Park Girls School is a non-selective secondary community school for girls with 696 pupils.
- 3.4 The proposal is for the school to expand by one form of entry. In order to accommodate the planned growth in pupil numbers a new build 2 storey block along with refurbishment and remodelling to parts of the existing school is required. There is a need for more secondary school places in the city and the proposed development provides the opportunity to fulfil some of that need.
- 3.5 The Local Authority is keen to ensure that future places are provided in the areas that they are needed; helping children to attend a school nearer to home and as part of their local community. The proposed changes at Selly Park Girls School are considered appropriate for the current pupils at the school and is part of a programme to enhance the overall school accommodation solution for both the current and future pupils.

- 3.6 The Full Business Case (FBC) for this scheme is included in **Appendix A**. The FBC details the works which will be undertaken for the new build.
- 3.7 A Planning Application was submitted on 22nd May 2020 and was approved in August 2020.
- 3.8 Subject to FBC and statutory approvals, the works are due to start on site on 23rd November 2020 with a proposed completion date of 31st August 2021.

4 Options considered and Recommended Proposal

- 4.1 The option of doing nothing would mean the City Council would fail to meet its statutory obligation in providing suitable accommodation to meet the needs of the children.
- 4.2 Refurbishment only of the existing building is not a viable option as there is not sufficient space in the existing building to provide the additional 1 form of entry required.
- 4.3 Erecting a new building to solely provide all the additional accommodation required is not considered to be the most cost-effective solution, as there is scope for some refurbishment and remodelling of the existing school to provide the necessary accommodation.
- 4.4 The preferred option is to provide a new build extension with some remodelling/refurbishment to the existing school to provide the required accommodation. This is considered to be the most cost-effective solution.

5 Consultation

- 5.1 All pupils, parents, governors, teaching and non-teaching staff have been consulted as a result of the proposed development and were supportive.
- 5.2 The Leader and Ward Members for Bournbrook and Selly Park as well as Stirchley have been consulted in relation to the proposals and are supportive of the proposals proceeding to an executive decision subject to appropriate highway mitigations measures being delivered as part of the scheme to ensure no further traffic concerns.

6 Risk Management

- 6.1 Regular stakeholder engagement is undertaken and programmed in as part of the pre-construction works to ensure that comments are addressed as the scheme progresses to ensure that we mitigate against stakeholder non-buy in.
- 6.2 Fortnightly meetings are held to ensure that all parties are informed of progress to ensure any concerns are picked up at the earliest opportunity and resolved to ensure that the programme stays on track (acceleration may be introduced where there is a risk) and the project is delivered on time. Where costs are seen to escalate, a value engineering exercise is undertaken to ensure that the costs do not exceed approved budget.

- 6.3 Regular meetings have taken place and will continue to do so with transportation colleagues to mitigate the impact on the highway throughout construction and post construction with increased pupil numbers.
- 6.4 Additional risks and associated mitigation are highlighted in sub appendix B of the FBC.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 These works are required to enable the Local Authority to meet its statutory duty to not only ensure the provision of sufficient pupil places but also to secure diversity in the provision of schools and increase the opportunity for parental choice through planning and securing the provision of additional school places (Section 14 Education Act 1996 and Education & Inspections Act 2006). The spending priorities proposed are in accordance with the Schools' Capital Programme 2020-21 and the Council's Vision and Forward Plan priorities for Children, particularly 'A great place to grow up in by providing an environment where children have the best start in life and are able to realise their full potential through great education'. The provision of these school places is also beneficial to the safeguarding of children.

7.1.2 Birmingham Business Charter for Social Responsibility

The selected CWM contractor is signed up to the principles of the Birmingham Business Charter for Social Responsibility and will develop a relevant and proportionate action plan, demonstrating how the principles of the Charter will be implemented to deliver social value outcomes for the school and local community. Some of the following outputs will be provided as part of the contract:

- Employ local people by providing 210 person days of local employment
- Employ one apprentice, through the use of the supply chain
- 80% of new employment created to be sustained
- Upskilling workforce by providing one NVQ opportunity
- Carry out skills days and curriculum support events at two schools/events
- Support local secondary schools and FE with mock interviews, employability awareness sessions and guidance on careers and job opportunities at two events
- Undertake two community engagement activities to support the school and the local community
- Commit to maintaining ISO14001
- 80% of construction waste recycled
- 100% of timber obtained from sustainable sources
- 100% of all persons employed on the project will be paid at or above the living wage

7.2 Legal Implications

- 7.2.1 This report facilitates the discharge of the local authority's duty under section 14 of the Education Act 1996 to ensure that sufficient school places are available to provide for all pupils the opportunity of appropriate education.

7.3 Financial Implications

- 7.3.1 Cost details for the project are detailed in the attached FBC. The capital cost of the scheme will not exceed £3,866,477 and will be funded from the Department for Education (DfE) Basic Need Grant.
- 7.3.2 Consequential revenue costs arising from additional places including additional staffing, utility costs and any on-going day to day repair and maintenance of the asset will be the responsibility of the school.

7.4 Procurement Implications (if required)

- 7.4.1 The procurement route for this project was via the Constructing West Midlands (CWM) Framework using Balfour Beatty as the construction partner. Acivico applied previously approved criteria to achieve best value for money based on current DfE education space guidelines and industry benchmark rates. Acivico will provide Project Management and ensure value for money is achieved throughout delivery.

7.5 Human Resources Implications (if required)

- 7.5.1 N/A

7.6 Public Sector Equality Duty

- 7.6.1 A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education Infrastructure's Education Development Plan and Schools' Capital Programme 2016-17. The outcomes from consultation demonstrate that proposed capital developments support positive outcomes for children, young people, their families and carers. No negative impact on people with Protected Characteristics was identified. It was concluded that sufficiency of educational places and opportunities for all children and young people contributes to providing positive life chances, and supports a positive approach to Safeguarding in Birmingham: actively reducing the number of children and young people out of school helps to mitigate risk to their safety and wellbeing.

The Local Authority has considered whether a full equality impact assessment should be conducted in relation to the decision to authorise the full business case at **Appendix A** and decided that the recommendations in this report were considered unlikely to have an adverse impact on those with a protected characteristic and therefore the current equality impact assessment remains relevant.

8 Appendices

8.1 Appendix A - Full Business Case

9 Background Documents

9.1 Schools' Capital Programme - School Condition Allocation 2020-21+ Future Years Cabinet Report – April 2020

9.2 Changing demand and supply of school places – Overview & Scrutiny Report – September 2018.