

Birmingham City Council

Report to Cabinet

Date: 25th June 2019



Subject: TURVES GREEN GIRLS' SCHOOL - FULL BUSINESS CASE AND CONTRACT AWARD

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

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 and 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): Northfield		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006541/2019		
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 to the Full Business Case attached as Appendix A and Contract Award for the capital scheme at Turves Green Girls' School. The capital cost of the scheme will not exceed £23,099,889.

2 Recommendations

That Cabinet:

- 2.1 Approve the Full Business Case (Appendix A) for the capital works at Turves Green Girls' School at a total project cost of up to £23,099,889.
- 2.2 Authorise the Director for Education & Skills in consultation with the Cabinet Member for Finance & Resources and the Chief Finance Officer to instruct Acivico to raise work orders up to the value of £20,186,910 with Balfour Beatty in order for works to commence and to release contingencies and place further orders up to £585,000 if required.
- 2.3 Authorise the Director for Education & Skills to place orders up to the value of £1,043,516 with Acivico for professional services.
- 2.4 Approve orders with Link2ICT for ICT up to the value of £500,000.
- 2.5 Notes that loose furniture to the value of £100,000 will be ordered directly by the school. Costs will be reimbursed by EdI on the production of (paid invoices) evidence.
- 2.6 Authorise 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 Turves Green Girls' School is a 5FE Secondary School (750 pupils) built in 1935, with various ad hoc expansions and temporary buildings added over the years. The existing school is in a state of poor repair despite considerable expenditure over recent years (circa £409k in the last 5 years) with the school themselves having incurred circa. £385k, within the last 4 years. These costs range across multiple items but are largely focused around the existing Mechanical & Electrical (M&E) installations (emergency repairs to a failing system).
- 3.4 A recent feasibility undertaken by Balfour Beatty concluded that regardless of what refurbishment takes place on site at Turves Green Girls' School we would not be

able to obtain warranties and assurances to give the building a medium to long term life (25 years). As such a risk will continue to remain with the asset.

- 3.5 A new build however will provide a long life of over 60 years if maintained correctly. It is the strong collective opinion of Acivico, Balfour Beatty, Atkins and the end user that the refurbishment option will be ineffective at providing a suitable learning facility that will give a 25 year life and will still leave residual risks and not provide a “safe, warm and dry” educational facility.
- 3.6 The refurbishment cost plan indicates a spend of over £25m (including decant costs) required to address the building condition and create a future lifespan, it is therefore more cost effective to invest in a new build solution rather than a prolonged refurbishment project with expensive decant costs and residual client risks.
- 3.7 The Full Business Case (FBC) for this scheme is included in Appendix A. The FBC details the works which will be undertaken at Turves Green Girls’ School.
- 3.8 A Planning Application on the first demolition phase was submitted at the beginning of April 2019 and is due to be determined by the end of May 2019. The planning application for the permanent school provision is scheduled to be submitted at the end of April 2019 and is due for determination in July 2019.
- 3.9 Subject to FBC and statutory approvals the demolition works are due to start in July 2019 (taking advantage of the summer holidays) with a proposed completion of October 2019. The main works are due to commence in November 2019 with a proposed completion of June 2021.

4 Options Considered and Recommended Proposal

- 4.1 The option of doing nothing would mean the City Council would have to rehouse the children within the Turves Green Girls’ School due to the asset being at the end of its useable life. Birmingham City Council has a statutory obligation in providing appropriate provision to meet the needs of the children.
- 4.2 To undertake a refurbishment of the current building. This is not the recommended option as the costs are higher than a new build. A refurbishment will also mean that the girls would have to be decanted out whilst the works took place impacting on educational continuity. This option would provide a 25 year life span and still potentially leave residual risks.
- 4.3 The preferred option is to deliver a new build which would provide a better educational provision as well as a 60 year life span if maintained properly. The impact on education will also be minimal compared to a refurbishment.

5 Consultation

5.1 External

All pupils, parents, governors, teaching and non-teaching staff, relevant Members of Parliament, Teaching Associations, Trade Unions, neighbouring authorities

and the Archdiocesan and the Anglican Diocese of Birmingham have been consulted as a result of the school providing additional places.

5.2 Internal

The Leader and Ward Member for Northfield have been consulted in relation to the proposals. No response was received from the Ward Member.

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 the Council mitigate against stakeholder non-buy in.
- 6.2 Weekly 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. Where costs are seen to escalate, a value engineering exercise is undertaken to ensure that the costs do not exceed the 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.
- 6.4 Additional risks and associated mitigation are highlighted in 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 and increase opportunities 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 2019-20 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. This action plan will be agreed with the Council prior to the works order being placed and will contain some of the following outputs;

- 1260 employment weeks

- 7 apprentice taken on
- 80% of new employment retained
- 30% of spend will be with SME's
- 70% of spend will be with a 30 mile radius
- 10 schools will be partnered
- 80% of waste recycled
- 100% of timber from sustainable sources

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. Section 22 of the School Standards and Framework Act 1998 places a duty on the authority to maintain the school, which includes the duty of making premises available to be used for the purposes of the school.

7.3 Financial Implications

7.3.1 The total cost of the works at Turves Green Girls' School will be funded from Department for Education (DfE) Basic Need Grant. The total capital project costs will be up to £23,099,889. Cost details are included in the FBC.

7.3.2 Consequential revenue costs arising including additional staffing, utility costs and any on-going day to day repair and maintenance of the asset will be the responsibility Turves Green Girls' School and funded via the school's delegated budget.

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 to 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 2018-19. 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. We have assessed the content and can confirm that it still remains relevant to proposed expansions by having a positive impact.

8 Appendices

8.1 Appendix A - Full Business Case

9 Background Documents

9.1 Schools' Capital Programme - School Condition Allocation 2019-20+ Future Years Cabinet Report March 2019

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