

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	Cabinet
Report of:	Interim Corporate Director for Children & Young People
Date of Decision:	27th June 2017
SUBJECT:	PROVISION OF ADDITIONAL SCHOOL PLACES: ST BARNABAS CE PRIMARY SCHOOL – FULL BUSINESS CASE AND CONTRACT AWARD
Key Decision: Yes	Relevant Forward Plan Ref: 003622
If not in the Forward Plan: (please "tick" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member:	Councillor Brigid Jones – Cabinet Member - Children, Families and Schools Councillor Majid Mahmood – Cabinet Member - Value for Money and Efficiency
Relevant O&S Chairman:	Cllr Susan Barnett – Schools, Children and Families Cllr Mohammed Aikhlaq– Corporate Resources and Governance
Wards affected:	Erdington

1. Purpose of report:

- 1.1 To seek approval to the Full Business Case for the proposed capital scheme to provide additional accommodation to enable St Barnabas CE Primary School to fully expand to a 2 Form Entry (FE) primary school at an estimated cost of £1,061,320.
- 1.2 The accompanying private report contains further financial information and seeks approval to the Full Business Case and to place orders for works with the preferred contractor.

2. Decision(s) recommended:

That Cabinet:

- 2.1 Notes the contents of this report.

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3. Consultation

3.1 Internal

The Leader, Ward Members for Erdington and the Executive Member for Erdington have been consulted in relation to the proposals and no adverse comments have been received (see Appendix E) Officers from City Finance, Procurement and Legal and Governance have been involved in the preparation of this report.

3.2 External

The Governing Body of the School proposed and approved the expansion by enlargement in June 2014 in line with the January 2014 Statutory School Organisation guidance. All pupils, parents, governors, teaching and non-teaching staff were consulted as part of this process and responses were positive.

4. Compliance Issues

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 These works are required to enable the Local Authority to meet its statutory duty to not only provide pupil places but also to promote diversity and increase parental choice in planning and securing the provision of school places (Section 14 Education Act 1996 and Education & Inspections Act 2006). The spending priorities proposed are in accordance with the Schools' Capital Programme 2017-18 and the Council's Vision and Forward Plan priorities for Children, particularly 'A great place to grow up in: Making the best of our diversity and creating a safe and secure city for our children and young people to learn and grow' 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.

4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

The value of these contracts is below the threshold for the BBC4SR. However, there is a requirement of the contract that the recommended suppliers pay the Birmingham Living Wage.

4.2 Financial Implications.

The capital cost of the proposed works at St Barnabas CE Primary is £1,061,320 which will be funded from the Department for Education (DfE) Basic Need Grant funding. The detailed breakdown of this cost is included in Appendix A of the Private Report.

Consequential revenue costs arising, including additional staffing and any on-going day to day repair and maintenance of the asset, will be the responsibility of St Barnabas CE Primary School and funded from its own delegated budget.

4.3 Legal Implications

This report exercises legal powers which are contained within Section 14 of the Education Act 1996 and Section 22 of the School Standards and Framework Act 1998, by which the Authority has a responsibility to provide places and maintain schools - this includes expenses relating to premises.

4.4 Public Sector Equality Duty

A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education and Skills Infrastructure's Education Development Plan and Schools' Capital Programme 2016-2017. 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.

5. Relevant background/chronology of key events:

- 5.1 The Local Authority has a statutory duty to not only provide pupil places but also to promote diversity and increase parental choice in planning and securing the provision of school places (Section 14, Education Act 1996 and Education & Inspections Act 2006).
- 5.2 Long-term projections of births provided by the Office of National Statistics (ONS) indicate an increasing birth rate until the end of 2016 after which it remains steady. However, the number of families moving into the City is on the increase. The pressure for in-year school places is severe as schools struggle to keep up with the demand – annually more young people move into the City than leave. Detailed reports on the impact of birth rate and net-migration, including cohort growth, are regularly provided to the Overview and Scrutiny Committee for Schools, Children and Families.
- 5.3 The Schools' Capital Programme 2017-2018, approved by Cabinet on 18th April 2017 identified funding that would increase the capacity of Birmingham City Council schools to help address the current shortfall of pupil places. The scheme at St Barnabas CE Primary School will help fulfil the Council's statutory obligation to provide sufficient primary school places, promote diversity and increase parental choice as well as maximising the impact on pupils' learning outcomes and addressing barriers to learning. The Head Teacher and governors participated in the design process as strategic partners of BCC and as representatives of the end users.
- 5.4 The Headteacher and Chair of Governors of St Barnabas CE Primary School submitted an Expression of Interest (Eol) in expansion to Education Infrastructure in 2014. The Eol was evaluated by a panel comprising officers from Education Infrastructure, Pupil Admissions, Planning, School Improvement and Highways and the school was deemed suitable for expansion from a 1 Form Entry (FE) to a 2FE primary school.
- 5.5 Some refurbishment works were carried out to provide an element of accommodation to allow the school to begin the expansion. These were funded, in the main, through the Locally Controlled Voluntary Aided Programme (LCVAP) but topped up with a small amount of Basic Need funding via decisions under the scheme of delegations to officers (May 2014 and February 2016). This enabled the school to take a bulge Reception class in September 2014 followed by several in-year bulges in subsequent years.
- 5.6 The School Organisation process was carried out by the Governing Body of the School who proposed and approved the expansion by enlargement in June 2014, to come into effect from 1st September 2014. This was in line with the January 2014 Statutory School Organisation guidance.
- 5.7 This proposed phase of works will provide the school with sufficient accommodation for the school to operate as a 2FE primary.
- 5.8 Procurement Strategy
 - 5.8.1 There are three works projects under this scheme; one for the modular extension, one for the internal refurbishment works and one for the hall and classroom. The scheme has been split into three projects as these are different market places.
 - 5.8.2 As ownership of the school building and land rests with the Diocese of Birmingham, project management, including the procurement process, is being undertaken by Derek Evans Partnership LLP (DEP). Derek Evans Partnership LLP is the framework provider

under the Diocese of Birmingham's framework agreement for project management.

5.8.3 Modular Extension: Due to the specialist nature of these works tenders will be sent by Derek Evans Partnership to selected contractors who have demonstrated quality works on similar schemes. The evaluation criteria will be the same as the internal refurbishment works and hall/classroom extension outlined below.

5.8.4 Internal Refurbishment and Hall / Classroom Extension: A two-stage procurement process is in operation with a pre-qualification stage and an invitation to tender stage. The opportunity has been advertised on [Find it in Birmingham](#) inviting expressions of interest to complete the documentation. Tenderers that passed the pre-qualification stage for the two schemes above have been sent an invitation to tender documentation for completion and return by 16th and 19th June respectively. Tenders will be evaluated against the specification in accordance with the pre-determined evaluation model described below:

Quality (30% Weighting)

Criteria	Overall Weighting	Sub-weighting
Project Delivery and Planning	100%	40%
Risk Management & Mitigation		30%
Project Resources		30%

Price (70% Weighting)

The evaluation of tenders will be undertaken by Derek Evans Partnership LLP with a recommendation made to Education Infrastructure for approval.

5.9 The Full Business Case (FBC) to progress this scheme is included in Appendix A. The scope of works include a new modular extension, refurbishment of an existing temporary building, one new build classroom, hall extension, alterations to reception area and refurbishment of toilets. The project team, in close consultation with the school, will discuss and agree arrangements in order to ensure absolute health and safety provisions are in place and disruption is minimised. All parties will be committed to ensuring that the educational outcomes for the children will not be adversely affected whilst work is in progress.

5.10 A Planning Application was submitted in April 2017 with approval anticipated by the end of June 2017.

5.11 Subject to planning permission and following approval of this report, work is due to begin in July 2017 with completion by November 2017.

6. Evaluation of alternative option(s):

6.1 The option of doing nothing would mean the City Council would fail to meet its statutory obligation in providing sufficient primary school places.

7. Reasons for Decision(s):

7.1 To progress the proposed scheme at St Barnabas CE Primary School to implementation to ensure that the City Council meets its statutory duty to provide sufficient primary school places.

Signatures:

Cabinet Member, Children, Families and Schools: Cllr Brigid Jones

..... Date:

Cabinet Member, Value for Money and Efficiency: Cllr Majid Mahmood

..... Date:

Interim Corporate Director for Children & Young People: Colin Diamond

..... Date:

List of Background Documents used to compile this Report:

Education & Vulnerable Children Overview and Scrutiny Report on Sufficiency – September 2016

Education Sufficiency Requirements – November 2016

Schools Capital Programme 2017-18 - Cabinet 18th April 2017

List of Appendices accompanying this Report (if any):

Appendix A FBC

Appendix B Risk Assessment

Appendix C Stakeholder Analysis

Appendix D Milestones and Resources

Appendix E Ward Councillors Consultation

Report Version	V3	Dated	14/06/17
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