

Birmingham City Council

Report to Cabinet



Date: 19 January 2021

Subject: FULL BUSINESS CASE AND RECOMMENDED CONTRACT AWARD FOR THE CAPITAL SCHEME AT BISHOP CHALLONER CATHOLIC COLLEGE

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 and Children's Social Care
Cllr 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): Brandwood & King's Heath Ward		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 008344/2021		
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. Executive Summary

- 1.1 To seek approval for the Full Business Case and note the contract award for the capital scheme at Bishop Challoner Catholic College as described in **Appendix A**. The capital costs of the scheme will not exceed £1,623,280.

2 Recommendations

That Cabinet:

- 2.1 Approve the Full Business Case (**Appendix A**) for the capital works at Bishop Challoner Catholic College at a total project cost of up to £1,623,280 including Education Infrastructure Capitalisation of £47,280 and Fixed Furniture & Equipment of £53,000.
- 2.2 Authorise the Director for Education & Skills to make a grant payment of up to £1,576,000 to the Archdiocese of Birmingham (Diocesan Education Service).
- 2.3 Note the recommended contract award to CAFOS Ltd. by the Diocesan Education Service on the basis of their submission being ranked first after the evaluation of quality and price.
- 2.4 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).
- 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 Bishop Challoner Catholic College is a secondary school currently with capacity for 1150 pupils between the ages of 11 and 18. The land is held on trust for the purposes of the school by the Diocese of Birmingham. The proposal is for the school to expand by an additional one form of entry (20 pupils per year group) to become a secondary school with 1250 places for pupils aged between 11 and 18. 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.
- 3.4 The Local Authority is keen to ensure that future places are provided in the areas or schools that they are needed; helping children to attend a good school nearer to home as part of their local community. The proposed changes at Bishop Challoner are considered appropriate for the current pupils at the school and are part of a programme to enhance the overall school accommodation solution for both the current and future pupils. Bishop Challoner is a good school with growing numbers and a popular sixth form provision, which draws in the main from the south of the city.
- 3.5 The project includes the provision of a new classroom block, internal re-modelling of existing teaching spaces, administration area and circulation space as well as providing a new sports hall (including changing rooms) in order to accommodate a permanent increase in pupil numbers in fit-for purpose accommodation.

3.6 The works are proposed to commence in February 2021 with a completion in October 2021, subject to the current emergency situation involving Covid-19.

4 Options considered and Recommended Proposal

4.1 The option of doing nothing would mean the Local Authority fails to meet its statutory obligation to ensure that there are sufficient pupil places, promote diversity and increase parental choice through planning and securing additional provision.

4.2 The recommended option is to refurbish the existing building to provide a fit for purpose facility capable of accommodating an additional 1 form of entry.

5 Consultation

5.1 The Governing body fully supports the permanent expansion of the school.

5.2 The Leader and Ward Members for Brandwood & King's Heath have been consulted in relation to the proposals and are supportive of the proposals proceeding to an executive decision.

6 Risk Management

6.1 Contractors will be working in line with guidance provided by the Government. The contractor has been asked to continually monitor the Government guidance and look at mitigation measures to limit the impact on the timeframe proposed for completion should guidance change.

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 GNA surveyors and CBP architects appointed by the Diocesan Education Service, have many years' experience at delivering refurbishment projects to schools of this nature and will manage and co-ordinate the works in consultation with the school.

6.4 GNA surveyors appointed by the Diocesan Education Service will oversee all Construction (Design & Management) Regulations (CDM) duties including Principal Designer role and management of the design and overall project risk register.

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 to ensure that all pupils are provided with a safe and secure learning environment. The spending priorities proposed are in accordance with the Schools' Basic Need Programme 2020-21 approved by Cabinet on 21st April 2020, 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'.

7.2 Legal Implications

- 7.2.1 The recommendations in this report facilitate the discharge of functions contained within section 14 of the Education Act 1996 whereby the local authority has a duty to ensure that there are sufficient school places to provide all pupils the opportunity of appropriate education.

7.3 Financial Implications

- 7.3.1 The capital cost of the proposed works at Bishop Challoner Catholic College will not exceed £1,623,280. This will be funded from the Local Authority's Basic Need Allocation. The detailed breakdown of this cost is included in **Appendix A**.
- 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 of the School and funded from the school's delegated budget.

7.4 Procurement Implications (if required)

- 7.4.1 The procurement route for this project is via single stage open traditional tender aligned with the Diocese of Birmingham's Procured Framework. GNA surveyors and CBP architects on behalf of Diocesan Education Service developed full detailed designs and specifications for the works and a pre-tender estimate to achieve best value for money based on current DfE education space guidelines and industry benchmark rates. GNA surveyors and CBP architects will provide Project, Cost and Contract Management services and close project progress monitoring to ensure value for money is achieved throughout delivery.
- 7.4.2 CAFOS Ltd are recommended for appointment to take forward the contracted works, based on quality and returning the most price competitive tender, and GNA surveyors and CBP architects are satisfied from their assessment this price is inclusive of all tender requirements.
- 7.4.3 The contractor has been asked to sign up to the Birmingham Business Charter for Social Responsibility and has provided a relevant and proportionate action plan. Some of the following outputs will be provided as part of the contract:
- create a minimum of 1 full-time work experience and training placements during the life of the project
 - 80% Of spend with SMEs to be within a 30-mile radius
 - Undertake 2 community engagement activities to support the school and the local community
 - 100% of all persons employed on the project will be paid above the living wage
 - 85% of construction waste recycled

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

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 Background Documents

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

9 List of Appendices

9.1 Appendix A - Full Business Case