



Derby City Council

COUNCIL CABINET
18 January 2017

ITEM 11

Report of the Cabinet Member for Education
and Skills

**Secondary School Place Planning – The Bemrose School
Project**

SUMMARY

- 1.1 The Council has a legal responsibility to ensure there are sufficient school places available in Derby. In order to respond to increasing pupil numbers, Council Cabinet approved the proposal for an additional 200 places at The Bemrose (Secondary) School at its meeting on 7th December 2016. Council Cabinet also previously approved capital funding for this project, as part of the Council's Capital programme, to provide the required new classrooms for September 2018.
- 1.2 As part of the Council's successful bid to the Department for Education (DfE) Priority School Building Programme (PSBP2) for The Bemrose School, the DfE have also made a commitment to deliver additional new classrooms for the school following an assessment of existing accommodation. These additional PSBP2 classrooms are to provide extra teaching space for existing pupils, rather than extra capacity for school expansion. The proposal for additional classrooms is really good news and welcomed by the Council and the school, as this will further improve the teaching and learning environment at The Bemrose School.
- 1.3 The DfE proposal to provide additional classrooms through the PSBP2 programme provides an opportunity for the Council and the School to combine our planned expansion project for additional secondary places with the DfE's project. There are real benefits in combining the two schemes. If these projects are delivered as a combined scheme, the final new classrooms are likely to be completed for April 2019, as opposed the end of 2020, if delivered as two separate schemes.
- 1.4 The DfE have requested the Council to consider approval for a combined scheme, to be procured and delivered by the DfE through the national PSBP2 programme. In order to progress a combined scheme, the proposal is to consider approval for a financial commitment from the Council to the DfE combined scheme. This financial contribution would be made from the funding already approved by the Council for the additional 200 secondary places at The Bemrose School. By combining these two projects, this helps to significantly minimise disruption to teaching and learning.
- 1.5 The DfE's initial indications are that the Council would be required to contribute approximately £1.4m. This is affordable from funding already committed on the Council's School Capital programme to provide additional secondary places at the school. The final contribution is due to be confirmed at the end of October 2017, when the DfE reach financial close with the preferred contractor. At that point, if the Council is required to make an increased contribution, this will reported to Council Cabinet for

consideration.

- 1.6 Following detailed discussions between the Council, The Bemrose School and the DfE, there is strong support for the proposal for a single combined project delivered by the DfE as part of the national programme. This will, of course, help to significantly minimise the disruption to teaching and learning for the children and young people during the construction period for this major project.

RECOMMENDATION

- 2.1 To approve an initial contribution of £1.4m to the DfE towards a jointly funded project for additional classrooms at The Bemrose (Secondary) School.
- 2.2 To note, this project will be delivered by the DfE as part of national PSBP Programme, and note that the final contribution is due to be confirmed by the DfE at the end of October 2017.
- 2.3 To grant approval for the Council's S151 Officer to write to the DfE to confirm the Council's commitment in principle to this contribution.

REASONS FOR RECOMMENDATION

- 3.1 The Council has previously approved 200 additional secondary school places at The Bemrose (Secondary) School. The places are required as part of the Council's strategy to ensure there are sufficient secondary school places. The opportunity has now arisen to combine the Council scheme with a DfE PSBP2 programme scheme at the school.
- 3.2 In combining the two schemes, the School will benefit from a single new building, and a reduced overall construction programme.
- 3.3 It is expected that the Council will also benefit from economies of scale with the additional classrooms being delivered as part of a larger scheme, and as part of the DfE's broader regional PSBP2 procurement framework.
- 3.4 As the proposed scheme will be procured by the DfE, there is a risk as the Council will not control the procurement and delivery of the works. However, there is also a risk of jeopardising the additional PSBP2 classrooms if the Council does not enter an agreement for a combined scheme.

SUPPORTING INFORMATION

4.1 Secondary School Places

Derby City Council has a statutory duty to ensure that there are sufficient schools places for the city. In order to discharge this duty, the DfE provide Basic Need grant funding to provide additional school places.

- 4.2 In relation to secondary school place planning, following growth in pupil numbers in the primary sector, proposals have been developed to provide additional secondary school capacity. This is to ensure that there are sufficient places available in readiness for the higher primary year groups progressing through to secondary schools. Phase 1 expansion proposals were reported to Cabinet on 16th March 2016, as part of the overall 2016/17 School capital programme.

4.3 The Bemrose School

As part of phase 1 proposals, there is an approved capital programme scheme for an additional 200 secondary places at The Bemrose (Secondary) School. These additional places are required from September 2018 and will increase numbers by 40 in each 11-16 year group. Each year group will increase from 180 to 220, initially beginning with Year 7 from September 2018. On 7th December 2016, Council Cabinet agreed the required statutory School Organisation Regulation approvals for the increase in numbers, following the end of the statutory consultation period.

- 4.4 In partnership with the school, the Council have undertaken detailed feasibility works to develop a scheme to deliver these 200 places. The initial proposal was for a new multi classroom teaching block, including associated staff, office and ancillary areas.
- 4.5 As background information, the Council were invited to submit expressions of interest for the second phase of the DfE's Priority School Building Programme (PSBP2) to address school building and major condition issues. In February 2015, the DfE announced that the Council had been successful with two bids, one of which was for the major refurbishment of the main teaching block at The Bemrose School. At that stage, the DfE's timescales for the delivery of PSBP2 building programme and scope of works were subject to national development.
- 4.6 The DfE have now completed detailed scoping studies for the proposed PSBP2 scheme at The Bemrose School. The project will be procured and delivered centrally by the Education Funding Agency. As part of the DfE's scoping work, the DfE have made a commitment to provide additional classroom provision at the school to further improve the teaching and learning accommodation, alongside the planned major

- refurbishment of the main teaching block.
- 4.7 There is now, of course, an overlap between the Council's proposed construction plan and the DfE's construction programmes. The Council's 200 place expansion of The Bemrose School had been programmed to begin in 2017 and to be completed for September 2018. The implications of this would be that the DfE construction programme would have to be postponed until September 2019, with completion of the DfE project pushed back towards the end of 2020. The reason for this is that the DfE contractor would require the completion of the Council contractor's post-occupation 12 month defect period, prior to works commencing on the new DfE block.
- 4.8 The DfE recently approached the Council to request consideration to combining both the Council's proposed classroom extension, and the DfE's new classroom block, as a combined single multi-classroom block of 20 classrooms.
- 4.9 A combined scheme would benefit the school in having a larger single new multi-classroom block, delivered by a single contractor. This would also reduce the overall length of construction work on site, and bring forward the target completion date to April 2019, as opposed to July 2020 if the projects were to be delivered separately.
- 4.10 The current DfE PSBP2 programme for the delivery of a combined new classroom block for The Bemrose School is set out in Appendix 2.
- 4.11 In order for the DfE to progress a combined scheme, it is necessary for the Council to consider and approve its commitment to contribute financially to the DfE, and for the DfE to then provide the extra classrooms required by the Council for an additional 200 secondary places.
- 4.12 The proposal is for the Council to consider the contribution towards the costs of providing 7 classrooms in the proposed new combined block, with the DfE funding the remaining 13 classrooms. The DfE have indicated that the Council's financial contribution is likely to be £1.4m. This is affordable from within the Council's previously approved capital programme scheme to expand The Bemrose School.
- 4.13 Final costs, and the Council's required contribution, will be confirmed once the DfE reach financial close with their preferred contractor. This is expected to be at the end of October 2017. Once confirmed, any increase to the required contribution from the Council will be reported to Cabinet for consideration and approval.
- 4.14 The school fully support the proposal to combine the two schemes into a single project delivered by the DfE. However, there is a risk, in that the additional school places are required by September 2018, but the combined new build is not due to be completed until April 2019. To mitigate this risk, following detailed discussions, the DfE have agreed to provide 4 additional temporary classrooms from September 2018 until completion of the proposed new single multi-classroom block. The school have confirmed that this proposal is acceptable. This will ensure there are sufficient secondary school places at The Bemrose School.
- 4.15 There is a further risk to the Council in not retaining control of the procurement and approval process of the DfE PSBP2 programme. The Council will work closely with the DfE to monitor progress against PSBP2 milestones, and review any implications

should they arise.

- 4.16 There are real benefits to the school and the Council in having a single combined scheme, which will result in better value for money and greater economies of scale by delivering the additional classrooms as part of a larger national PSBP2 programme.
- 4.17 The Council will be required to sign a standard Memorandum of Understanding with the DfE to co-operate in the delivery of the combined scheme. This would also be required if the PSBP2 works were to be delivered as a separate scheme.
- 4.18 Combining the two proposed Secondary schemes will not affect the separately approved Primary phase expansion of The Bemrose School, as the Primary phase expansion is scheduled to be completed prior to the proposed combined scheme commencing.

OTHER OPTIONS CONSIDERED

- 5.1 To continue with the Council's initial proposal of a separate new classroom block for The Bemrose (Secondary) School. This would, however, extend and delay the overall construction programmes at the school and risk potentially jeopardising the new PSBP2 classrooms due to affordability and programming implications.
- 5.2 There is a need to provide an additional 200 secondary places at The Bemrose (Secondary) School. As pupil place pressures are present in the area of the City served by the School, it is not possible to provide the places at any other school.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Emily Feenan – Principal Lawyer – Organisation and Governance Alison Parkin – Head of Finance (Children and Young People) - Organisation and Governance Nicola Goodacre – Group Account (Capital) - Organisation and Governance None Philip Derbyshire – Head of Property Design and Maintenance – Communities and Place Gurmail Nizzer – Director of Commissioning (Acting) – People Services
For more information contact: Background papers:	Gurmail Nizzer, Director of Commissioning (Acting). Tel. 01332 642720 E-mail: gurmail.nizzer@derby.gov.uk None

List of appendices:	Appendix 1 – Implications Appendix 2 – DfE Indicative PSBP2 Programme
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IMPLICATIONS

Financial and Value for Money

- 1.1 The DfE have advised that the Council contribution to a combined scheme is expected to be approximately £1.4m. This is affordable within the Council's currently approved Capital Programme scheme budget for the additional 200 places.
- 1.2 The DfE will confirm the final contribution once they have reached financial close with their preferred contractor. This is expected to be at the end of October 2017. The outcome will be reported to Cabinet. It is expected that the Council will benefit from economies of scale if the additional classrooms are delivered as part of a larger scheme, and as part of the DfE's larger regional PSBP2 procurement framework.
- 1.3 In approving, in principle, to a contribution to a combined scheme, the Council's S151 Officer will be requested to write to the DfE to confirm this contribution before the scheme can progress.

Legal

- 2.1 The Council has a statutory duty to provide sufficient school places. The approved expansion of The Bemrose (Secondary) School is part of the Council's overall strategy to deliver sufficient school places.
- 2.2 The Council's S151 Officer will be required to write to the DfE to confirm the Council's financial commitment to a combined scheme. The Council will also be required to sign a standard Memorandum of Understanding with the DfE agreeing to co-operate in the delivery of the PSBP2 scheme. The Memorandum of Understanding is required for all PSBP projects, and would be still required if works were delivered as a separate scheme.
- 2.3 The proposed new build will be subject to separate Planning Permission approval by the Council. The DfE will submit the required planning application.

Personnel

- 3.1 None for consideration.

IT

- 4.1 None for consideration.

Equalities Impact

- 5.1 The approved expansion of the Bemrose (Secondary) School is part of the Council's

strategy to provide school places where they are needed.

- 5.2 The DfE will be required to design and build the new building in full compliance with modern building regulation requirements covering accessibility.

Health and Safety

- 6.1 None for consideration.

Environmental Sustainability

- 7.1 The DfE will be required to design and build the new building in full compliance with modern building regulation requirements.

Property and Asset Management

- 8.1 None for consideration. The proposal does not require any site acquisition as the proposal is to contain development within the existing school site.

Risk Management and Safeguarding

- 9.1 In providing the additional school capacity, the Council is reducing any potential risks arising from its statutory duty to provide sufficient school places.
- 9.2 The Council will closely monitor progress of the DfE PSBP2 programme.

Corporate objectives and priorities for change

- 10.1 This report supports the Council priority outcomes of Enabling individuals and communities, and Raising achievement and skills.

DfE PSBP2 programme for delivery of combined new classroom block for The Bemrose School

- Preliminary Invitation to Tender (Sample School Regional Batch*) – December 2016
- Invitation to Tender (Sample School Regional Batch) – January 2017
- Selection of preferred contractor – February 2017
- Issue Bemrose proposal notification to preferred contractor – April 2017
- Financial Close (Sample School Regional Batch) – July 2017
- Planning Permission Submission (Bemrose) – July 2017
- Planning Permission Approval (Bemrose) – October 2017
- Full Business Case and Financial Close (Bemrose) – October 2017
- Construction on Bemrose permanent new block begins – January 2018
- Bemrose temporary classrooms provided – September 2018
- Bemrose permanent new block completed – April 2019
- Refurbishment of Bemrose existing main block commences – April 2019
- Completion of existing main block refurbishment – September 2020

*The Sample School in the Regional Batch of PSBP2 will not Bemrose School, the DfE have to select a sample school which can be programmed for earlier delivery than is possible with the Bemrose proposal.