



**Nottingham City Council
Executive Board**

Date: Tuesday, 16 March 2021

Time: 2.00 pm

Place: Remote - To be held remotely via Zoom -
<https://www.youtube.com/user/NottCityCouncil>

Councillors are requested to attend the above meeting to transact the following business

Director for Legal and Governance

Governance Officer: Kate Morris **Direct Dial:** 0115 8764353

Agenda	Pages
1 Apologies for absence	
2 Declarations of interests	
3 Minutes Last meeting held on 23 February 2021 (for confirmation)	3 - 8
4 School Capital Maintenance Grant Allocations 2021/22 - Key Decision Report of the Portfolio Holder for Regeneration, Schools and Communication	9 - 44
5 The acquisition of the Clarendon College site for a new secondary Free School and the creation of a Temporary Sixth Form base at the Maid Marian Way Nottingham College site for the Archway Trust - Key Decision Report of the Portfolio Holder for Regeneration, Schools and Communications.	45 - 76
6 Exclusion of the public To consider excluding the public from the meeting during consideration of the remaining item(s) in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption	

outweighs in the public interest in disclosing the information

- 7 The acquisition of the Clarendon College site for a new secondary Free School and the creation of a Temporary Sixth Form base at the Maid Marian Way Nottingham College site for the Archway Trust - Exempt Appendices** 77 - 80
- Report of the Portfolio Holder for Regeneration, Schools and Communications.

All items listed 'under exclusion of the public' will be heard in private for the reasons listed in the agenda papers. They have been included on the agenda as no representations against hearing the items in private were received

If you need any advice on declaring an interest in any item on the agenda, please contact the governance officer shown above, if possible before the day of the meeting

Citizens are advised that this meeting may be recorded by members of the public. Any recording or reporting on this meeting should take place in accordance with the council's policy on recording and reporting on public meetings, which is available at www.nottinghamcity.gov.uk. Individuals intending to record the meeting are asked to notify the governance officer shown above in advance.

Nottingham City Council

Executive Board

**Minutes of the meeting held remotely via Zoom -
<https://www.youtube.com/user/NottCityCouncil> on 23 February 2021 from 2.03
pm - 2.48 pm**

Membership

Present	Absent
Councillor David Mellen (Chair)	
Councillor Sally Longford (Vice Chair)	
Councillor Cheryl Barnard	
Councillor Eunice Campbell-Clark	
Councillor Neghat Khan	
Councillor Rebecca Langton	
Councillor Dave Trimble	
Councillor Adele Williams	
Councillor Sam Webster	
Councillor Linda Woodings	

Colleagues, partners and others in attendance:

Councillor Kevin Clarke	
Councillor Andrew Rule	
Mel Barrett	- Chief Executive
Clive Heaphy	- Strategic Director of Finance
Richard Henderson	- Director of HR and Transformation
Nick Lee	- Director of Education Services
Malcolm Townroe	- Director of Legal and Governance
Hugh White	- Corporate Director for COVID Response and Recovery
Kate Morris	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 5 March 2021. Decisions cannot be implemented until the working day after this date.

79 Apologies for absence

Catherine Underwood – Corporate Director for People

80 Declarations of interests

Although not a formal Interest, in the interests of openness and transparency Councillors Barnard, Campbell-Clark, Langton, Mellen and Williams all notified the meeting they were governors of schools within the City. This did not preclude them from speaking or participating in Item 4 (minute 82) School Admissions Arrangements 2022/23 for Community schools

81 Minutes

The minutes of the meeting held on 19 January 2021 were confirmed as a true record and were signed by the Chair.

82 School Admission Arrangements 2022/23 for Community Schools

The Board considered the report of the Portfolio Holder for Regeneration, Schools and Communications seeking approval for the proposed admissions arrangements for the 2022/23 school year for Community Schools. These arrangements remain unchanged from those approved last year for the 2021/22 school year and continue to ensure fair access to school places and give priority to local children.

Resolved to approve the Local Authority's proposed admission arrangements for the 2022/23 school year for community schools.

Reasons for decision

Nottingham City Council is the Admissions Authority for Community schools and is responsible for determining the admissions arrangements for these schools for each school year.

Last year the admissions arrangements were changed for the 2021/22 school year to reduce the number of choices and to streamline the process. This change is being monitored. No further changes have been deemed necessary to maintain equal and fair access to school places for all children in the city.

Other options considered

Options to change the admissions arrangements for the school year 2022/23 have been rejected as they are not necessary or viable.

83 Budget 2021/22 and Medium Term Financial Outlook

The Chair of the Board agreed that this item, although not on the agenda, could be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972, because the Council is legally required to set a balanced budget each year and so this is the last Executive Board meeting before the March Council meeting, which is the latest opportunity to do so.

Resolution 4b is not subject to call in because the Chair of Overview and Scrutiny agreed that the decision is reasonable in all circumstances and should be treated as a matter of urgency because the Housing Act 1985 requires tenants to receive 28 days notice of rent increases (due date 29 March 2021). Production and postage of the notifications following a call in period would mean that the Council may be in breach of its statutory duty by giving less than 28 days notification. Postage of the notifications to tenants has to take place by no later than 24th February to ensure they reach tenants in time.

The Board considered the report of the Portfolio Holder for Finance, Growth and the City Centre outlining the Council's Revenue and Capital budget proposals for the General Fund, Housing Revenue Account (HRA) and Schools budget for 2021/22.

During discussion the following points were raised:

- (a) This budget has been set in the context of 10 years of sustained cuts from Central Government, the Covid pandemic and its financial impact on the Council, businesses, and citizens across the city, and a difficult year for the

organisation. Despite these difficulties the Council remains ambitious for its citizens and for the city and is committed to providing good quality services;

- (b) The main focus for the Council this year has been responding to the Covid pandemic and ensuring that services remain accessible to citizens. The cost of the pandemic for the Council has now reached £78 million. £50million of government funding has been received, leaving a shortfall of £28million;
- (c) The in-year budget process in 2020/21 achieved savings of £12.5million through a recruitment freeze, a voluntary redundancy programme and the use of reserves;
- (d) The report reflects a financial outlook for three years, however with financial uncertainties associated with Covid 19 combined with the action arising from the Recovery and Improvement Plan forecasting beyond 2021/22 is currently difficult. The budget reflects a one-year position with commitment to addressing the financial challenges ahead;
- (e) Particular pressure on the budget comes from the cost of Children in Care costs. This will continue to rise as companies continue to increase cost of placements. The Council is working hard to mitigate these costs, where possible, using block contract placements and independent fostering agencies. The Council is also working with the D2N2 partners and lobbying government to address the issue of increasing children in care costs;
- (f) The Council is proposing to implement the 3% adult care precept on Council tax in order to help fund adult social care. Authorities across the country are lobbying government to bring forward the proposed reforms to Adult social care funding as it is widely felt that this is not a sustainable way to fund adult social care;
- (g) Following 4 years of rent reductions introduced by Central Government the Council in implementing a 1.5% rent increase. For a 2 bedroom house this will equate to £1.21 increase a week. This will help to improve the HRA allowing a balanced budget for repairs, maintenance and improvements to the public realm as well as many other housing related services. The tenancy sustainment team continues to work well with tenants experiencing difficulties ensuring they are claiming all of the benefits they are entitled to, and offering other advice;
- (h) Domestic waste disposal costs have risen as more domestic waste is created through people working at home. Income from the commercial Business Waste activities has reduced as businesses have been closed or dramatically reduced waste output as a result of limited trading due to the Covid pandemic. This is one of many smaller ways that the financial pressure of Covid has impacted the Council;

The Board extended their thanks to all staff, colleagues and partners who have worked throughout the pandemic to ensure that services have continued to be offered to the most vulnerable citizens and to staff and colleagues who have worked hard to contribute to the difficult budget process.

Resolved to:

(1) 2020/21 Forecast Outturn

- a) note the current forecast outturn for 2020/21;
- b) approve budget virements and reserve movements set out in Appendices B and C of annex 1 of the published report;
- c) approve the proposal that underspends in 2020/21 are used to replenish reserves

(2) Revenue budget 2021/22

- a) recommend to City Council approval of the proposed General Fund revenue budget for 2021/22 with a net budget requirement of £243.7m.
- b) endorse proposals to set a Council Tax level (Band D) of £1,898.55

(3) Recommend to City Council approval of the proposed Capital Programme for 2021/22 as detailed in Annex 3 of the published report

(4) HRA budget 2021/22

- a) recommend to City Council approval of the proposed HRA budget for 2021/22 as set out in Annex 4 of the published report.
- b) Approve the:
 - i. Proposed rent increase of 1.5% for 2021/22.
 - ii. Continuation of the tenant incentive scheme in 2021/22 of up to £100 per annum and its removal from the budget from 2022/23 onwards.
 - iii. Proposed increase in general service charges of 1.5%.
 - iv. Proposed increase to garage rents of 0.5%.
 - v. Delegation of authority to Nottingham City Homes (NCH) to award capital contracts up to the value of the scheme/programme as set out in Appendix B of Annex 4 of the published report.

(5) To note the report of the Council's Section 151 Officer in respect of the robustness of the estimates within the budget and the adequacy of reserves.

(6) To note the outcomes of the budget consultation.

(7) Schools Budgets

- a) Approve the in-year budget transfers and payments associated with the grant funding and the use of the reserve included in this report. This will not exceed the grant value.
- b) Delegate the authority to the Portfolio Holder for Finance, Growth & the City Centre and the S151 Officer to approve any final budget adjustments in conjunction with the Portfolio holder for Regeneration, Schools & Communication and the Corporate Director (People).

Reasons for the decision

The council has to set a balanced budget each year, these proposals allow the Executive Board to recommend this budget to Council for approval at its March meeting. It also allows approval of the HRA and Schools Budget elements of the budget process.

Other options considered

A range of different options have been considered throughout the budget setting process including variations of council tax level, investments and cost reductions. These have all been rejected as these proposals offer balanced levels of investment, income, cost reduction and Council Tax.

84 Treasury Management Strategy 2021/22 & Capital and Investment Strategy 2021/22

The Chair of the Board agreed that this item, although not on the original agenda, could be considered as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act 1972, because it is a legal requirement for the Treasury Strategy to be approved by Council before the start of the financial year that it applies to (April 2021) and so this is the last Executive Board meeting before the March Council meeting.

This item does not contain any decisions that are subject to the call in.

The Board considered the report of the Portfolio Holder for Finance, Growth and the City Centre outlining the Treasury Management Strategy and the Capital Strategy for 2021/22. He highlighted that the Capital Strategy included a review of the estate and that some building may be found to be surplus to requirement. He also highlighted the strategy to reduce eternal debt levels.

The Portfolio Holder commended Council Officers for their outstanding work in bidding for external grants and continuing to bring in much needed grant support for all aspects of the Authority's work.

Resolved to

(1) Recommend for approval by City Council at its meeting on 8 March 2021 the overall Treasury Management Strategy for 2021/22, and, in particular:

- **the strategy for debt repayment (Minimum Revenue Provision Statement) in 2021/22**
- **the Borrowing Strategy including the Debt Policy (section 3.4);**
- **the Investment Strategy for 2021/22**
- **the Prudential Indicators and Limits for 2021/22 to 2023/24**
- **adopt the current Treasury Management Policy Statement**

(2) Recommend for approval by City Council at its meeting on 8 March 2021 the Capital Strategy 2021/22 including the Voluntary Debt Reduction Policy Statement

Reasons for decision

Financial regulations require the Council to submit a policy and strategy statement on Treasury Management and on Capital Strategy for upcoming financial year for approval.

Other options considered

The approval of the Treasury Management Strategy and Capital Strategy is a requirement of the Chartered Institute of Public Finance and Accountancy (CIPFA). Not to recommend it for approval at the subsequent Council meeting would put Nottingham City Council in breach of this requirement.

85 Exclusion of the public

The Board decided to exclude the public from the meeting during consideration of the remaining agenda item in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in Paragraph(s) 3 of Part 1 of Schedule 12A to the Act.

86 Treasury Management Strategy 2021/22 & Capital and Investment Strategy 2021/22 - Exempt appendix

The Board noted the contents of the exempt appendix.

Subject:	School Capital Maintenance Grant Allocations 2021/22
Corporate Director(s)/Director(s):	Catherine Underwood – Corporate Director for People (Children and Adults)
Portfolio Holder(s):	Councillor David Mellen – Leader of the Council and Portfolio Holder for Regeneration, Schools and Communications
Report author and contact details:	Caroline Butrymowicz – Project Manager, Major Projects. Tel: 0115 8763396 e-mail: caroline.butrymowicz@nottinghamcity.gov.uk
Other colleagues who have provided input:	Robert Caswell – Programme Manager, Major Projects. Tel: 0115 8763408 e-mail: robert.caswell@nottinghamcity.gov.uk
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a) <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input type="checkbox"/> No	
Type of expenditure: <input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital	
Total value of the decision: £ 1,768,017	
Wards affected: All	
Date of consultation with Portfolio Holder(s): 8 th February 2021	
Relevant Council Plan Key Theme:	
Nottingham People	<input checked="" type="checkbox"/>
Living in Nottingham	<input type="checkbox"/>
Growing Nottingham	<input type="checkbox"/>
Respect for Nottingham	<input type="checkbox"/>
Serving Nottingham Better	<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>In October 2020 the government issued all local authorities with an additional one off allocation of the Capital Maintenance grant to support addressing condition issues at schools. The allocation for Nottingham City was £568,017.</p> <p>The annual capital maintenance grant allocation from the Department for Education (DfE) is expected to be confirmed in Spring 2021. An estimated amount of £1.200 million is forecast to be allocated, based on previous allocations, to improve the condition of school buildings maintained by Nottingham City Council.</p> <p>This report seeks approval to accept the one off allocation of £568,017 already received and the anticipated £1.200m of Capital Maintenance grant (in advance of receipt of the 2021/22 annual funding announcement). It also seeks approval to progress with the identified schemes as long as the funding received in capital maintenance grant from the DfE is sufficient.</p>	
Exempt information:	
None	
Recommendation(s):	
1 To note the appended business case and accept the recommendations for the proposed school capital maintenance funding and delivery of schemes for 2021/22.	

2	To accept the one off Capital Maintenance grant already received of £568,017 for school capital maintenance issues and amalgamate it with the school capital maintenance funding for 2021/22 upon receipt.
3	To accept and approve the 2021/22 allocation received by the Department for Education (DfE) to Nottingham City of the school capital maintenance funding upon receipt for the projects as set out in appendix A, noting that £0.211 million is set aside as a contingency fund. To allow the adjustment of the number of projects prioritised in Appendix A and this contingency upon receipt of the grant announcement, should it be necessary.
4	To amend the capital programme to reflect the one off grant of £568,017 already received.
5	To amend the capital programme to include the allocation of schools' capital maintenance grant for 2021/22 once the capital maintenance funding has been received.
6	To approve £0.030 million to allow the scoping and prioritisation of projects for a programme of works in 2022/23 to commence in Autumn 2021, once the 2021/22 capital maintenance funding has been received
7	To delegate authority to the Corporate Director for People to: <ul style="list-style-type: none"> • allow the adjustment of the number of projects prioritised in Appendix A and the contingency should it be necessary. • allocate contingency funding to projects such as health and safety or condition issues which arise during 2021/22, and • adjust the funding allocation for each project once cost information is finalised, subject to value for money being demonstrated and costs being within the overall budget allocated for this programme of works. once the 2021/22 capital maintenance funding has been received
8	To appoint NCC Building Services to design, procure and manage the mechanical and electrical projects.
9	To approve the procurement of the roofing, window and safeguarding schemes through the SCAPE regional construction framework – an OJEU (the Official Journal of the European Union) compliant framework
10	To approve the procurement of any technical services (for example construction contract administrator role) that are no longer available from the resource pool of NCC through a compliant framework as directed by the Director of Commissioning and Procurement.
11	To appoint Nottingham City Homes to design, procure and manage the fire door scheme.
12	To delegate authority to the Director of Legal and Governance and Monitoring Officer to sign contracts with the preferred contractors and technical services suppliers following procurement exercises to allow the projects to be delivered.
13	To approve a payment of up to £0.100m from the Building Schools for the Future (BSF) Lifecycle Reserve fund to Rosehill Special School to undertake condition and maintenance works to the building

1 Reasons for recommendations

- 1.1 The prioritisation of the funding is based on advice received and an extensive review of schools. This is articulated in the appended business case. There are two areas where funding has been prioritised:
- Health and Safety issues likely to impact on children and staff.
 - Condition issues likely to impact on the operation of the school.
- 1.2 The balance of the funding for the schools' capital maintenance grant has been identified as part of the prioritisation process and £0.211 million will be held as a contingency amount to deal with urgent health and safety or condition issues that arise during the financial year 2021/22. Delegating authority to the Corporate Director for People (Children and Adults) to approve these projects will enable a swift response to urgent issues as they arise.
- 1.3 In preparation for 2022/23's programme of works an allocation of £0.030 million will be identified from 2021/22 funding to begin prioritisation. This forward planning will ensure that the Local Authority prepares for delivery and sets out a clear programme of future works to maintain schools, subject to funding being received.
- 1.4 Rosehill Special School was rebuilt under wave 2 of the BSF programme. As part of this programme to meet the requirements of the Department for Education (DfE), both the school and the City Council had to commit to funding a lifecycle fund so that the building could be maintained to the same standard as a new Private Finance Initiative (PFI) school for 25 years. Rosehill Special School has now been operational for nine years and the school are undertaking minor works to the building that will improve the education environment, health & safety and security. The works will be procured directly by the school in line with financial regulations and with the support of the Major Projects team.

2 Background (including outcomes of consultation)

- 2.1 An announcement of the schools' capital maintenance grants for the financial year 2021/22 is expected in April. Based on previous funding allocations, it is anticipated that £1.200 million will be allocated to improve the condition of school buildings maintained by Nottingham City Council.
- 2.2 A one off allocation of £568,017 to address school capital maintenance issues has already been received.
- 2.3 This report and the appended business case identifies how the grant and one off allocation of £568,017 will be amalgamated and prioritised to support the health and safety and condition needs of schools in Nottingham.
- 2.4 The highest priorities relate to health and safety requirements, for example ensuring the safeguarding of pupils within a school site and the safe evacuation of a school building. The next priorities are those condition issues that mean school buildings are not weather proof or that they are not warm in winter. This could include schools that require roof replacement, windows, boilers, heating pipes and electrical infrastructure.

2.5 The overall condition liability for schools in the City is significantly greater than the funding available and there is insufficient funding to complete all the necessary works to ensure all schools will not be at risk from inclement weather. To ensure the most urgent projects are taken forward, a further prioritisation has taken place in consultation with external specialist contractors that takes into consideration the immediacy of the risk to the school. This is outlined in the appended business case.

3 Other options considered in making recommendations

3.1 Consideration was given to combine the one off grant and the 2021/2022 schools' maintenance funding and the basic need funding. If combined this funding could be used to address the shortfall in school places across the city.

3.2. Consideration was also given to amalgamating the one off grant already received and the 2021/2022 grant with broader City Council capital funding.

3.3 Both of these options have been rejected, as they would leave schools at risk of closure through health and safety or condition issues. It would also mean that school buildings would continue to deteriorate, increasing the risk of forced closure for emergency repairs

3.4 With regard Rosehill School, to 'do nothing' has been rejected as, while this would retain the funding within the Lifecycle Reserve; it would not support the maintenance of the school as a positive environment for education.

4 Finance colleague comments (including implications and value for money/VAT)

4.1 Capital comments

This decision assumes that the Council will be awarded School Capital Maintenance Funding of **£1.200m** in 2021/22, alongside the already secured grant of **£0.568m**. The schemes detailed in Appendix 1 can be completed within this funding allocation and will be added to the Capital Programme.

4.2 Any difference between the assumed grant of **£1.200m** for 2021/22 and actual grant will lead to a change in contingency figure. Should the actual figure be significantly less than the assumed **£1.200m** then the schemes within Appendix 1 will require value engineering or removing from the programme to fit within the revised funding allocation.

4.4 Appendix A details **£0.030m** for feasibility costs, should any of these schemes not progress then the abortive costs will require charging to revenue and alternative funding will need to be identified.

4.5 As detailed in recommendation 7, when the Corporate Director for Children and Adults either adjusts the projects in Appendix A or approves new schemes copies of the relevant reports are to be shared with Technical Finance ensuring the Capital Programme is updated accordingly.

4.6 Due to this decision being 100% funded by external ringfenced grant, it meets the exemption criteria for the current amended scheme of delegation.

4.7 This value of grant is included within the planned element of the Capital Programme as approved at February Executive Board 2021. Following the approval of this decision the schemes will be moved into the approved stage of

the Capital Programme. Therefore, this decision does not increase the Council's Capital Programme from what was included at February Executive Board.

Tom Straw – Senior Accountant (Capital Programmes), 4 February 2021

4.2 Revenue comments

If the funding allocations are approved then any ongoing maintenance costs which arise after the completion of capital works will need to be funded from the schools budget.

Julia Holmes Senior Commercial Business Partner, 3 February 2021

5 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 5.1 This report seeks authority to receive capital funding and to spend it in on maintenance works and projects at schools for which the City Council is responsible as set out in the appendix. The recommendations recognise that the amount of capital maintenance funding for 21/22 is not yet finalised so authorisation to flex the projects is also sought. Recommendation 9 refers to OJEU compliance – notwithstanding that the United Kingdom has left the EU the Public Contracts Regulations 2015 remain in force and Scape frameworks continue to be a complaint procurement process. The City Council can make direct contract awards to NCH as it is a company which benefits from the 'Teckal' procurement exemption. Provided any other contracts are awarded in accordance with the City Council's Financial Regulations this report does not raise any significant legal issues.

Andrew James Team Leader 29th January 2021

6 Strategic Assets & Property colleague comments (for decisions relating to all property assets and associated infrastructure)

- 6.1 The Corporate Asset Management outlines the importance of building maintenance management to ensuring that the Council's assets are fit for purpose and do not deteriorate and become unmanageable resulting in Health and Safety risks. The Council has a responsibility to ensure its buildings are legally compliant, maintained and accessible. The proposals contained in the report are supported by a Business Case that provides the rationale for why these works are required and have been prioritised. This is to ensure that the Council's statutory obligations will be met and that essential building condition works are undertaken which will safeguard business continuity.

Tanya Najuk – Head of Asset Management (Strategic Assets and Property) 12th February 2021

- 6.2 Building Services will design procure and manage all M&E and fire alarm schemes using a blend of internal and externally procured resource, utilising established NCC frameworks. Feasibilities have been completed to determine viability, cost, risks and mitigation. Following actions will include detailed design and specification, supplier and client engagement and programming, including statutory H&S compliance. Work will be supervised and cost managed, including quality control, in collaboration with the client department.

Ashleigh Warhurst – Infrastructure Delivery Manager (Building Services and Facilities Management) 11th February 2021

7 Social value considerations

7.1 The proposed framework agreement contains a number of Social Value KPIs, such as diverting waste to land fill, local spend and local employment targets to which the schemes will be measured.

8 Regard to the NHS Constitution

8.1 There are no implications on the NHS constitution

9 Equality Impact Assessment (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

10 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

10.1 None.

11 Published documents referred to in this report

11.1 None

Appendix 1 : Capital Maintenance Programme 2021/22

School	Scope	Cost (£)
Rufford Primary	Heating works	200,000
Berridge Primary (phase 2 works)	Heating works	200,000
Seely Primary	Heating works	200,000
Southwold Primary	Heating works	200,000
Cantrell Primary	Fire alarm	65,000
Southwold Primary	Fire alarm	87,000
Forest Fields Primary	Fire doors	25,000
Rufford Primary	Roofing works	370,000
Hempshill Hall Primary	Safeguarding works	100,000
Claremont Primary (phase 2 works)	Windows	80,000
Feasibility cost 22/23		30,000
Health and Safety Contingency		211,000
		1,768,000

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Business Case

Project Title: Schools' capital maintenance programme 21/22

Lead Department: Children and Adults



Safer, cleaner, ambitious
Nottingham
A city we're all proud of



Nottingham
City Council

DOCUMENT CONTROL

BC Author	Caroline Butrymowicz
Project Sponsor (contact details)	Catherine Underwood – Corporate Director for People (Children and Adults)
Project Manager (contact details)	Caroline Butrymowicz – Project Manager (Major Projects)
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1	Draft	10.01.21	First Draft	CB
2	Draft	15.01.21	Review	RC
3	Draft	15.01.21	Review	CB
4	Final	17.02.21	Final	RC

CONTENTS

- 1.0 PURPOSE OF DOCUMENT
- 2.0 EXECUTIVE SUMMARY
- 3.0 STRATEGIC FIT
 - 3.1 Strategic Objectives
- 4.0 PROJECT INFORMATION AND BUSINESS CASE
 - 4.1 Options appraisal
 - 4.2 Funding allocations
 - 4.3 Phasing of the programme of works
 - 4.4 Project approach
 - 4.5 Project constraints
 - 4.6 Phase dependencies
 - 4.7 Project risks
 - 4.8 Project benefits
- 5.0 OPTION APPRAISAL (Economic Case)
 - 5.1 Project scope
 - 5.2 Procurement approach
- 6.0 COMMERCIAL ASPECTS (Financial Case)
- 7.0 AFFORDABILITY (Financial case)
 - 7.1 Project budget
 - 7.2 Funding and approvals
- 8.0 ACHIEVABILITY (Project Management case)
 - 8.1 Delivery team
 - 8.2 Programme
 - 8.3 Governance

1.0 PURPOSE OF DOCUMENT

This document sets out the business case for delivering the capital maintenance programme 21/22 for Nottingham City schools. The proposal is to carry out high priority works to keep schools open and safe. The proposed programme of works cover heating/boiler schemes, fire alarm replacement works, fire door replacement, roofing, safeguarding and a window scheme. The main works will take place in the school summer holidays 2021.

2.0 EXECUTIVE SUMMARY

All local authorities receive an annual allocation of grant funding to support maintained schools with managing the condition and health and safety of their school buildings. This funding is known as the capital maintenance grant. The funding is typically a formulaic calculation determined by the Education and Skills Funding Agency (ESFA), who then confirm allocations to local authorities on an annual basis.

The funding announcement for 2021/22 is expected in Spring 2021. Based on previous funding allocations, it is expected that around £1.200 million will be allocated to improve the condition of school buildings maintained by Nottingham City Council. In addition to this a one off allocation was received in October 2020 for school condition works. The value of this grant is £568,017.

This business case identifies how the grants will be prioritised to support health and safety and condition needs of schools in Nottingham. The highest priorities relate to health and safety requirements and addressing condition issues that mean school buildings are kept dry and warm in winter. This could include schools that require roof replacement, windows, boilers, heating systems and electrical works.

The overall condition liability for schools in the City is significantly greater than the funding available and unfortunately there is insufficient funding to address all the necessary works. To ensure the most urgent projects are taken forward, a feasibility study and prioritisation process has taken place.

3.0 STRATEGIC FIT

3.1 Strategic overview

The City has over the years taken a long term approach in prioritising and addressing capital maintenance issues at schools using the yearly grant funding. To assist this process and making it more robust , Major Projects team have in the last 18 months carried out an estate review for each locally authority maintained school. An element of

each review has been to capture the known condition issues at schools that schools cannot afford to address themselves. To support this process, a programme of condition surveys was commissioned to review the site and buildings of each school. Within these surveys attention was paid to the building fabric and mechanical and electrical elements of each school. A table of condition issues are graded to inform when replacement/upgrade is required. Using these surveys, a piece of work is now being completed by the Major Projects team to form a 5 year strategic plan identifying potential programmes of work over future years.

This Business Case sets out the case for expending the expected allocation for 2021/22 capital maintenance funding upon receipt and the one off allocation of £568,017 already received.

The 2019/23 Council Plan sets out the key objectives of the Council and guides investment made by the Council. The key message is citizens are at the heart for all who live, work, study and invest in the City. Below you will find some of the key objectives and how this project links to those objectives.

Become the first carbon neutral City by 2028 (Living in Nottingham)

- The individual projects are currently at an early stage of design and as yet, the measures that will support this are yet to be fully articulated. During design development, some of the projects will consider how to limit carbon emissions to support this objective. For example, the roofing schemes will review environmentally sympathetic options to increase sustainability where budget and design permits. The heating schemes will consider the use of salix funding to include where possible energy saving options.
- Any planning and building control decisions will take account of environmental and sustainability considerations

Equalities (Serving Nottingham better)

- The Executive Board report will be supported by an equality impact assessment which will take account of any schemes that will impact on buildings and ensure that accessibility is addressed. This is specifically pertinent to the safeguarding scheme that is in the programme of works. The detailed design stage will develop the proposal to ensure that that all works will ensure the building is accessible for all.

A council working in partnership (How we will work)

- Some of the schemes will be procured via the SCAPE regional framework. The project team will work in partnership with the framework contractor to deliver these schemes. The proposed framework agreement contains a number of KPIs, such as local spend, local employment and apprenticeship targets to which the schemes will be measured.

4.0 PROJECT INFORMATION AND BUSINESS CASE

4.1 Options appraisal

Major Projects have carried out a thorough prioritisation process before making the recommendations in the programme of works. The following steps were undertaken as part of this process:

- A review was undertaken which looked at the schemes that were not taken forward in the 20/21 programme of works. These works were updated with any further technical information or local information from the named schools.
- A review was undertaken of each individual school’s condition survey to ascertain priority works that had been flagged.
- A review was undertaken of each individual school’s estate review plan to consider the issues raised by the head teacher/business manager.
- Major Projects worked with the NCC school health and safety manager to discuss issues he was aware of and to assist in the prioritisation of works.
- Major Projects worked with NCC Building Services to review the potential heating/boiler and fire alarm schemes looking at the information from the yearly inspection reports and taking into account the first hand knowledge of the engineers who had visited school sites.

Bringing all of this information together has enabled Major Projects to prioritise a programme of works and make recommendations going forward.

4.2 Funding allocations

Capital funding

Nottingham City Council expect to receive a grant of approximately 1.200m. In addition to this £568,017 that has already been received as an additional one off sum for school condition works. Within the costing information an overall contingency has also been allocated for 21/22 to allow for any urgent health and safety issues that may arise outside of this programme during the year. Any occurrence will be reviewed and subject to the approval of the Director for People (Children and Adults).

Revenue funding

A benefit of this programme, where applicable, is to reduce the energy bills school pay by installing more efficient systems. An example of this would be more efficient boilers being installed and re-roofing schools with up to date insulated roofing systems that meet current building standards and improve the containment of heat within a building.

In addition to this, by installing new boilers/heating systems schools will be able to divert the funding they would have used for the repair and maintenance of old and inefficient systems to other uses.

4.3 Phasing of the programme of works

With all school related projects the key windows of opportunity to carry out works are the school holidays and specifically the summer holidays. All works will be programmed to take advantage of this opportunity. Any works that have a programme longer than the summer holiday period will be programmed in discussion with the relevant head teacher. Past experience shows that schools are very supportive and willing to work flexibly with Major Projects to deliver works when they need to span term time. In the event that there are summer schools operating out of the school buildings there will be extensive consultation with the relevant Head Teachers to manage the conflicting requirements.

Any surveys that need completing prior to the main works could be programmed for the Easter holidays in discussion with the school. This would mean less impact on the school and also give the operatives the opportunity to take advantage of an empty school building.

4.4 Project approach

Managing scope and quality

The project scope will be managed through the individual project specific scopes, which have been compiled by joint working between Major Projects and the relevant technical specialists. Building Services being the specialists on the boilers/heating and fire alarm schemes and a contractor selected from the SCAPE regional framework on the roofing, window and safeguarding schemes.

The project scopes include any requirements specified of the ESFA standards and guidelines, City Council standards and all relevant requirements and guidelines. The quality of design will be managed accordingly by the appointed technical specialists and where appropriate the selected framework contractor respectively, throughout the process. Major Projects will act as the Client Project Manager on behalf of the schools, responsible for controlling the scope and delivery of the project within the timescales and budget available. All decisions will be made by Major Projects in conjunction with the school representatives around access and management.

Consultation and engagement

Major Projects will work closely with all school and governing bodies in delivering the projects in the programme. Major Projects will continue to build on the positive relationships it has developed with schools. A series of meetings will be held to discuss and agree the programme of works, site operations, health and safety management and the timing of progress meetings through the duration of the works. Minutes of meetings will be recorded and issued in order to formalise discussions and any decisions made going forward.

Project management

The project will be managed in line with Association of Project Management (APM) principles using standard documentation developed by the Major Projects team. The Project Manager will be responsible for ensuring that key project documentation is developed and kept up to date to ensure the project is managed effectively, and lead the project team to ensure the project progresses in line with key milestones and the parameters set. The Project Manager will be supported by a Programme Manager, who will have oversight of the project and be able to support where issues and risks are identified. The project approach will be formalised in a Project Management Plan and the project is subject to a number of reporting and review requirements that provide governance assurance that the project is well managed and offers value for money.

4.5 Constraints

Programme

Works will take place predominately in the 2021 school summer holidays. However, due to the potential duration of some of the schemes there may be a need to carry out some work during term time. Major Projects will work closely with the relevant school(s) to ensure that any works are kept to a minimum and are managed safely and efficiently in order to minimise the impact on the day to day operational requirements of the school. There will be clear and robust demarcation between the construction site and the school.

Any potential impact on local citizens will be carefully considered and managed accordingly. For example, if materials need to be brought into site then this will be done at agreed times and within normal working hours. Relevant communications will be made to residents.

Legal/regulations

All construction works have to adhere to statutory regulations with regard to planning permission and building control requirements. Major Projects will work closely with these authorities to ensure all approvals are met and implemented accordingly.

As client, Major Projects will appoint both Principal Designer and Principal Contractor roles to all the schemes in the programme, in line with the Construction and Design Management regulations 2015. Support will also be procured from the NCC CDM and Health and Safety Officer.

Major Projects will work with NCC Procurement and Legal Services to ensure that any contracts entered into outside of the local authority resource pool will be procured in a compliant manner.

Financial

The project scope and delivery is dependent on receiving the 21/22 grant funding from the ESFA. Without this funding the programme cannot go ahead in full. If we do not receive the allocation, we will have to reduce the programme significantly as the only funding available would be the one off allocation of £568,017 already received.

Due to the condition liability of the school estate, it is not possible to address all the projects on the original long list of schemes. The prioritisation process has highlighted the highest priority schemes to take forward which will utilise the grant funding received to its fullest.

4.6 Dependencies

There are a number of project dependencies:

Financial: At the time of writing this business case NCC are not in receipt of the 21/22 schools' capital maintenance grant. This grant has to be received in order to carry out the full programme of works.

Planning and Building Control: The programme is dependent on any relevant planning permissions and building control approvals being applied for and granted by Nottingham City Council. Early discussions with both the NCC Planning and Building Control teams have suggested that no issues are apparent with the proposed programme of works.

Support from schools and governing bodies: Delivering the programme of works will be in conjunction with individual schools and governing bodies. Major Projects will continue to build on the existing positive relationships with the Nottingham Schools' Trust and the schools themselves to ensure the works are delivered collaboratively to the outcomes required.

4.7 Key Risks

The key risks identified with the project are:

Risk Number	Risk Description	Likelihood Rating	Impact Rating	RAG Rating	Risk Response
1	21/22 grant funding is not received.	Unlikely	Major		Historically all local authorities have been issued with yearly grant funding for capital maintenance works to schools. There is no reason to believe that this will not be issued for 21/22. If the funding does not come to fruition then schools will have to continue to manage the condition issues they have in a piecemeal, proactive way where affordable.
2	Funding is insufficient to carry out all the priority schemes identified	Likely	Moderate		It is acknowledged that not all schemes will be able to be taken forward. Major Projects team have completed a robust prioritisation exercise to enable the most needed schemes to be taken forward. Any schemes not taken forward will be reassessed in 22/23. Major Projects will contact the schools where schemes have not been taken forward to explain why and offer support to how any issues can be managed in the interim.
3	Managing any unknown urgent health and safety issues that may arise later in the financial year.	Possible	Moderate		Major Projects have retained a contingency that will allow for any urgent issues that arise to be reviewed and rectified accordingly. Such issues will be subject to Corporate Director for People (Children and Adults) approval as outlined in the governance model and in the recommendations sought for approval in the Executive Board report being presented.
4	Day to day operational management of the school is negatively impacted	Possible	Moderate		The project team and contractor(s) will work closely with school to ensure that day to day school operations are not impacted negatively and that the school environment remains safe. Any contractor has a responsibility to manage the construction site effectively, with guidance from the school to understand what impact activities could have on school operations. Major Projects will oversee and monitor the implications.
5	Works cannot be completed during the limited summer holiday period	Possible	Moderate		There is a risk that due to the scope of works on some of the projects, they may not be able to be fully completed within the summer holiday period. Previous experience has suggested that schools are very flexible in working with Major Projects to carry out some works prior to the summer holidays. Robust plans and practices are mutually agreed to ensure the safety of all concerns and any impact on school's operation is minimal.
6	Impact of Covid 19 on resources	Possible	Major		The labour pool could be impacted by government restrictions or illness due to the global pandemic. At the time of writing this business case the current restrictions do not impact on the construction industry. If the restrictions change, then works will need to be reviewed in terms of cost and programme impact enforced by government directives.

4.8 Benefits

The benefits of this project are:

Benefit	Measure	How it will be assessed	Strategic fit	Timescale
Reducing the condition liability of Nottingham City schools.	The value of the works will be omitted from the overall condition liability value of schools.	The reduction in the liability will feed into overall condition liability costs directly reported to the DFE.	Keeping children in warmer and water tight buildings to aid and promote healthy living.	Reduction in condition liability value immediate.
Support the Council's ambition to become a carbon neutral city by 2028	Measurement of carbon reduction and energy consumption from relevant interventions.	Review of cost of energy bills over a period of time by schools.	Council Plan commitment to reduce carbon emissions.	The works will be generally be completed in summer 2021. Relevant schools will monitor their energy bills for the following months.
Reducing spending on general repairs and maintenance by schools.	Reduction in maintenance bills eg. for addressing boiler failure issues.	Review of school expenditure	To promote healthy living.	Review over a specified period of time eg. a financial year.
Schools do not have to close because of heating failure.	Keeping schools warm and dry and not subject to closure due to mechanical issues.	Review of days lost through closure.	Minimising days lost	Collected by NCC colleagues to the agreed timeline.

5.0 OPTION APPRAISAL (Economic Case)

5.1 Project scope

Major Projects have carried out a thorough prioritisation process before making the recommendations in the programme of works.

Major Projects issued a scope of works to Building Services for the mechanical and electrical schemes asking for all the schemes to be reviewed, prioritised, programmed and priced. Building Services completed a feasibility study, which recommended the options going forward.

The roofing scheme that is included in the scheme of works was notified to Major Projects in 2019/20. Previously, approval was gained to complete part of the works but sufficient funding did not exist to carry out all of the works. Major Projects have reviewed the original full scope of works and at the time of writing this business case are collaborating with a contractor from the SCAPE regional framework to revise the cost and confirm the programming requirements.

The safeguarding scheme is an issue that school raised with Major Projects approximately eighteen months ago. Major Projects have supported school in managing this situation and school have obtained costs to resolve this issue. One of the quotes obtained by school was from a framework contractor who has previously carried out works managed by Major Projects at the school. Major Projects are now working with the framework contractor to develop this scheme further and to review the original cost received and confirm programming requirements.

Phase 1 of the window scheme at Claremont primary was completed as part of the 2021/22 capital maintenance programme. Priority 1 windows were repaired. The scope has been revisited and the next priority windows have been included in scope for 21/22 works.

The condition survey for Forest Fields Primary indicated that there may be issues with some of the existing fire doors in areas of the school. At the time of writing this report a survey has been instructed to ascertain the potential scope of the works.

5.2 Procurement approach

Quality

The quality of project management will be overseen by the Portfolio Management Office and the Programme Manager responsible for delivery. The governance and assurance processes in place, alongside ad hoc challenge by the Head of Service, provides a

clear and transparent mechanism for managing the quality of project delivery.

The technical aspects of quality management in the delivery of the projects is as follows.

Heating and Fire Alarm schemes:

This is the responsibility of Building Services who will work collaboratively with Major Projects to ensure quality assurance is managed. The project lead will be responsible for providing a specification and ensuring that the requirements are captured and delivered. Any work by subcontractors will be managed by Building Services to ensure that requirements are met. The project lead will be responsible for checking the work is complete, complies with the relevant regulations and guidance and securing approvals from NCC Building Control and where applicable. The project lead is also responsible for snagging the works once the project is close to completion. These snags should be formally recorded so that Major Projects can cross-check any issues they discover or are raised by the school so that one list exists. The project lead will also manage the handover process, ensuring the appropriate operations and maintenance manuals and certificates are provided to the school and a copy kept by Major Projects' team.

Roofing, window, fire door, safeguarding schemes:

Major Projects will work with the appointed contractor(s) to ensure quality assurance is managed.

Phase 2 of the Claremont windows project will involve the guidance and technical support of the NCC Conservation Officer who was involved in phase 1 of the works. This will ensure that the works are completed to the necessary standard required and all planning and building control standards are met

Major Projects will work with the appointed SCAPE framework contractor on developing the specifications for the roofing and safeguarding scheme(s). All work will adhere to the relevant planning and building regulations required.

Major Projects will work with the NCC Health and Safety Officer and the NCC Fire Risk Officer to develop the specification for the fire doors at Forest Fields Primary school. All work will adhere to the BSI standards required and to the relevant building regulations.

All of the works will be snagged once the projects are close to completion. These snags will be formally recorded so that Major Projects can cross-check any issues they discover or are raised by the school so that one list exists. The project lead will also manage the handover process, ensuring the appropriate operations and maintenance manuals and certificates are provided to the school and a copy kept by Major Projects' team.

It should be clear where the responsibilities for any maintenance sits, so that schools are able to understand whether they or the City Council will undertake the relevant tasks to maintain the completed works. Often there is a period of one year of defects. This will be clarified by the project lead and formally confirmed to the schools by the Project Manager. However this completion process is undertaken, whether through a meeting with school or by email, the documentation should be stored in the appropriate project folder, forming part of the project close down procedure.

Procurement:

Heating and Fire alarm schemes:

Major Projects have engaged NCC Building Services to carry out these schemes. Building Services have resource and availability to carry out these works. By engaging internal services we are supporting colleagues to continue to work with us and build on relationships already developed. Building Services have first hand knowledge of the issues as they carry out yearly compliance and servicing checks for schools on heating and fire alarm schemes. First hand knowledge and familiarity of issues and relationships already built with schools are an added benefit going forward with the works.

Roofing scheme:

An exercise was carried out to look at the pros and cons of putting this scheme out to tender / appointing through a compliant framework. The timeline for carrying out a tender procurement exercise was reviewed in line with anticipated date for the funding announcement from the DFE. Major Projects agreed that assuming the announcement is at a similar time to the 2020/21 there would be insufficient time to ensure delivery of works in the summer 2021 school holidays. This risk cannot be taken.

Window scheme:

The 2020/2021 schools' condition maintenance programme carried out works at Claremont primary school to repair the existing priority one windows. The building and windows are Listed and conversations with NCC conservation officer guided this course of action. Replacement was not an option because of the Listed nature of the building. As the majority of windows need repairing there now is the need to complete the second phase of repairs. The contractor who carried out these works was procured via the SCAPE framework and engaged specialist operatives to complete the window

repairs. Major Projects believe that the familiarity with the next phase of works support the procurement of this contractor again for phase 2 works.

Safeguarding scheme:

Hempshill Hall primary obtained quotes for the works to resolve the safeguarding issue to the main reception area. One of the quotes received was from a SCAPE framework contractor who had previously carried out works at the school on behalf of Major Projects as part of a previous capital maintenance programme. It has been agreed to continue to work with this contractor to develop the scheme. The contractor is very familiar with the school and has built a positive relationship with both the school and Major Projects. In addition to this the value of the project does not lend itself to be put out to the market. Taking all of this into consideration it has been agreed to appoint the framework contractor.

Fire door scheme:

A review of the options to take forward this scheme was carried out. The preferred option is to take forward the scheme utilising resource from Nottingham City Homes. Nottingham City Homes have a skilled joinery resource arm and this along with the relatively low value of the project lends itself to be procured via this route.

6.0 COMMERCIAL ASPECTS (Financial Case)

If this programme does not proceed, the condition liability for Nottingham City schools will not reduce and more than likely continue to increase due to further deterioration of condition issues within schools.

Schools will also be forced to expend ever tightening budgets on repairs and maintenance to keep old and inefficient systems up and running. There will also come a point when replacement parts are not available for certain systems which could have severe consequences on keeping schools warm, dry, operational and open.

7.0 AFFORDABILITY (Financial case)

7.1 Estimated project budget

The programme is presently in the design phase and therefore costs are indicative at this stage. It is anticipated that this work will cost approximately £1.768 million. An overview of the project budget at this stage is provided below.

Schools' capital maintenance programme 21/22 – overview of project budget	
Programme indicative budget costs:	
Berridge Primary (Brushfields site) phase 2 heating works	200,000
Rufford Primary heating works	200,000
Southwold Primary heating works	200,000
Seely Primary heating works	200,000
Cantrell Primary fire alarm	65,000
Southwold Primary fire alarm	87,000
Forest Fields Primary fire doors	25,000
Claremont Primary window repairs phase 2	80,000
Hempshill Hall safeguarding works to main reception	100,000
Rufford Primary roofing works	370,000
Allowance for feasibility study for 22/23 schemes	30,000
Contingency for urgent health and safety issues arising 21/22	211,000
Overall total :	1,768,017

It is acknowledged that the funding available to the City Council is very limited. As the costs are indicative at this time allowances have been made for client risk contingency. If the final costs are returned and over the indicative costs it will be the project manager's responsibility to carry out a value engineering exercise in conjunction with relevant stakeholders.

7.2 Funding and approvals

For feasibility studies, approval was secured for £25,000 from the school capital maintenance allocation 20/21. This was approved by Executive Board March 2020.

This business case is an appendix to the approval being sought to deliver the programme of works for 21/22 . As the value of the project is over £1,000,000 the report needs to be presented to Executive Board. The report will be presented in March 2021 and will include several recommendations that allows the project to proceed, within a set of defined parameters.

The funding will be a combination of school capital maintenance grant (estimated at 1.200m) and the one off allocation of £568.017 already received by NCC.

Schools’ capital maintenance programme 21/22 – overview of anticipated budget	
Overall budget required:	
Programme of works (inc health and safety contingency)	£1,768,017
Funding sources and amount:	
Schools’ capital maintenance grant (estimated)	£1,200,000
One of funding allocation for school condition issues (actual)	£568,017
<u>Overall funding approval sought to deliver the programme</u>	<u>£ 1,768,017</u>

Financial risk

There is a risk to this funding approach in that the capital maintenance grant is, at the time of writing this report, not received and the assumption is that when this grant is received it will be for a similar value to previously received. The likelihood of not receiving the grant is deemed low. If the amount received is less than anticipated the project team will review the schemes and reduce the scope where appropriate.

8.0 ACHIEVABILITY (Project Management case)

The programme will be delivered by Major Projects. The Major Projects team have considerable experience in delivering school projects and specifically capital maintenance projects and have built up over the years a strong working relationships with Nottingham City schools.

A project management plan (internal document) is being developed and will be kept live throughout the various stages of the project. The plan defines the project and explains the journey the project will take and how it will be managed. Reference is made to the supporting documents necessary to ensure the project is managed effectively and efficiently and how quality will be assured. The project management plan sits alongside this business case and has clear interdependencies.

8.1 Delivery team

Internal resources:

The project will be managed by a Project Manager reporting to a Programme Manager within Major Projects. Major Projects are responsible for delivering all of the significant projects within the City Council and all projects are subject to a number of project assurance measures to ensure a high standard of project delivery.

The heating and fire alarm schemes will be delivered in conjunction with NCC Building Services. Building Services will act as the Principal Designer and Principal Contractor on the heating and fire alarm schemes to ensure the Council fulfils Construction and Design Management (CDM) requirements. Building Services will provide support to manage the quality of the design during the development and delivery of the project.

External resources:

Major Projects will work with the appointed SCAPE framework contractor to deliver the roofing, window and safeguarding schemes. Principal Designer and Principal Contractor roles will be appointed to ensure that NCC fulfils Construction and Design Management (CDM) requirements.

A contracts administrator/project manager role will be appointed to deliver instruction, technical support and contract administrator duties for all of these schemes, with the exception of the fire door scheme. This role will be appointed in accordance via a compliant procurement avenue as identified by the Head of Service for NCC Procurement.

8.2 Programme

The key milestones of the project are as follows:

Milestone	Estimated date
Feasibility study for heating and fire alarm schemes issued to Major Projects	29 th January 2021
Roof, window, safeguarding and fire door schemes feasibility development	January/ February 2021
Report approved by Executive Board	March 2021
Anticipated receipt of capital maintenance grant	April 2021
Confirmation of contractual requirements	April/May 2021
Detailed design phase (including surveys)	April to June 2021
Schemes commence	July 2021
Completion of schemes (dependent on programme)	August 2021

8.3 Governance

The management of this programme will be managed by the Project Manager in conjunction with the Programme Manager where required. The Major Projects Project Manager meets regularly with the Programme Manager to provide a formal update. The Programme Manager will update the Major Projects Head of Service at the diarised one to one meetings where necessary.

Any urgent matters outside of this reporting structure are raised on an ad hoc basis as and when necessary. Any issues or risks that are likely to affect the scope or progress of the project will be reported to the project sponsor through meetings or emails, depending on the situation.

An update will be given on a monthly basis to the NCC schools’ operational group. This will consist of an update on progress, spend and highlight any risks and mitigations appropriate.

Formal reporting is completed by way of a monthly monitoring report to the Major Projects Project Management Office.

More detail about the governance of the project and how stakeholders are managed is included in the Project Management Plan, managed by the Project Manager.

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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	School Capital Maintenance Grant Allocation 2021/22
Author (assigned to Pentana):	Caroline Butrymowicz
Director:	Catherine Underwood
Department:	Children and Adults
Service Area:	Major Projects
Contact details:	0115 8763396 Caroline.butrymowicz@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N	N
Exempt from publication Y/N	N

Page 39

2. Document Amendment Record

Version	Author	Date	Approved
1	Caroline Butrymowicz	12.01.21	Robert Caswell

3. Contributors/Reviewers

Name	Position	Date
Rosey Donovan	Equality and Employability Consultant	15/01/2021

4. Glossary of Terms

Term	Description

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

This report focuses on the anticipated capital maintenance funding allocation. The funding is to address condition issues of schools maintained by the local authority. Works to improve roofs, windows, replace fire alarm systems, address heating systems and safeguarding issues will be undertaken if the report is approved.

[screentip-sectionC](#)

2. Information used to analyse the effects on equality:

There is no significant benefit or adverse impact on any groups as a result of the works. The works will improve the condition and longevity of existing school buildings but the remit of these works is maintenance rather than improving accessibility for particular groups.

Contractors will be procured using the Scape Regional Framework, NCC Building Services and appointing Nottingham City Homes . All are compliant routes for procuring works. The Scape framework band works depending on the on value

of the works and there are likely to be a number of contractors appointed to carry out works. Contractors have key performance indicators in place to ensure they monitor local spend and involvement with any small to medium enterprises. The information is monitored by SCAPE and reviewed by the City Council procurement team.

3. Impacts and Actions:

<u>screentip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input type="checkbox"/>	<input type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>
Trans	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	<input type="checkbox"/>	<input type="checkbox"/>
<i>Please underline the group(s) /issue more adversely affected or which benefits.</i>		

[screeentip-sectionE](#)

How different groups could be affected
(Summary of impacts)

Provide details for impacts / benefits on people in different protected groups.

The works will improve the condition of school buildings and the schemes are being delivered internally or being procured via Nottingham City Homes or through the Scape Regional Framework (lower band) for the Midlands.

The programme will ensure children in the City continue to receive an education, without disruption to learning as a result of building issues; supporting schools to address issues they could not otherwise afford to resolve and addressing health and safety issues that schools could not afford to rectify.

The prioritisation of projects are based on risk, identifying where there is a risk that the school will close unless the works are completed. Previously, projects have been prioritised on this basis and where there is a risk to the health and safety of those using the building.

[screeentip-sectionF](#)

Details of actions to reduce negative or increase positive impact
(or why action isn't possible)

1 Actions will need to be uploaded on Pentana.

The works will be assessed for any impact on equality both during construction and post completion. This will be achieved by liaising with the contractor and school to ensure there have been no adverse impacts on any particular group.

The majority of the works will be programmed to be completed during school holiday periods and structured phasing of the work will ensure any disturbance to either pupils and staff will be kept to a minimum

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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Once the works are complete, a post-occupancy review will be undertaken to ensure that the projects have met the needs of the individual schools.

Page 43

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: Robert Caswell , Programme Manager , Major Projects team. Tel: 91563410 robert.caswell@nottinghamcity.gov.uk</p> <p>The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.</p>	<p>Date sent for scrutiny: 12/01/21</p> <p><u>equalityanddiversityteam@nottinghamcity.gov.uk</u></p>
<p>SRO Approval: Robert Caswell</p>	<p>Date of final approval: 15.01.20</p>

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

Subject:	The acquisition of the Clarendon College site for a new secondary Free School and the creation of a Temporary Sixth Form base at the Maid Marian Way Nottingham College site for the Archway Trust.
Corporate Director(s)/Director(s):	Catherine Underwood – Corporate Director for People (Children and Adults).
Portfolio Holder(s):	Councillor David Mellen – Leader of the Council and Portfolio Holder for Regeneration, Schools and Communications.
Report author and contact details:	Rob Caswell – Programme Manager, Major Projects. Tel: 0115 876 3408
Other colleagues who have provided input:	Lucy Juby – Project Manager, Access to Learning. Rod Martin – Development and Disposals Manager, Development
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a)	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
and/or	
(b)	Significant impact on communities living or working in two or more wards in the City <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Type of expenditure:	<input checked="" type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital
Total value of the decision:	Capital: £5.050 million, Revenue: See Exempt appendix
Wards affected:	Castle, Aspley and Berridge
Date of consultation with Portfolio Holder(s):	8 th February 2021
Relevant Council Plan Key Theme:	
Nottingham People	<input checked="" type="checkbox"/>
Living in Nottingham	<input type="checkbox"/>
Growing Nottingham	<input type="checkbox"/>
Respect for Nottingham	<input type="checkbox"/>
Serving Nottingham Better	<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>There is a continued increasing demand for secondary school places in the city. The current capacity within existing secondary academies will not provide sufficient Year 7 places for September 21. As a mitigation for this in conjunction with the DfE and the Archway Learning Trust a new Free School will be built on the Clarendon College site by the DfE to cater for this demand from September 2023. However, to meet the requirement to provide places for September 2021, the temporary move of the Sixth Form to the Nottingham College site on Maid Marian Way creates space on the Bluecoat Aspley campus for the new Free School to open temporarily on that site in September 2021.</p> <p>Successful delivery of the new secondary school on both the temporary and permanent sites, is vital for the Council to meet our statutory duty to provide sufficient school places. The new Bluecoat Trent Academy will offer a good quality education, run by the Archway Learning Trust who have a strong track record of school improvement.</p>	

Exempt information: State 'None' or complete the following

An appendix to the report is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or (commercially sensitive) business affairs of Nottingham City Council and, having regard to all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

It is not in the public interest to disclose this information because it relates to commercially sensitive information that could prejudice the Council's position in respect of achieving best value on the costs of contracts and services to be procured / instructed in respect of the subject site.

Recommendation(s):

- 1 To approve the allocation and payment to the Department for Education of £3.250 million of Basic Need Grant funding from the allocation already received from the Department of Education, for the Council's contribution towards the acquisition and associated costs of the Clarendon College site.
- 2 To approve the use of £1.800 million of Basic Need Grant funding from the allocation already received from the Department of Education. To undertake works at the Nottingham College site on Maid Marian Way, to refurbish and reconfigure the building as necessary to allow the Archway Trust to use it as a temporary sixth form base for 2 to 3 years.
- 3 To approve the procurement of any technical services that are no longer available from the resource pool of NCC through the SCAPE framework, which is a compliant procurement route.
- 4 To approve the procurement of a contractor through the Scape Regional framework, which is a fully compliant procurement route, to undertake the works.
- 5 To delegate authority to the Director of Legal and Governance and Monitoring Officer to sign contracts with the preferred contractor and technical services provider as long as they are within the funding envelope approved of £1.800 million.
- 6 To delegate the expenditure of the contingency to the Corporate Director of People (Children and Adults) in conjunction with the Portfolio Holder for Regeneration, Schools and Communications.
- 7 To approve the granting of a lease for the Nottingham College, Maid Marian Way site to the Archway Trust to facilitate the use of a site as a temporary sixth form base for up to 3 years and delegate authority to the Corporate Director of Development and Growth to agree the terms of the lease.
- 8 To approve the proposed revenue budget to cover the potential costs of holding the site vacant, prior to and following occupation by the Archway Learning Trust.
- 9 To note the Business Case in Appendix 1.

1 Reasons for recommendations

- 1.1 The acquisition of the Clarendon College site by the Department for Education (DfE) will secure a suitable permanent location to accommodate the new Bluecoat Trent Academy, a 1,200 place secondary Free School, to enable the Council to meet its statutory duty to provide sufficient school places. The DfE will manage the redevelopment and new school build, with the intention that the permanent school site will be ready for occupation in September 2023.

- 1.2 As part of the development of the new Bluecoat Trent Academy, there is a requirement to find a temporary location for the current Archway Learning Trust sixth form, as the current sixth form block on the Aspley Lane site will be used as a temporary location for the new Bluecoat Trent Academy. The Nottingham College site on Maid Marian Way is the preferred location, however, there is a need to undertake some refurbishment and reconfiguration of the building to create a suitable environment for the sixth form pupils from the Archway Learning Trust who will be based on the site for 2 years, with a potential third year as contingency.
- 1.3 The Scape framework has been selected as a procurement route for this project as it allows early access to a contractor and reduces the lead in time to finalising the contract sum and starting on site. Given the importance of having the works completed by the beginning of the September 2021 so that the sixth form pupils can start the year in their new location, this early engagement is beneficial.
- 1.4 It is anticipated that the works will cost £1.450 million but there is still work ongoing with the contractor to finalise this price and there are significant unknowns in the building, so a contingency of £0.350 million has been included in the cost build up. This will only be used if necessary and with the approval of the Corporate Director for People (Children and Adults). Costs will be kept within this budget, if necessary by managing the scope of the refurbishment.
- 1.5 In order to formalise the Archway Learning Trust proposed occupation of the Nottingham College Maid Marian Way site. There will be a period of time prior to occupation of the site by the contractors undertaking the works proposed in this report and following the vacation of the site by the Archway Trust during which the Council will be responsible for the costs associated with holding the site. It is proposed that these periods are kept to a minimum, however, a revenue budget will be required to cover the potential costs of holding the site which are set out in the exempt appendix 2.

2 Background (including outcomes of consultation)

- 2.1 There is a continued and significant rise in demand for secondary school places in Nottingham. While the initial increase has been managed by expanding existing Academies it has become clear that there is still an increasing demand that cannot be met with the current secondary school estate in Nottingham. In discussions with the Department for Education (DfE) it has been agreed that there is sufficient demand to warrant the building of a new Free School in Nottingham.
- 2.2 The Council's Education Department has worked to secure this vital solution to the need to provide additional secondary school places in conjunction with the Archway Learning Trust and the DfE, as it facilitates provision of the essential additional secondary school places to meet the significant growing demand in the city. Working in partnership with educational providers across the city, we are ensuring more school places in a way, which offers parents a choice of a good quality education and maximises the number of pupils securing their first preference school. It is a significant investment for the city and an important step forward in Nottingham's 10 year strategic plan for schools, which strives to deliver the best possible education for every child and young person in Nottingham.

- 2.3 The additional six forms of entry in Year 7 entry provided from September 2021 on the temporary site, is the very minimum required to meet the Council's statutory duty to provide sufficient school places. Once the Bluecoat Trent Academy moves to the permanent site, it will provide the required eight forms of entry (240 places per year group), growing to a total capacity of 1,200 places once all year groups are full.
- 2.4 Archway Learning Trust has a strong track record of school improvement. It provides a high standard of education for pupils aged from three up to 19 through its five existing Nottingham Schools, which are all Ofsted rated 'good' or 'outstanding'. Bluecoat Trent Academy will also build on the partnership the Trust already has with Nottingham Trent University. The university will be involved with mentoring and supporting students through their outreach programme as well as being actively involved in the governance of the school.
- 2.5 In conjunction with the Archway Learning Trust it has been agreed that the new school will start in the current sixth form block on the Bluecoat Aspley Campus. To allow this the sixth form will need to move to a temporary location and after some consideration it has been concluded that using the recently vacated Nottingham College site on Maid Marian Way is the preferred solution.
- 2.6 The Nottingham College, Maid Marian Way site is currently due to be vacated in April 2021 as the College will consolidate on the Nottingham College Hub. This site is ideal to be used as a temporary sixth form base for the Archway Trust. In conjunction with the Archway Learning Trust a scope of work for the necessary reconfiguration and refurbishment is being developed and agreed. A cost plan will be developed jointly with the contractor for this scheme, there are concerns that because the scheme is a large scale refurbishment, although light touch, of an existing building there will be unexpected issues requiring resolution. To manage these variations in the cost a significant contingency has been allocated within the project cost build up and will be delegated to the Corporate Director for People (Children and Adults) to approve if required. The scope of works will be managed within this identified contingency, if necessary reducing the scope to meet the budget.
- 2.7 A key risk to the refurbishment of the temporary sixth form block is completing the programme of works to allow the staff and students to commence teaching and learning in the building for September 21. The programme will be agreed with both the contractor and the Archway Learning Trust to allow time to prepare for the new school year. In the event that there are delays to the programme a phased handover of space within the building will occur which will allow staff and students access while the works are being completed. A risk management plan can be found in the Business Case in Appendix 1.
- 2.8 The temporary use of the Nottingham College, Maid Marian Way site as a sixth form base has delayed the opportunity for the Council to start the redevelopment of this key site in the city centre. Overall it is felt that this current plan has the greatest overall benefit to the Council. To mitigate this delay there will be an early engagement with developers to reduce the timeframe from the Archway Learning Trust leaving the site to the site being redeveloped. As part of this there will be close liaison with DfE team who are delivering the new Free School in relation to their progress towards a completion for September 2023.

3 Other options considered in making recommendations

- 3.1 Other potential options were explored for the permanent school site, including the Cussons site at Wilkinson Street, but the Clarendon site is the preferred option. The key priorities in identifying the most suitable site were a central location to address the city wide demand for secondary places and particularly in the central, north and west areas of the city. Also key is deliverability in the required timeframe to address the peak in overall capacity pressure in the city.
- 3.2 Consideration was given to the option of procuring temporary accommodation for the temporary Sixth Form and locating it at the Nottingham Science Park. This option was rejected as for the amount of accommodation required it would have been significantly more costly either to purchase or rent for the 2-3 year timeframe.

4 Finance colleague comments (including implications and value for money/VAT)

Capital comments

- 4.1 The **£5.1m** Basic Need grant identified within this decision is secured and received by the Council. The **£5.1m** value is split into 2 connected projects:
- **£3.3m** which is to be repaid to the DfE as per recommendation 1 is included in the Capital Programme approved at Executive Board February 2021. Following the approval of this decision the new secondary school project will move from a category 2 scheme (i.e. planned) to a category 1 scheme (i.e. approved).
 - **£1.8m** to undertake capital works at the Nottingham College site on Maid Marian Way, enabling the site to be used as a temporary sixth form base for 2 to 3 years (per recommendation 2). This element of the decision will be an addition to the Capital Programme.
- 4.2 The project manager is required to closely manage the works at the Maid Marion site to ensure that all costs meet the definition of capital as defined by CIPFA, mitigating the risk of grant clawback. Any revenue refurbishment costs incurred cannot be funded from Basic Need Grant so would cause a revenue pressure.
- 4.3 As detailed in Appendix 2 the potential holding costs for the estimated period between the Trust handing back the site and disposal are to be funded from the future anticipated capital receipt generated from the site. Any holding costs incurred during the disposal period in excess of the budget will require funding to be identified and further approval as necessary.
- 4.4 No budget has been identified if the Council incurs holding costs prior to the site being handed to the contractor. As detailed above as these would be classed as revenue costs they do not meet the conditions of the Basic Need Grant. This risk will require close management by the project manager and project sponsor.
- 4.5 The Maid Marion Way site is included within the Asset Rationalisation Programme forecast of receipts, so does not generate any additional resources to the Council than what is already forecast.

- 4.6 Due to both elements of this decision being wholly funded by ringfenced grant with no match funding from the Council this decision is exempt from the current amended scheme of delegation and does not require prior approval of the section 151 Officer or the Chief Executive.

Tom Straw, Senior Accountant (Capital Programmes) - 22 February 2021

Revenue comments

- 4.7 Funding for the pupils attending the new Bluecoat Trent Academy in years 7 to 11 will be from the Schools Block in the Dedicated Schools Grant (DSG), which is allocated to local authorities (LA's) by the Education & Skills funding Agency (ESFA) each financial year. Funding for sixth form pupils comes from the Education & Skills, Funding Agency based on a 16 to 19 national funding formula. This funding is allocated to post 16 establishments direct by the ESFA, local authorities have no involvement in the allocation of this funding unless it relates to a maintained school.
- 4.8 As the new free school is due to open in September 2021 the new free school will be allocated funding from the LA's DSG allocation for 7/12ths of the financial year using the local funding formula which mirrors the Department of Education's schools national funding formula. This funding is then recouped by the ESFA from the LA and passed onto the free school.
- 4.9 When a new secondary free school is due to open local authorities are required to estimate and come to an agreement with the free school on the number of year 7 pupils it will fund until each year group has been admitted. In liaison with the Bluecoat Trent Academy Nottingham City Council has agreed to fund six forms for entry from September 2021 and these pupil numbers are guaranteed to enable the free school to have certainty over its funding. For the following financial year 2022/23 the funding will be based upon the pupils on the October 2021 school census plus the estimated pupils that will be admitted into year 7 for the academic year 2022/23. This carries on each year until all year groups are admitted, after which the budget will be based solely on the pupils on the October school census each year.
- 4.10 The schools local funding formula is made up of factors which attract funding based on pupil-led and school-led characteristics. It is up to each school to decide how they wish allocate the funding to best meet the needs of the pupils in the school.
- 4.11 If the recommendations of this report were to be approved, the ongoing revenue maintenance costs of the buildings at either the Bluecoat Academy Aspley site or the Clarendon College site would have to be met from the free schools individual school budget or better known to free schools as their General Annual Grant from the ESFA.

Julia Holmes, Senior Commercial Business Partner - 22 February 2021

5 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 5.1 This report seeks authority to return £3.25m of Basic Need Grant to the DfE to be used by the DfE as a contribution to the costs of purchasing a site for and construction of a new school at the Clarendon College site. The new free

school will be provided by the Archway Learning Trust through the Bluecoat Trent Academy. The City Council will enter into an agreement with the DfE for the payment of the Basic Need Grant. The DfE will be responsible and take the risks associated with the construction of the new school and will have a funding agreement and lease with the Archway Learning Trust. It is understood that the City Council has agreed with the DfE for the Archway Learning Trust to open the new free school but the City Council (as with other academies) will not have a direct agreement with the Archway Learning Trust. The risks associated with the free school failing or becoming surplus to requirements over time are therefore managed by the DfE.

- 5.2 Until the new school is open the City Council has agreed to grant a lease for the existing college site on Maid Marian Way to be used as temporary sixth form base. Prior to grant of the lease the City Council will undertake certain works to the former college building and the proposal is to award contracts for this work through SCAPE which is a framework that complies with the City Council's Contract Procedure Rules. The City Council should ensure that it mitigates so far as reasonably possible the risk of any financial liability for delays to the opening of the college site.

Andrew James Team Leader, Commercial, Employment and Education Team
- 19th February 2021.

- 5.3 One further element of relevance is that the freehold of the Maid Marian Way site has not, at the time of writing these comments, transferred to the Council. This is likely to occur during March or by the longstop date of 10 April 2021. Consequently, the Council will be unable to grant any lease until that transfer happens.

Malcolm R. Townroe, Director of Legal and Governance - 26 February 2021

6 Strategic Assets & Property colleague comments (for decisions relating to all property assets and associated infrastructure)

- 6.1 Please see the Exempt Property Comments.

Rod Martin Development Manager, Strategic Assets and Property - 18th February 2021.

7 Social value considerations

- 7.1 The Scape Regional Framework from which the contractor has been selected has a number of KPI's that measure social value. These include local spend, local employment targets including apprenticeships and environmental targets around waste reduction.

8 Regard to the NHS Constitution

- 8.1 There are no implications on the NHS Constitution.

9 Equality Impact Assessment (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes



Attached as Appendix 3, and due regard will be given to any implications identified in it.

10 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

10.1 None

11 Published documents referred to in this report

11.1 None

Business Case

Project Title: Relocation of the Archway Sixth Form to Maid Marian Way.

Lead Department: Education Strategy.



DOCUMENT CONTROL

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CONTENTS

	Page
1.0 Purpose of Document	4
2.0 Executive Summary	4
3.0 Strategic Fit	
3.1 Background and Business Needs	5
3.2 Strategic Objectives and Outcomes	5
3.3 Scope	6
3.4 Constraints	7
3.5 Dependencies	7
3.6 Key Risks	8
3.7 Benefits	8
4.0 Options Appraisal	9
5.0 Commercial Aspects	10
6.0 Affordability	11
7.0 Achievability	11
Appendix 1. Risk Register	
Appendix 2. Programme	

1.0 PURPOSE OF DOCUMENT

This document defines the project's Outline Business Case and provides a baseline against which the project will be continually assessed. It looks to identify the scope of the project, the anticipated benefits that the project will deliver and the project constraints. There has been a budget identified from the current Basic Need Grant which is provided by the DfE to fund school places, the early works will define the estimated cost for the scope of works agreed with Archway Trust as realistic.

Overall the Outline Business Case will provide the information that will allow a decision to be made around whether to progress with this development and further develop the proposal through to a full Business Case.

2.0 EXECUTIVE SUMMARY

The increase in primary capacity is now being seen in the secondary sector with an increasing demand for secondary places. To date through discussions with academy chains within the city sufficient capacity has been made available, however, it has become apparent that this is no longer an option as demand has continued to increase. This has led to a negotiation between the DfE, Archway Trust and the City Council around a way forward. The DfE have approved the Archway Learning Trust's bid and agreed to build a new Free School in Nottingham to address the current capacity shortfall.

The purchase of the Clarendon College site by the DfE from Nottingham College has now been completed and the site for the permanent solution for the new Free School has been supplied. The City Council has agreed to contributed £3.250 million from the Basic Need Grant already received towards the costs of procuring the site. The intended opening date for the new building is September 2023. However, due to the significant secondary capacity shortfall for the next two years, the Regional Schools Commissioner has approved opening of the Free School from September 2021, based upon temporary opening of the new school on the Bluecoat Aspley site in their existing sixth form block. While this is a temporary solution it does make available six additional forms of entry in Year 7 for September 2021. The condition of the approval was that the City Council and Archway take responsibility for all elements of the required decant of the sixth form provision to the Nottingham College site on Maid Marian Way, which is the temporary site, to enable the Free School opening at Aspley.

A number of options have been considered as the temporary site for the sixth form to allow the new school to open, the preferred solution is the temporary use of the Nottingham College site on Maid Marian Way. Currently the Nottingham College are due to vacate their buildings on Maid Marian Way in April 2021, as part of the agreement with the college these buildings become the City Council's formally in April 2021. It is an opportunity to use these buildings as a temporary sixth form.

3.0 STRATEGIC FIT

3.1 Background of Business Need

This Business Case sets out the objectives of the project to refurbish the Nottingham College site on Maid Marian Way for a temporary sixth form base for the Archway Trust. This requirement comes out of the need to provide additional secondary school places within the city. There has been an increasing demand for secondary school places in Nottingham for several years. To date this has been dealt with by expanding by up to three forms of entry in academies after negotiations. However, this hasn't resolved all the demand and after negotiations with the DfE and Archway Trust (Bluecoat Schools) it has been agreed that the DfE will build a new free school with the Archway Trust as the sponsor. The new building will open in September 2023, however, there is significant demand in September 2021. It was agreed, therefore, with the Regional Schools Commissioner that the new Free School could open in September 2021, in the Sixth form block on the Bluecoat Aspley Campus. This was dependent on Archway and NCC agreeing to take responsibility for provision of a temporary home for the current sixth form of approximately 500 pupils.

3.2 Strategic Objectives and Outcomes

There are a number of ways in which this development will fit into the overall objectives for NCC:

- The City Council have a statutory duty to provide school places, this development will lead to further capacity in the secondary estate and will support this statutory requirement.
- The Council Plan 2019-23 has as one of its Top 20 policies, "To ensure that all Nottingham Children attend a school which is judged good by Ofsted". The development supports that objective as it will provide Archway Trust a sixth school within the City. Currently their four secondary schools are all rated good or outstanding by Ofsted and their primary school has yet to be inspected.
- Within the Council plan there is policy to "Guarantee a choice of places at local primary and secondary schools for every Nottingham Child". This development will support this objective by providing a new secondary school in a location that is accessible from the Tram, giving more capacity in the system.
- There is also a Council policy to "Close the gap of GCSE attainment to within 5% of the National Average". By providing Archway Trust the Sponsor of the new free school the opportunity to run the school it creates more secondary places in what is anticipated to be a good school given their track record.

3.3 Scope

There are two phases to the provision of a new secondary school within the Archway Trust. The new school building that will be opened on the site of the Clarendon College in Sept 2023 that will be built by the DfE. While this project is vital to resolve the capacity issues in the secondary estate it will not involve the City Council. However, due to the immediate demand there is an agreement that the new free school can open in Sept 2021 in what is currently the sixth form block on the Bluecoat Aspley Lane campus. It has been agreed that the responsibility for providing a temporary base for the sixth form will rest with the City Council and Archway Trust. This project will deliver the temporary sixth form base, taking advantage of the property deal, which leaves the Nottingham College building on Maid Marian Way belonging to the City Council.

There are three buildings on site, one of which has considerable amounts of asbestos in the building, it is anticipated that only the main multi-storey block is used and that the other two blocks will remain mothballed.

There have been discussions with Archway Trust in relation to the anticipated scope of work that would need to be completed to provide an effective operational building for the Archway Trust sixth form of 500 pupils. The following are the key expectations of the work to be completed prior to the Trust taking over running of the building.

1. Modification to some ground floor rooms to create a Design and Technology Space.
2. Partitioning of a room to create a leadership office and meeting room.
3. Creation of a secure exams office to allow storage of exam papers.
4. Works to the Student services area to create an Assembly and Drama area.
5. Access control on all doors and CCTV to monitor the site. It needs to be confirmed that all doors have access control and what the current CCTV arrangements for the site are. Any CCTV installations will need to take consideration of GDPR requirements.
6. Partition a room on the second floor to create two Music Practise rooms.
7. In N-Block form two larger rooms for Health and Social Care by removing partition walls.
8. Sufficient data connectivity to provide the necessary software and if necessary provide lessons on line. The wi-fi capacity in the building has been recently upgraded but a data survey is required to confirm that the capacity is sufficient.
9. Boilers that are capable of providing the necessary heat and will only require normal maintenance during the anticipated 2-3 years of Archway's occupation of the building.
10. Confirmation that the building meets the necessary fire regulations.
11. Redecoration and some new flooring and ceilings where required.
12. Retain the furniture where appropriate.
13. Parking on site for staff to allow them to travel between sites.

The scope will be developed in conjunction with Archway Trust and Perfect Circle.

3.4 Constraints

There are a number of constraints that will impact on this project, these include the programme, funding, works required by building control and scope creep.

1. Programme Constraint:

The building needs to be ready for Archway Trust sixth form pupils in September 2021, the new school will have to open then. This means for the Trust staff to be ready we need to have completed the building works by mid August 2021. Currently the site is occupied by Nottingham College and while they have taken handover of the new City Hub college site, they are looking for a phased decant to the new building that means that the Maid Marian Way site will not be empty until the end of March 2021. Legally the City Council will not own the building until the 9th April 2021, which is six months after the official completion of the City Hub.

2. Funding Constraints:

While the DfE are going to pay for the building of the new free school, it has been agreed that the City Council will fund the purchase of the land which is costing £3.250 million from the Basic Need Allocation (2019/20 and 2020/21). When this and the other commitments are put against the Basic Need allocations it leaves a maximum of £2.800 million available to fund any future works. Therefore, the maximum level of funding is £2.800 million although every effort will be made to keep costs under £1.800 million, which is the approval that has been agreed. It is possible that in certain circumstances there may need to be a further call on the remaining Basic Need allocation.

3. Scope Creep:

Currently the scope is quite vague and there is a potential that as the scope is refined the academy may well realise that there are further requirements to allow them to deliver the education for a sixth form. This is being mitigated through clear and transparent conversations and a signing off process.

4. Requirements from the Regeneration Team.

The Maid Marian Way building is part of the Broadmarsh West redevelopment, which is currently in a design and development phase. The decision to use the site as a temporary home for the sixth form has potentially delayed the redevelopment of the site by up to three years impacting on the wider corporate plan to fully redevelop the Broadmarsh site. At least some of the delay can be managed by continuing to work up the development with an understanding that there is a short term tenant in place. Overall the benefits in providing this temporary site for the sixth form and therefore, the opportunity to open the new Free School in September 2021 providing 180 year 7 places was felt to outweigh the delay to the City Council.

3.5 Dependencies

There are a number of dependencies that need to be considered:

1. The ability of the DfE to deliver the new building on the Clarendon College site in the timeframe that will allow the move from the sixth form block on the Bluecoat Aspley Campus for Sept 2023 and the return of the sixth form from the Maid Marian Way site to the Bluecoat Aspley site for September 2023.
2. To complete the necessary works to the Maid Marian Way site prior to the sixth form moving there for September 2021.

3.6 Key Risks

The full risk register is shown in appendix 1, however, the following are the key project risks:

- There is currently a significant level of uncertainty around the impact of Brexit on the economy as a whole. The impact of Brexit on the construction sector may be felt in terms of resources particularly in terms of skilled labour. This in turn may hold progress on site up.
- The impact of Covid-19 on the ability to deliver this scheme is difficult to gauge as it depends on how the virus impacts through into spring / summer this year. It could both derail the short term project but also the longer term project being developed by the DfE, delays in that project would impact on timing of being able to release the Maid Marian Way site for redevelopment once the sixth form had moved back to Aspley.
- The programme is very tight given that the deadline is for sixth form to be up and operational is September 2021. Currently the building is not due to come into the possession of the City Council until the 9th April 2021. This will be mitigated by a close working relationship with the Academy and in the event of programme issues there is a potential for a phased handover of the building.
- There is a risk associated with the level of funding available and the expectation of the Trust and what is possible within the current building.
- Currently the scope is light touch changes to the building but there is a risk that as the project develops there are areas of work that are either required to be added for Health and Safety reasons, (fire breaks and asbestos removal) or educational identified by Archway that will improve outcomes for staff and students.

3.7 Benefits

The following are the benefits of the project:

- A new free school in Nottingham in September 2021 rather than waiting until September 2023 when the new building is completed. This will go towards alleviating the demand in Year 7 for more places next academic year. Thus

meeting the statutory requirement for the City Council to provide sufficient school places.

- It provides the Archway Trust with a fifth secondary school in Nottingham and allows them to build their capacity within the city.
- It provides a new secondary school within the city run by an Academy Trust that has Ofsted good or outstanding secondary schools, giving Nottingham's parents more choice in where to send their children.
- It provides a relatively cheap solution to the need to find a temporary location for the sixth form to allow the new free school to use the sixth form block on the Bluecoat Aspley Campus.
- It provides a temporary use for the Maid Marian Way site while the Broadmarsh West regeneration project is developed, saving the costs of secure the site prior to the wider development going ahead.

4.0 OPTION APPRAISAL (Economic Case)

There were a number of options considered as a potential solution to the increasing demand for secondary places. A high level option appraisal was undertaken and the following options were discounted in favour of the preferred option of using the Maid Marian Way site.

- To do nothing.
- To expand a number of existing academies to provide the eight forms of entry required.
- To provide temporary accommodation elsewhere in the city.

1. Do nothing option.

This was not considered a viable solution as it would have meant a significant number of year 7 pupils would be a risk of not having a school place in September 2021.

2. To expand a number of existing academies to the eight forms of entry required.

This solution was considered and was investigated as an alternative to the free school option. It would have meant expanding three or four other schools by two forms of entry each. Based on a review of the scope of works necessary at each of the academies to provide sufficient additional capacity each expansion would have cost between £3 million and £5 million. Which would have had to come from the City Council resources as the DfE would not have funded this work. It is more cost effective for the City Council to invest £5 million in purchasing the Clarendon Site and paying for this refurbishment.

3. To provide temporary accommodation elsewhere in the city.

This option was considered as an alternative to using the Maid Marian Way site. As there are no buildings of sufficient size available to house the sixth form, so any alternative site would require the provision either through hire or purchase of approximate 4,000m² of temporary accommodation. A suggested location was the area behind the Elizabeth Garret Anderson building on the Science Park. While this would deliver the wider development by the DfE meeting many of the strategic objectives, it is however, estimated that to hire this amount of building capacity for 2-3 years would cost at least £4 million, which is significantly greater than the expected cost of the Maid Marian Way option.

5.0 COMMERCIAL ASPECTS (Financial Case)

It is proposed that the scheme will be procured through the Scape Framework, the main driver for this decision is the time constraints to get this project on site and to complete. The programme requires that the works to be complete by 15th August 2021 to allow the Archway Trust time to move in and set the building up for teaching by the 31st August 2021. This coupled with the access date of 9th April 2021 means that the key to the success of this project is managing the programme. The Scape Framework allows early engagement with a contractor and it avoids the necessity of going through a tender process or a mini-completion as it is an OJEU compliant direct award framework. In terms of showing best value this is the role of Perfect Circle who are acting as our Technical Advisers will support as they will be looking to challenge the contractors costs where they believe they are excessive.

The Scape Framework Contractor who falls into this value band for Nottingham is GF Tomlinson, who have worked with the City on a number of projects in the past and are currently working on the Castle.

The Scape Framework uses the NEC 3 or 4 contract, which allows a priced risk register but does not allow for Provisional Sums within the cost build up. The risk register will be developed in conjunction with the contractor and where possible risks will rest with the contractor. The contract will be Design and Build making it the responsibility of the contractor to undertake the detail design.

There is a project risk register in appendix 1, which will be used to track any risk, these risks will be reviewed on a regular basis and allocated against the organisation that can most effectively manage the risk.

The following are key dates within the project from now to the completion of the scheme:

Outline Business Case compete – November 20
PAG review of the project – November 20
DDM approved for Early Works – December 20
Engage Framework Contractor – January 21
Agree Scope of Works – February 21

Receive Budget costs from the Contractor – March 21
Executive Board Report – March 21
Develop Design and costings – February 21
Sign the Delivery Agreement – 31st March 21
Start on site by the Contractor – 19th April 21
Contractor Completion – 15th August 21
Archway Trust decant into the building – 2nd Aug 21
Building Operational – 1st Sept 21

Note these dates particularly around the delivery of the works on site are high level and target dates and may not be deliverable if there are delays in getting access to the building. In which case in negotiation with the Archway Trust it would involve a phased handover of the building for August with completion of the upper floors to follow in sequence. There is a more detailed programme in Appendix 2.

6.0 AFFORDABILITY (Financial case)

While the DfE are going to pay for the building of the new free school, it has been agreed that the City Council will fund the purchase of the land for £3.250 million from the Basic Need Allocation (2019/20 and 2020/21). When this and the other commitments are put against the Basic Need allocations it leaves a maximum of £2.800 million available to fund any future works. Therefore, the maximum level of funding is £2.800 million although it is intended that the cost of the works will be kept under £1.800 million, which is the value of the approval.

7.0 ACHIEVABILITY (Project Management case)

While the Archway Trust are the organisation that will benefit from this project, the project is being delivered for the NCC Education team and will be funded from the Basic Need Grant funding allocation that the City Council receives from the DfE. The project will be delivered by the Major Projects team and will report to the Project Board that will be chaired by Nick Lee (Director of Educational Services) and will have representation from the Archway Trust, NCC Regeneration Team and NCC Property. The programme is critical and will be monitored on a regular basis against the agreed baseline programme by the board.

The Project Manager will be from the Major Projects Team and they will have support from Perfect Circle as technical advisors. The Project Manager will be responsible for developing a deliverable scope and managing the project progress through the feasibility onto site and through to completion.

Appendix 1 – Risk Register

Appendix 2 – Programme

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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	Acquisition of the Clarendon College site for a new secondary Free School and the creation of a Temporary Sixth form base at the Maid Marian Way Nottingham College site for the Archway Trust.
Author (assigned to Pentana):	Robert Caswell
Director:	Catherine Underwood
Department:	Children and Adults
Service Area:	Major Projects
Contact details:	07984 165 188 Robert.caswell@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N	N
Exempt from publication Y/N	N

Page 69

2. Document Amendment Record

Version	Author	Date	Approved
1	Robert Caswell	4/2/21	Richard Beckett

3. Contributors/Reviewers

Name	Position	Date
Rosey Donovan	Equality and Employability Consultant	February 2021

4. Glossary of Terms

Term	Description
Archway Learning Trust	An Academy chain based in Nottingham
Basic Need Grant	Funding provided to the Council from the Department for Education to provide sufficient school places for the city.
DfE	Department for Education
Scape	A procurement organisation that manages a number of frameworks with contractors and technical services that are fully compliant with all the necessary procurement regulations.
Scape Regional Framework	One of the frameworks for appointing contractors managed by Scape.

Page 71

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

This report asks for the approval of funding to contribute towards the purchase of the Clarendon College site so that the site can be redeveloped for a Free School by the Department of Education (DfE). The new Free School will be sponsored by the Archway Learning Trust. It also requests approval for funding to refurbish the current Nottingham College site on Maid Marian Way so that it can be used as a temporary base for the Archway Trust sixth form.

[screentip-sectionC](#)

2. Information used to analyse the effects on equality:

There is no significant benefit or adverse impact on any groups as a result of the works. Although the delivery by the DfE of a new Free School in Nottingham will improve the choice for parents and students within the city. The Sponsor Archway Trust has a strong track record of school improvement and provides a high standard of education for pupils aged from three to 19 through its five existing Nottingham Schools, which are all rate Ofsted “good” or “outstanding”. This new school will build on this track record.

The temporary relocation of the Sixth Form will allow the new school to open in September 2021 in the existing sixth form block on the Bluecoat Aspley campus rather than September 2023, which will widen the choice for parents and provide the necessary secondary school places for the City Council to meet its statutory requirements.

The contractors engaged in delivering these works will be selected from Frameworks that include Key Performance indicators for social value, including local spend, local labour, local jobs and apprenticeships, which supports the wider objectives of the City Council.

Page 7
3. Impacts and Actions:

screen-tip-sectionD	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input type="checkbox"/>	<input type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>
Trans	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>

Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).</p> <p><i>Please underline the group(s) /issue more adversely affected or which benefits.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>

<u>screentip-sectionE</u> How different groups could be affected (Summary of impacts)	<u>screentip-sectionF</u> Details of actions to reduce negative or increase positive impact (or why action isn't possible)
<p>Provide details for impacts / benefits on people in different protected groups.</p> <p>The provision of a new Free School commissioned by the Department for Education will provide much needed additional secondary school places. This will support and provide the opportunity for more choice for parents and students. The Archway Trust have a track record of delivering good school improvement and there current schools (5) are all Ofsted "Good" or "Outstanding".</p> <p>The new building will meet both the current environment and accessible standards. This supports the wider Council agenda while providing an accessible and environmentally choice for students and parents with a successful education</p>	<p>1 Actions will need to be uploaded on Pentana.</p> <p>The works will be assessed for any impact on equality both during construction and post completion. This will be achieved by liaising with the contractor and school to ensure there have been no adverse impacts on any particular group.</p>

<p>provider.</p> <p>The temporary sixth form base will provide the full range of classroom and support spaces to access for students to the full curriculum.</p> <p>The contractor will have included within the contractor a requirement to hit certain Key Performance Indicators related to social value. These will include local spend, local labour usage and opportunities for apprentices to be employed within on the contract. These Key Performance Indicators are monitored by Scape and reported on a regular basis to the Procurement team, they will also be monitored directly by the Project team. The contractors and their supply chain will engage with Nottingham Jobs to allow the opportunities to be more widely circulated.</p>	
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Page 74

4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Once the works are complete, a post-occupancy review will be undertaken to ensure that the projects have met the needs of the Academy Learning Trust.

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: Richard Beckett, Head of Major Projects, Major Projects. Richard.beckett@nottinghamcity.gov.uk</p> <p>The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.</p>	<p>Date sent for scrutiny: 8th February 2021</p> <p><u>equalityanddiversityteam@nottinghamcity.gov.uk</u></p>
<p>SRO Approval: Richard Beckett</p>	<p>Date of final approval: 22.02.21</p>

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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