

Nottingham City Council

Business Case

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

Lead Department: Education Strategy.



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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 at 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