

Department

Development and Growth

Subject

Capital Maintenance grant allocations for 2015/16

Decision

This is a Key Decision taken by the Leader of the Council.

Subject to call-in: No

Total value of decision: £1,603,238

Revenue or Capital: Capital

Decision taken

1. To approve the allocation of the Capital Maintenance grant funding, totalling £1.603 million, to the schemes as set out in Appendix 1, noting that £0.118 million is set aside as a contingency fund.
2. To amend the Capital Programme to include the additional £1.603 million received as part of the grant.
3. To delegate authority to the Director of Legal and Democratic Services to sign contracts following procurement exercises, to allow schemes to be delivered.
4. To delegate authority to the Corporate Director for Children and Adults to allocate contingency funding to projects as health and safety or condition issues arise during 2015/16 and to adjust the funding allocations for each scheme once cost and survey information is received, subject to value for money being demonstrated and costs being within the overall budget allocated for this programme of works.
5. To approve the appointment of Faithful and Gould as technical advisors to the City Council on mechanical and electrical projects, noting that they were selected through the Scape framework, which offers a compliant method for procuring the specialist advice required.

Other Options Considered

(with reasons for rejecting options not favoured)

Consideration was given to combine the Capital Maintenance grant and the Basic Need funding. If combined, this funding could be used to address the shortfall in school places across the City.

Consideration was also given to amalgamating the Capital Maintenance grant with broader City Council capital funding.

Both of these options were 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 closures for emergency repairs in the future.

The City Council's Property and Maintenance were considered to deliver the mechanical and electrical projects but due to capacity issues, this option was not viable.

Reasons for Decision(s)

The prioritisation of the funding is based on advice received from the City Council's Safety and Compliance Team and external specialist contractors.

There are two areas where funding has been prioritised:

- Health and safety issues likely to impact on children or staff;
- Condition issues likely to impact on the operation of the school.

The balance of funding for the Capital Maintenance grant has been identified as part of the prioritisation process, and £0.118 million will be held as a contingency amount to deal with urgency health and safety or condition issues that arise during the financial year 2015/16.

Delegating authority to the Corporate Director for Children and Adults to approve these schemes will enable a swift response for urgent issues as they arise.

Affected Wards

Leen Valley, Sherwood, Bilborough, Bridge, Arboretum, Clifton North, Bestwood

Advice Sought

	Yes	No
Legal Malcolm Townroe – 12 June 2015	X	<input type="checkbox"/>
Finance Tina Adams – 29/05/15	X	<input type="checkbox"/>
Human Resources	<input type="checkbox"/>	<input type="checkbox"/>
Equality & Community Relations Team	<input type="checkbox"/>	<input type="checkbox"/>
Procurement Sue Oliver – 04/06/15	X	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>

Details of Consultations undertaken

	Yes	No	Name and Date
Portfolio Holder	X	<input type="checkbox"/>	Councillor Sam Webster 11/06/15
Ward Councillors	<input type="checkbox"/>	<input type="checkbox"/>	_____
Area Committee	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other Council Bodies	<input type="checkbox"/>	<input type="checkbox"/>	_____
Corp. Directors Affected	<input type="checkbox"/>	<input type="checkbox"/>	_____
Trades Unions	<input type="checkbox"/>	<input type="checkbox"/>	_____
Minority Group	<input type="checkbox"/>	<input type="checkbox"/>	_____
Others (Specify)	X	<input type="checkbox"/>	Councillor Brian Parbutt 09/06/15

Reasons for not consulting

Those not consulted are not directly affected by the decision.

Consultation Outcomes

Councillor Brian Parbutt, as Chair of Overview and Scrutiny, agreed that the decision was reasonable and urgent, and should not be subject to call-in as, in order to deliver the programme of works, orders must be placed as a matter of urgency to prevent schools being at risk of closure through health and safety or condition issues.

Background to the decision

The Department for Education (DfE) have announced the Capital Maintenance grant for schools for the financial year 2015/16. The Capital Maintenance grant allocation of £1.603 million is aimed at improving the condition of the school buildings maintained by the Local Authority.

The grant allocation relates only to Local Authority schools. Academies are able to apply for a maintenance grant directly from the DfE.

The highest priorities relate to health and safety requirements, for example, where work is required to address the risk of Legionella or removal of asbestos.

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. 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 schemes 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 decision identifies how the grant will be prioritised to meet the needs of the schools maintained by the Local Authority and includes the completion of schemes where schools have become Academies since work began.

**Declared colleague/
Councillor Interests**

None.

**Dispensation by
Standards Committee**

Date:

Dispensation Reference:

Equalities

Has the equality impact of the decision been assessed?

NO

YES – equality impact assessment attached

Social Value Implications

There are no implications as the threshold is not reached.

**Crime and Disorder
Implications**

There are no implications on crime and disorder.

Published Documents

None

Background Papers

None

**Exempt/Confidential
report**

None

Contact Person

Rob Caswell

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Email: Robert.caswell@nottinghamcity.gov.uk

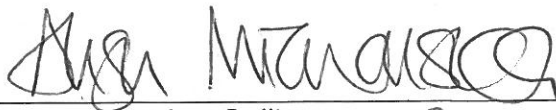
Corporate Director or
authorised colleague
(Print name)

ALISON MICHALSKA

Date:

17/6/15

Signature

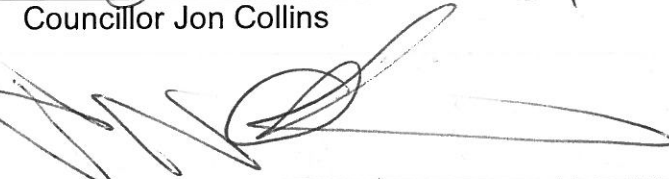


Leader of the Council Councillor Jon Collins

Date:

18/6/15

Signature



Date Published: 18/06/15

Last Date for Call-in: N/A

Finance Comments

The capital maintenance grant for 2015/16 of £1.603m has been confirmed by DfE, this grant is earmarked to improve the condition of local authority maintained schools, many of the works that are undertaken are aimed at addressing Health and Safety issues and a schedule of works has been identified and listed in Appendix 1.

The capital programme will be amended to include the grant provision and the schemes set out in Appendix 1. Currently there is sufficient grant to undertake these works and there is no requirement to use additional funding, therefore the overall balance on the capital programme will remain unchanged.

Tina Adams
Capital and Taxation Manager

Procurement Comments

There are no significant procurement concerns with the proposals set out in the report.

The EMPA & Scape Framework Agreements listed below, provide a compliant and value for money option for the delivery of the works:

- Minor Works Lower – Robert Woodhead Ltd
- Intermediate Lower – GF Tomlinson
- Asset Management, Surveying, & Design Services – Faithful & Gould Ltd

Sue Oliver
Category Manager – Construction

Legal Comments

The proposals set out in the report raise no significant legal issues and, in the circumstances outlined, are supported.

Malcolm R. Townroe, Solicitor, Head of Legal Services

Appendix 1

Proposed Capital Maintenance Allocations

Code (where an existing scheme)	School	Scope	Comments	Funding required £m
16851	Robert Shaw Primary	Replacement of roof	Phase 2 of works	0.300
16849	Cantrell Primary School	Heating works	Repairs to heating system	0.050
16524	Brocklewood Primary School	Heating works	Phase 2 of works	0.250
	Greenfields Primary	Replacement of roof	Roof is deteriorating and needs replacement to remain watertight	0.100
	Woodlands Special School	Heating works	Heating system is failing and needs replacing	0.250
	Westbury Special School	Legionella works	Works are required to prevent Legionella	0.070
	Woodlands Special School	Legionella works	Works are required to prevent Legionella	0.070
	Bentinck Primary	Legionella works	Works are required to prevent Legionella	0.070
	Dovecote Primary	Heating works	Heating system is failing and needs replacing	0.150
	Bentinck Primary	Boiler replacement	Boiler is in poor condition and requires replacement	0.100
	Glade Hill Primary	Boiler replacement	Boiler is in poor condition and requires replacement	0.075
Contingency fund				0.118
Total (funding available £1,603,238)				1.603

Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Capital Maintenance grant allocations for 2015/16

Name of Author: Sarah White

Department: Development (Corporate Director)

Service Area: Major Programmes

(please underline)

Author (assigned to Covalent):

Director: Alison Michalska

Strategic Budget EIA Y/N

Brief description of proposal / policy / service being assessed:

This report focuses on health and safety and condition improvements to school buildings across the City. Works to improve roofs, boilers, heating systems and prevent legionella risk will be undertaken if the report is approved.

Information used to analyse the effects on equality:

Experience of managing the programme of works for a number of years and consultation with schools and contractors.

	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"/>

How different groups could be affected (Summary of impacts)	Details of actions to reduce negative or increase positive impact (or why action isn't possible)
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 East Midlands Property Alliance (EMPA) framework that offers a compliant mechanism for procuring works. Works are 'banded' depending on value and there are likely to be a number of contractors appointed to manage the works. Contractors have Key Performance Indicators (KPIs) in place to ensure they monitor local spend and involvement with any Small to Medium Enterprises (SMEs). This information is monitored by SCAPE and reviewed by the City Council's procurement team.

Please underline the group(s) /issue more adversely affected or which benefits.

Outcome(s) of equality impact assessment:

- No major change needed •Adjust the policy/proposal •Adverse impact but continue
- Stop and remove the policy/proposal

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

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

Approved by (manager signature):

Rob Caswell, Programme Manager

Tel: 0115 8763408

Email: robert.caswell@nottinghamcity.gov.uk

Date sent to equality team for publishing:

Draft version sent 12/5/15

Send document or link to:

equalityanddiversityteam@nottinghamcity.gov.uk

Use of Consultants Approval Form

Project Title	Capital Maintenance Grants 2015/16
Service Area & Department	Major Programmes, Development
Head of Service	Richard Beckett
Contact person for this form	Sarah White

Description of the Project (including why the project is necessary)	<p>Procurement of Faithful and Gould to act as technical advisors on the mechanical and electrical projects being delivered by the Capital Maintenance programme in 2015/16.</p> <p>There is insufficient capacity in the Property Maintenance team to deliver these schemes.</p>
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Identifying the Need

Before considering the use of consultants, the possibility of using alternative resources should first be explored. The following are possible reasons for considering the use of external consultants:

- Specialised knowledge or expertise is required, which is not available from in-house sources or partner organisations.
- An independent opinion is required.
- An external body (i.e. a funding agency) makes it a condition of funding that a consultancy study be commissioned.
- A specialist study/project must be completed within a very short time scale and internal resources cannot be deployed.
- There is a lack of in-house capacity to undertake the project.
- Only temporary help is required and can be met from existing budgets.

Alternative Options Considered	Property Maintenance does not have sufficient resources to deliver these schemes within the timescales required.
Reason for Using a Consultant (please be clear about the impact of not appointing this consultant)	If a consultant is not appointed, these projects cannot progress as the Local Authority does not have sufficient resource capacity to deliver the projects in-house. If the projects do not progress, the schools identified may be at risk of closure due to the significant issues that require rectification.

Appointment of Consultant

A formal agreement should be completed for each project, containing detailed responsibilities, prior to commencement of any work


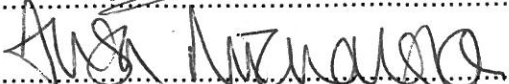
Name of Consultant Selected	Faithful and Gould
By what process was the consultant selected? (Please include how the successful consultant was procured eg framework contract,	Scape framework. This framework offers a compliant method for procuring the specialist advice required.

tender, quotes etc.)	
Has the consultant previously completed work for NCC? Date(s)? Value £ What was the outcome?	Yes. Faithful and Gould have worked on a substantial number of projects for NCC over a number of years. The value of these works is likely to exceed £2m. As the company has been procured by different departments, the exact value is approximate and the number of days undetermined. Faithful and Gould continue to provide valuable support where in-house resources are unavailable.

<p>Specific Activities to be undertaken by Consultant</p> <ul style="list-style-type: none"> - Scope works required and liaise with contractor - Provide the architectural, mechanical, electrical and structural advice required to manage these projects from initiation to completion, ensuring that the projects comply with the necessary legislation. - Appoint the CDM coordinator to comply with health and safety requirements - Ensure the necessary certificates are in place and liaise with Building Control where required to sign off the works.

Period of Engagement	April 2015 – April 2016. This may be extended to April 2017 if schemes are required to be delivered in phases.
Key Outcomes to be Achieved	Successful completion of the programme of condition and health and safety works within client agreed budgets and to an agreed programme. Works to be compliant with any regulations/ legislation/ Building Control requirements and the contract to be managed to ensure minimum disruption to the schools.
Key Deadlines & Milestones to be Achieved	Phase one of all works to be completed by April 2016. Where a second phase is required, works to be completed by April 2017.
Anticipated Cost (£) (Basis of calculation, e.g. fixed fee, hourly rate, delivered benefits)	£125,000 maximum, based on 7 schemes. The fee is calculated based on framework rates and may fluctuate depending on the scope of the works.
Source of Funding	Capital Maintenance grant
Budget code <i>MS.</i>	Current code is 13068. It is likely that once approved, individual projects will have their own new code and that the consultancy fee will form part of this budget cost.

Project management Arrangements

APPROVAL OF RELEVANT OFFICERS (Procurement must also comply with Financial Regulations)	
Head of Service..... 	Date..... 16/6/15
Corporate Director..... 	Date..... 17/6/15



Chief Finance Officer's Representative *Mr. B. ...* Date... *18/6/2015*

Portfolio Holder..... *Stan* Date... *15TH JUNE '15*

Leader of the Council *[Signature]* Date... *18/6/2015*

Evaluation / Post Project Review

Analysis of outcomes anticipated against those actually achieved	Outcomes Anticipated:	Outcomes Achieved:
Was the project delivered within the agreed timescales?	Start date:	
	End Date:	
Was project delivered within the approved budget?	Original Estimate:	£
	Actual Cost:	£
Reason for any budget variation		
Was the quality of work satisfactory?		
Description of any problems, including in-house project management		

Evaluation completed by:

Date: