

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

2407

Author:

Pratima Balaghee

Department:

Chief Executives Group

Contact:

Pratima Balaghee

(Job Title: Assistant Project Manager, Email: pratima.balaghee@nottinghamcity.gov.uk, Phone: 01158762570)

Subject:

Approval of funding and procurement of a canopy, electric gate, fencing and tarmacking for Springfield Primary School.

Total Value:

£105000 (Type: Capital)

Decision Being Taken:

Approve the allocation of a budget of £105000 from the Health and Safety Contingency Fund to procure a canopy, electric gate, fencing and tarmacking for Springfield Primary School.

Approve the procurement of the electric gates, fencing and tarmacking through the Education Funding Agency's contractor - Bowmer and Kirkland (B&K).

Approve the procurement of the canopy in line with the Corporate Procurement Rules and delegate authority to the Head of Legal Services to enter into contract with the preferred contractor for the canopy works.

**Reasons for the Decision(s)**

**Approval of the decisions will enable the funding and procurement of a bespoke canopy, electric gate, fencing and tarmacking at Springfield Primary School.**

**The Education Funding Agency (EFA) is undertaking building works at the school under the Priority Building School Programme. The whole school is being rebuilt with the building works due for completion by May 2016.**

**The provision of a canopy, fencing, an electric gate and a tarmac area adjacent to the Early Years classrooms are not included in the scope of works of the current project. The school requires these works to operate more efficiently.**

**The £105k requested from the Health and Safety Contingency Fund will enable the procurement of the following:**

**- Canopy - An enclosed bespoke canopy will be installed adjacent to the Early Years Foundation classes which will allow nursery outdoor play and storage of learning materials in all weather conditions.**

**- Electric gate - Installation of electric gates at the entrance of the school will allow the school to operate the gate remotely. The school staff will not need to leave the reception area unattended to open and lock the gates during deliveries. This will alleviate the school's security concerns.**

**- Fencing and tarmacking around the Early Years play space. This will prevent children from accessing and damaging the grass areas as well as providing demarcation between the Early Years play space and the Key Stage 1 playground. The tarmac area will be linked with the canopy area to provide sufficient play space for the Early Years children.**

**Major Projects will procure the canopy works in line with the Council's Corporate Procurement Regulations and the remaining works will be procured and managed by the EFA's contractor. The contract for the canopy works will be issued once the EFA's contractor has completed the building works on the part of the site where the canopy will be installed.**

**The EFA have procured the contractor B&K through an OJEU compliant framework and this work is a variation to the existing new build contract.**

**The EFA will raise a project change order to deliver the additional scope with the contractor - Bowmer and Kirkland (B&K) for the installation of the electric gates, fencing and tarmacking. The EFA will manage these works as part of the existing contract with B&K and will invoice the Council for the works. A warranty will be provided for the whole building including the additional works - electric gates, fencing and tarmacking.**

**Delegating the decision to enter into contract with the preferred contractor for the canopy works will ensure the works are delivered without any undue delays.**

**Briefing notes documents:**

**[Additional information\\_Springfield\\_210316.docx](#)**

<b>Other Options Considered:</b>	<p>Do nothing - This option will prevent the school from operating efficiently once the new building is erected.</p> <p>Approval of the £105k budget will allow the procurement of a canopy for the Early Years Foundation classes, electric gate to allow easy access for school deliveries, fencing and tarmacking. This will complement the new school building being constructed and will enable the school to operate more efficiently.</p>
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	Bulwell
<b>Colleague / Councillor Interests:</b>	None
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	The installation of the electric gates will alleviate security concerns with school staff leaving the office unattended at any time. If manually operated gates are used instead of electric gates, school staff will have to leave the office unattended to open and close the gates. This can raise potential security concerns. The security aspect would potentially feed into an Ofsted requirement related to safeguarding as well as an operational requirement.
<b>Equality:</b>	Please login to the system to view the EIA document: Equality Impact Assessment_Springfield Primary.pdf
<b>Social Value Considerations:</b>	<p>Procurement of the canopy works will be carried out in line with the Council's procurement regulations to ensure local companies are used for the works, where possible and best value contracts are procured.</p> <p>Discussions with the school around the needs of staff, pupils and other users on site will take place throughout the duration of the project through regular meetings with the headteacher and the school's business manager.</p>
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	14/04/2016

**Advice Sought:**

**Legal, Finance, Procurement, Equality and Diversity**

**Legal Advice:**

**This report does not raise any significant legal issues. The rationale for the split of works to be procured for the school is explained in the supporting briefing document following discussions with the report author. The City must ensure it is satisfied with the change order issued by the EFA and as necessary and in a proportionate way record the agreement made with EFA. The Council must ensure it calls for and obtains the collateral warranties for the school works. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 23/02/2016.**

**Finance Advice:**

**This report requests £105k for the procurement of health and safety issues that have been identified at Springfield Primary School. There is a provision already in the current capital programme for a Health and Safety contingency which has sufficient available funds for this proposal. As this provision is already included in the capital programme there will be no effect on the overall programme. The capital programme will be amended accordingly. Advice provided by Tina Adams (Capital and taxation Manager) on 22/02/2016. Advice provided by Tina Adams (Capital and taxation Manager) on 23/02/2016.**

**Procurement Advice:**

**There are no significant procurement concerns with the proposals set out within the report. The procurement team will support the client with the procurement of these works. Advice provided by Sue Oliver (Category Manager - Procurement) on 10/03/2016.**

**Equality and Diversity Advice:**

**There are no major equality issues with this proposal except that any contractor must ensure that the disabled aspect of the gates (height for intercom, exit buttons etc must be able to accommodate disabled users (parents/carers/ young people/visitors). Additionally, any tarmacking should also take the needs of disabled users into consideration.**  
  
**Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 11/02/2016.**

**Signatures**

<b>Sam Webster (Portfolio Holder for Schools)</b>
<b>SIGNED and Dated: 07/04/2016</b>
<b>Alison Michalska (Corporate Director for Children and Adults)</b>
<b>SIGNED and Dated: 06/04/2016</b>

Additional information – Funding and procurement of canopy, fencing, electric gate and tarmacking at Springfield Primary School

The Education Funding Agency (EFA) has limited budgets for the Priority School Building Programme and a standard scope of works for each scheme which does not include a number of important educational and logistical elements.

The EFA's standard design of the new build at Springfield does not include provisions for a canopy over the Early Years Foundation stage playground, although the Department of Education's guidance 'Advice on Standards for school premises' indicates that one should be included. Therefore, the Council agreed to fund the additional works.

The Electric gates on the vehicular entrance are not included as a standard in the scope of works. If manually operated gates are used instead of electric gates, school staff will have to leave the office unattended to open and close the gates. This can raise potential security concerns. The security aspect would potentially feed into an Ofsted requirement related to safeguarding as well as an operational requirement.

Tarmac and fencing are included to help manage the playground environment. The fencing is to protect the area of the demolished building while the grass grows and to generally keep pupils on the hard play areas. The additional tarmac will increase the Early Years Foundation stage play area and will complement the canopy area.

The canopy works will be procured in line with the Council's Corporate Procurement Regulations by the Major Projects team. Major Projects will work closely with the Procurement team to ensure the works procured provide best value for money and the appropriate procurement route is adopted dependent on the value of the contract – either obtaining quotes or carrying out a full tender. The Head of Legal Services will provide the approval to enter into contract with the preferred contractor.

The remaining works – fencing, electric gates and tarmacking – will be funded by the Council and procured by Bowmer and Kirkland (B&K) who are the EFA's contractor building the new school. The scope of works covering the installation of the electric gate, fencing and tarmacking are inextricably linked to the ongoing works undertaken by B&K as the connections go into the new building. Therefore, it has been determined that it will be more cost effective to procure the works through B&K as considerable savings can be made on preliminaries.

The EFA will raise a project change order to deliver the additional scope with the contractor B&K for the installation of the electric gates, fencing and laying tarmac. The EFA will manage the works as part of the existing contract with B&K and will invoice the Council for the additional works. A warranty will be provided for the whole building including the additional works undertaken.

## Equality Impact Assessment Form (Page 1 of 2)

**Title of EIA/ DDM:** Funding and procurement of a canopy, electric gate, fencing and tarmacking at Springfield Primary School.

**Name of Author:** Pratima Balaghee

**Department:** Children and Adults

**Service Area:** Major Projects

**Author (assigned to Covalent):** N/A

**Director: Alison Michalska**  
**Strategic Budget EIA Y N**

**Brief description of proposal / policy / service being assessed:**

The procurement of the following will enable Springfield Primary School to operate more efficiently:

- a bespoke enclosed canopy adjacent to the Early Years Foundation classes will allow nursery outdoor play and storage of learning materials in all weather conditions.
- an electric gate at the entrance of the school will allow the school to operate the gate remotely. School staff will not need to leave the reception area unattended to open and lock the gates during deliveries. This will alleviate the school's security concerns.
- fencing and tarmacking of the area adjacent to the playground will prevent children from accessing and damaging the grass areas. The tarmac area will be linked with the canopy area to provide additional play space for the Early Years children.

The Education Funding Agency (EFA) is funding the complete rebuild of the school under the Priority Building School Programme which is due for completion by May 2016. The funding requested will enable the Council to provide the additional essential works necessary for the school to operate more efficiently.

Springfield Primary School is smaller than the average-sized primary school. The large majority of pupils are White British. The proportion of pupils from minority ethnic backgrounds is similar to that in most schools. The proportion of disabled pupils and those with special educational needs supported through school action is well above average. A large majority of pupils is supported by the pupil premium which, in this school, provides additional funding for pupils who are known to be eligible for free school meals or who are in local authority care.

**Information used to analyse the effects on equality:**

The brief to the contractors will ensure that it is clear that any options must be compliant with the Equality Act 2010 and that the impact on the local community is demonstrated. Discussions with the school around the needs of staff, pupils and other users on site will take place throughout the duration of the project through regular meetings with the Headteacher and Business Manager.

	<b>Could particularly benefit</b> <b>X</b>	<b>May adversely impact</b> <b>X</b>	<b>How different groups could be affected</b> (Summary of impacts)	<b>Details of actions to reduce negative or increase positive impact</b> (or why action isn't possible)
People from different ethnic groups.	<input type="checkbox"/>	<input type="checkbox"/>	Options considered for the procurement of a bespoke canopy, electric gate, fencing and tarmacking could impact on the provision of space for those with	When considering options for the procurement of the works, efforts will be undertaken to ensure the options are compliant with Equality Act 2010.
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).		
<b><i>Please underline the group(s) /issue more adversely affected or which benefits.</i></b>	<input type="checkbox"/>	<input type="checkbox"/>

<p>additional needs and the local community.</p> <p>Provision of the canopy will provide the opportunity for Early Years children to access external play.</p> <p>The options considered will demonstrate how the works will meet the need of service users, which are mainly young people.</p> <p>No adverse impacts are anticipated.</p>	<p>Procurement of the works will be undertaken in line with the Council's procurement rules and regulations. Where possible, works will be procured from local businesses and will be ensured they are value for money.</p> <p>Discussions with the school around the needs of staff, pupils and other users on site will take place throughout the duration of the project through regular meetings with the Headteacher and Business Manager.</p>
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**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 scheme will be managed by Major Projects who will ensure that the impact on equality is assessed and made clear within any option analysis.

**Approved by (manager signature):**

Robert Caswell  
 Programme Manager  
 Ext : 63408  
 Email : Robert.caswell@nottinghamcity.gov.uk

**Date sent to equality team for publishing:**

**10.02.16**  
 Send document or link to:  
 equalityanddiversityteam@nottinghamcity.gov.uk

**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://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>

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.