

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3404

Author:

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Department:

Chief Executive's

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Subject:

Approvals to allow early works in relation to the expansion of Nethergate Academy

Total Value:

£250,000 (Type: Revenue)

Decision Being Taken:

- 1) To approve funding for City Council Design Service Team to undertake an investigative study to look at options to expand Nethergate Academy to allow provision of an additional 40 SEND places.
- 2) To approve the award of the contract to carry out site surveys required to support the study, including appointment of consultants.
- 3) To approve allocation of funding for the provision of early works required to facilitate the temporary relocation of additional children in the school, as identified in the study, subject to this being within the funding parameters set out below.
- 4) To delegate authority to the Corporate Director of Children and Adults to negotiate and award the contract for the early works subject to this being within the agreed funding parameters set out below.

**Reasons for the Decision(s)**

Following extensive consultation, Nottingham City Council has published a Special Educational Needs and Disability (SEND) strategy that sets out the principles for SEND provision across the City for the next five years. The development of this strategy involved looking at the type and number of places required and reviewing options for increasing provision at existing SEND schools in order to meet a growing demand for places and identifying priority areas.

The first priority identified from this strategy is an expansion of Autistic Spectrum Disorder (ASD) provision at Nethergate Academy, increasing the existing provision by 40 places. This report seeks approvals to begin this process and to undertake some interim works to allow the school to accommodate additional children by September 2019. The interim works are referred to as Phase 1 and the main expansion is referred to as Phase 2.

The Education and Skills Funding Agency (ESFA) have allocated £419,658 in capital funding to support the expansion of SEND places in the city. This represents the first of three tranches of funding the city will receive over the next three years to fund this work. It is currently unclear how much it will cost to create the space required at Nethergate Academy and this report represents the first step in understanding the scope and cost of works. This reports asks for approval to allocate £250,000 of this funding to start the process of expansion.

Nethergate Academy is currently consulting on the expansion of the school. The need for places is urgent, and the school have been asked to facilitate a partial increase in capacity by September 2019 at the latest (Phase 1). It is likely that some early works will be required to facilitate this, including minor reconfiguration works of one building and some external works to make a play area safe. The scope of this work is being clarified with the school and will be set out in a brief study. Once the study is complete and the cost and scope clear, a briefing note will be submitted to the Portfolio Holder and Corporate Director asking for approval to proceed with the Phase 1 works, subject to this being within the overall allocation of £250,000 funding for this stage of the project.

This will facilitate an additional intake by September 2019 at the latest. The expectation is that this work will be minimal and offer a temporary solution until Phase 2 is completed.

Phase 2 requires the development and construction of a new building on the school site to house the additional 40 pupils. At this stage, approval is requested to allocate funding to allow the scope and cost of this project to be clarified, including undertaking any necessary surveys. Once complete, the options, costs, design and will be captured in a Business Case that will be submitted to Executive Board for review and approval to proceed. At this stage, investment is required to ensure that costs and the scope of the second phase of works are fully understood.

**Other Options Considered:**

- Other options considered:
1. Do nothing - this option was rejected as there is a statutory requirement to provide places for children and a growing need for ASD places.
  2. Provide places at another school - this was reviewed during the consultation period and was rejected as it was agreed that the priority would be to increase provision at Nethergate Academy

**Background Papers:**

None

<b>Published Works:</b>	<p>Nottingham City SEND priorities 2018/23:</p> <p><a href="https://www.nottinghamcity.gov.uk/earlyyears/equality-and-inclusion/nottingham-city-send-strategic-priorities-2018-2023/">https://www.nottinghamcity.gov.uk/earlyyears/equality-and-inclusion/nottingham-city-send-strategic-priorities-2018-2023/</a></p>
<b>Affected Wards:</b>	Clifton North
<b>Colleague / Councillor Interests:</b>	None
<b>Use of Consultants</b>	<p>Number of Days:30</p> <p>Rate per Day:500</p> <p>Total value:15000</p> <p>Start date:04/02/2019</p> <p>End date:02/04/2019</p>
<b>Reason for using a consultant:</b>	Specialised knowledge or expertise is required, which is not available from in-house sources or partnering organisations.
<b>Other options considered:</b>	<ul style="list-style-type: none"> <li>- use of internal resources - however, dismissed as there are no suitable mechanical and electrical (M &amp; E) NCC staff to carry out these duties.</li> <li>- obtaining quotations via tenders, however dismissed due to the time and programming issues.</li> <li>- use of NCC M &amp; E Direct Labour Organisation (DLO) - does not have capacity and requires specialist skill set</li> </ul>
<b>Name of consultant:</b>	HC M & E Ltd
<b>Reason for selection?</b>	Previous experience, working well within Council on high profile projects, for example, the Council House.
<b>Has the consultant previously completed work for the City Council?</b>	Yes. Various projects with successful delivery of information when required.
<b>Specific activities to be undertaken by the consultant are:</b>	Feasibility overview and advice of M & E design strategy, including cost appraisal.
<b>Period of engagement:</b>	2 months, although it is anticipated this will continue if the project proceeds.
<b>By what process was the consultant selected?</b>	Best value based on;-Proactive nature based on past experience on projects-Has demonstrated value for money on projects through robust challenging of contractors costs- Cost efficient, innovative solutions as per past experience
<b>Consultations:</b>	<p>Date: 30/11/2018</p> <p>Other City Council Bodies:Consultation with schools during June and November. Briefing to Schools Forum. Meetings held with other partners and stakeholders during the SEND consultation process.</p> <p>SEND strategy finalised and agreed.</p>
	Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

There are no implications on crime and disorder.

**Equality:**

Please login to the system to view the EIA document: equality-impact-assessment - Nethergate ASD - V4final.docx

**Social Value Considerations:**

There are no social value considerations as the value of these works are below the thresholds.

**Relates to staffing:**

Yes

**Relates to Council Property Assets:**

Yes

**Relates to Building Services:**

Yes

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

**Call In Expiry date:**

21/02/2019

**Advice Sought:**

Legal, Finance, Procurement, Human Resources, Equality and Diversity, Property, Building Services, Other: Janine Walker(janine.walker@nottinghamcity.gov.uk)

**Legal Advice:**

This report raises no significant legal issues provided the contracts for the works are awarded in accordance with the City Council's Financial Regulations. The provisions of the lease need to be complied with and that is likely to require the City Council as landlord giving a licence to undertake alterations.  
  
Advice provided by Andrew James (Team Leader Contracts and Commercial) on 07/02/2019.

**Finance Advice:**

**REVENUE**

The revenue implications of this decision will be met by the Dedicated Schools Grant funded High Needs(HN) budget. The revenue funding required for the additional places needed by September 2019 has been budgeted for in the 2019/20 Schools Budget Report which is going to Executive Board for approval on 19 February. The additional places that can be accommodated under Phase 2 will be gradually phased in and the revenue funding required will be met from anticipated increases in the Council's HN budget under the HN national funding formula.

Advice provided by Kathryn Stevenson (Senior Commercial Business Partner - Schools) on 30/01/2019.

**CAPITAL**

Following the approval of this decision the capital programme will be updated. Any feasibility costs incurred on options not progressed to construction will not be able to be capitalised and will require to be treated as abortive costs (i.e. charged to revenue)

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 01/02/2019.

**Property Advice:**

The property is owned by the City and leased to the Academy and the City is undertaking the work on behalf of the Academy. Property support the proposal and would need to give formal consent under the terms of the lease for this work.

Advice provided by Peter Taylor (Senior Surveyor) on 04/02/2019.

**Procurement Advice:**

There are no significant procurement concerns with the recommendations set out in the report. The procurement team will work with the client to ensure compliance with Public Contract Regulations and establish value for money.

Advice provided by Sue Oliver (Category Manager - Procurement) on 24/01/2019.

**HR Advice:**

There are no adverse HR implications arising from the recommendations in this report. The specialist knowledge/expertise required is not available in-house or from partner organisations.

Advice provided by Shilpa Arya (HR Consultant) on 28/01/2019.

**Equality and Diversity Advice:**

The proposal offers equality in terms of accessibility for different groups and should work to improving outcomes for disabled young people.

Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 04/02/2019.

**Building Services Advice:**

There are no significant concerns with the decision being sought and Building Services are involved and supporting this project.

Advice provided by Asaad Raouf (Design Services Manager) on 28/01/2019.

**Other Advice:**

The proposal forms part of the LA's 5 year SEND strategy and is informed by detailed place planning data and sufficiency planning. There is a shortfall of specialist school places within the City for young people with ASD and complex learning needs and this proposal will enable the LA to fulfil its statutory responsibility to ensure that there are high quality placements available locally for young people with SEN and disabilities. The strategy has been through full consultation with all stakeholders including, members, officers, education settings and children and families. Advice provided by Janine Walker (Service Manager, SEND) on 08/02/2019.

**Signatures:**

<b>Jon Collins (Leader of the Council)</b>
<b>SIGNED and Dated: 14/02/2019</b>
<b>Neghat Khan (Portfolio Holder for Education &amp; Skills)</b>
<b>SIGNED and Dated: 14/02/2019</b>
<b>Alison Michalska (Corporate Director for Children and Adults)</b>
<b>SIGNED and Dated: 12/02/2019</b>