

MUNICIPAL YEAR 2017/18 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF
Cabinet Member for Education,
Children's Services & Protection

REPORT OF:
Executive Director – Children's
Services

Agenda – Part:1

Item:

**Subject: Updated School Condition and
Fire Safety Programme 2017/18 to 2018/19
Key Decision reference: KD 4507**

Wards : All

Cabinet Member Consulted:
Councillor Ayfer Orhan

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June 2017

1. EXECUTIVE SUMMARY

- 1.1. Under the Scheme for Financing Schools, the Council retains responsibility for major items of repair in schools. Condition is one strand of the Schools' Asset Management Plan alongside Sufficiency and Suitability. A programme of projects has been collated to rectify and eliminate repairs items of a high technical priority for consideration in 2017/18 and 2018/19.

2. RECOMMENDATIONS

- 2.1. It is recommended that approval be given to:
- (a) the proposed programme of works including professional and technical expenses detailed in Appendix A to this report or any other emergency schemes proceeding up to the total three-year Programme value of £31 m.
 - (b) the Executive Director of Children's Services and Assistant Director Education, by way of an operational decision, to:
 - (i) approve tenders for individual schemes or schemes of aggregated value up to a maximum of £250,000 including professional and technical expenses;
 - (ii) manage the Programme in a flexible way within the overall budget available, to take account of variations between estimates and tender costs and the need to substitute schemes having a greater technical priority if the need arises using the tender acceptance report pro forma; and
 - (iii) allocate any contingency provision (up to a maximum of £250,000 including professional and technical expenses) to emergency projects and/or to schemes identified as priority but not yet programmed
- 2.2 To note that a portfolio decision Cabinet Member for Education, Children's Services and Protection will be sought in relation to the approval of tenders for any proposals exceeding £250,000 in value including professional and technical expenses.

3. BACKGROUND

- 3.1. The Council as Corporate Landlord is responsible for major works to address the condition of community and foundation schools. Such works mainly relate to building structure, roof replacement and electrical and mechanical services. Separate funding streams are available for Voluntary Aided Schools for this work through the LCVAP Programme. Under the Scheme for Financing Schools the de minimis limits for delegation for repairs and maintenance are £36,000 for primary and special schools and £53,000 for secondary schools. Community and foundation schools are also wholly responsible for the cost of external decorations, internal painting and the maintenance of boundary fencing, playgrounds and drainage systems.
- 3.2. Under the requirements of the Regulatory Reform Fire Safety Order (RRFSO) 2005, the responsible person for the premises must ensure that a fire safety risk assessment is completed for the building and kept under review. The results of the assessment should be made available to staff and others working in the building.
- 3.3. A proposed programme for 2017/18 and 2018/19 has been formulated to address the most urgent condition items. Projects have been prioritised for inclusion in the Programme based mainly on technical information in condition surveys commissioned by Construction Maintenance Construction Team through external consultants. Projects have been ranked as far as possible according to the extent of urgency using the Department for Education definitions:
- | | |
|------------|---|
| Priority 1 | Urgent work that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation. |
| Priority 2 | Essential work required within 2 years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health and safety of occupants and/or remedy a less serious breach of legislation. |
| Priority 3 | Desirable work required within 3 to 5 years that will prevent deterioration of the fabric or services and/or address a low risk to the health and safety of occupants and/or remedy a minor breach of legislation. |
| Priority 4 | Long term work required outside the first five year planning period that will prevent deterioration of the fabric or services. |
- 3.4. A schedule of fire safety improvements has also been prepared based on recommendations from the Council's Fire Safety Adviser.
- 3.5. Any work identified at premises where the Council no longer has a long-term interest or to individual buildings that have a limited life, has been deferred. Account has also been taken to defer potential expenditure at any schools whose premises are likely to be substantially changed under the Schools Expansion Programme. However, where works at such schools are deemed

essential to meet Health and Safety requirements, they have been included in the proposed programme.

- 3.6. In line with previously agreed procedures, it is proposed that the Executive Director of Children's Services and Assistant Director of Education should continue to be authorised to approve tenders for individual schemes or schemes of aggregated value up to a maximum of £250,000 including professional and technical expenses. Any schemes exceeding £250,000 will be the subject of a portfolio decision and lodged as a Key Decision within the Council's Democratic process.
- 3.7. It may be necessary to amend the Programme to take account of variations between estimates and tender costs and the need to substitute schemes having a greater technical priority such as breakdowns of heating systems or plant, if the need arises. It is proposed that the Executive Director of Children's Services and Assistant Director of Education should continue to be authorised to take relevant action in such cases.
- 3.8. This report identifies necessary work to the value of £31 m for schools' maintenance, condition, fire safety, access and kitchen works which are a priority. In addition, every effort will be made to reduce to Council borrowing commitments to school expansion projects by contributing Capital Maintenance Grant to the Schools Expansion Programme (SEP).
- 3.9. Update Priority Schools Building Programme 2 (PSBP2):
 - 1 Brimsdown Primary School – Kitchen rebuild, Delivered by Enfield Officers and on-site due for completion September 2017.
 - 2 Eldon Primary School – Kitchen rebuild, Delivered by Enfield Officers and on-site due for completion September 2017.
 - 3 Walker Primary School- Whole school rebuild. Representatives of the Education and Schools Funding Agency (ESFA), has begun discussion with the school on rebuilding of the school.
 - 4 Durants Special School - Representatives of the ESFA, has begun discussion with the school on refurbishment of the Old Building.
- 3.10. Special School Expansions and other works added:

In support of the SEP the Maintenance programme has additional expansion projects required to facilitate additional places at special schools and minimise the need for General Resources.

 - 1 Garfield Autistic Unit – refurbishment of the existing Key Stage 2 building and external areas to facilitate an autistic unit.
 - 2 Garfield - Site Managers House. As previously agreed by Director of Schools & Children's Services to move the house rebuilding into the capital maintenance programme.
 - 3 Minchenden Autistic Unit - additional funding in support of SEP to reduce General Resources.
 - 4 Bowes Southgate Green – continued expansion of primary at Broomfield School

4. PROPOSAL

- 4.1. The revised programme for Fire, Condition, Kitchen and Access Works totalling £31 m in 2017/18 are detailed in Appendix A. These are the projects considered to require immediate attention in 2017/18 (note all scheme budgets include professional and technical expenses).
- 4.2. A separate list of schemes has also been included in Appendix A indicating proposed additional priority items for 2018/19 onwards.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1. In considering potential bids, the Schools and Children's Services Asset Management Unit reviewed all unresourced Technical Priority 2 schemes identified in condition surveys. Because the value of schemes exceeded the resources available, it was necessary to prioritise certain categories of schemes and defer proposals having lesser technical priority.

6. REASONS FOR RECOMMENDATIONS

- 6.1. The recommendations have been made to enable work to be commissioned on condition works of an urgent nature in schools for 2017/18.

7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE CORPORATE RESOURCES AND CUSTOMER SERVICE AND OTHER DEPARTMENTS

7.1. Financial Implications

The following table shows how the proposed works will be funded within the existing SCS capital programme.

Funding		2016-17	2017-18	2018-19	TOTAL
Year of allocation		Actuals	Projected	Anticipated	
Allocations					
Historic Spend (16/17 and prior)		11,774,970			11,774,970
2017-18			11,015,858		11,015,858
2017-18 Basic Need	Garfield Autistic Unit, Bowes Southgate Green and Aylands		2,390,000		2,390,000
2018-19 Anticipated	Assumed Maintenance grant income			5,000,000	5,000,000
Priority Schools Building Prog	Eldon & Brimsdown		1,715,341		1,715,341
Total		11,774,970	15,121,199	5,000,000	31,896,169

The proposed works detailed in Appendix A are an amalgamation of previously approved schemes, which are carrying over into 2017/18 and new priority schemes starting in 2018/19.

The updated programme will be reviewed and updated as part of the quarterly capital monitoring reporting processes.

7.1.1. VAT Implications

There are provisions, under S33 of VAT Act 1994, for the Council to recover input VAT incurred in the discharge of its responsibility for the supply of statutory primary and secondary education. The main conditions for recovery are that the Council must contract for the works, receive the supply, receive a VAT invoice in its name and pay with its own funds. Input VAT incurred on capital expenditure at Council Maintained schools and foundations schools could be recovered if these conditions are satisfied; however, there are stricter rules for the recovery of input VAT on Capital expenditure at Voluntary Aided schools and any capital project at these schools should be reviewed individually on a case-by case basis.

7.2. Legal Implications

7.2.1 The proposals have been lodged as a Key Decision through the Council's democratic process since the proposed capital expenditure will exceed £250,000.

7.2.2 The Council has the general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals generally may generally do provided it is not prohibited by legislation. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way.

7.2.3 The documentation governing the terms on which the goods, works and services are to be provided under the individual contracts (including as to price) must be in a form approved by the Assistant Director (Legal Services).

7.2.4 All goods, services and works commissioned (including the procurement and award of contract) under this report will be in accordance with EU and UK public procurement law, and the Council's Constitution (in particular, the Contract Procedure Rules).

7.3. Procurement Implications

7.3.1. That any procurement is carried out in accordance with the Contract Procedures Rules and UK and EU regulations.

7.3.2. That any frameworks used are legally compliant and accessible by the authority and that the rules of the framework are followed.

7.4. Property Implications

7.4.1. The implementation of the Condition Programme will extend the life of school buildings and provide a safe and suitable learning environment for pupils.

8. KEY RISKS

8.1. Unless the Council is able to resume a comprehensive condition programme, there will be a serious risk of building closures due to failure of structure, electrical services or heating plant. Health and safety issues will also arise without a significant investment in fire safety improvements.

9. IMPACT ON COUNCIL PRIORITIES

9.1. Fairness for All

- 9.1.1. This proposal will assist the Authority in meeting its objective of providing high quality schools and improved educational attainment for all children and young people by ensuring that pupils and staff can be accommodated in buildings that are in safe and suitable condition.

9.2. Growth and Sustainability

- 9.2.1. The proposed works will extend the life of school buildings and lead to savings on maintenance and energy costs.

9.3. Strong Communities

- 9.3.1. The proposed programme will ensure school buildings are maintained satisfactorily for pupils and users from the local community.

10. EQUALITIES IMPACT IMPLICATIONS

- 10.1 An Equality Impact Assessment has been carried out. A strategy has been developed to ensure that there are sufficient pupil places across the Borough to meet demand, that these places are not discriminatory and to ensure that all children have access to quality education.

11. PERFORMANCE MANAGEMENT IMPLICATIONS

- 11.1. Unless circumstances dictate otherwise, the various works will be procured in full compliance with the Council's Contract Procedure Rules and competitive quotations or tenders invited from contractors on the Council's Approved List to ensure best value for money.

12. PUBLIC HEALTH IMPLICATIONS

- 12.1. There are no public health implications.

13. HEALTH AND SAFETY IMPLICATIONS

- 13.1. The works concerned will be undertaken in full accordance with Health and Safety and CDM Regulations.

Background Papers

None

Appendix A

PROPOSED PROGRAMME 2017/18 and 2018/19

Indicative project budgets

		2016/17	2017/18	2018/19	Total
School	Work required	Maint Grant	Maint Grant - Inicatlve		
Fire Safety Works					£ -
Galliard	Fire Alarm		£ 80,000		£ 80,000
Durants	Fire improvements			£ 92,000	£ 92,000
Fire Safety Total		£ -	£ 80,000	£ 92,000	£ 172,000
Expenditure					£ -
2015/16 projects					£ -
Caterhatch 1&J	Urgent Electrical Mains Upgrade		£ 40,000		£ 40,000
2016/17 projects					£ -
Eldon Junior	Windows		£ 200,000		£ 200,000
Raynham	Windows		£ -	£ 220,000	£ 220,000
Bush Hill	Electrics		£ 200,000		£ 200,000
Winchmore	Heating		£ 160,000		£ 160,000
Bush Hill	Toilet Refurb		£ 100,000		£ 100,000
Honilands	Roof Replacement		£ 130,000		£ 130,000
Caterhatch 1	Boundary Wall		£ 80,000		£ 80,000
Broomfield	Windows, Roof Services, 6th Form block. All weather pitch		£ 1,862,505	£ 1,400,000	£ 3,082,505
West Lea	New block and partial rebuild. Expansion of special provision.		£ 1,300,000	£ 3,581,000	£ 4,881,000
Aylands	Rebuild. Expansion of special provision.		£ 700,000	£ 8,100,000	£ 8,800,000
De Bohun	Classroom reorganisation		£ 1,000,000	£ 300,000	£ 1,300,000
2017/18 projects					£ -
Alma	Windows and rainwater goods			£ 150,000	£ 150,000
Fleecefield	Electrics and fire alarm			£ 150,000	£ 150,000
Hazelwood	Electrics and fire alarm			£ 350,000	£ 350,000
Hazelwood	Toilet upgrade			£ 80,000	£ 80,000
Firs Farm	Roofing			£ 150,000	£ 150,000
Prince of Wales	Playground Health and Safety issues		£ 80,000		
Galliard	Heating Plant		£ 140,000		
Chase Side	Heating Plant		£ 130,000		
Oaktree	Water Distribution		£ 160,000		
Winchmore	Roof Replacement		£ 118,000		
West Grove	Heating		£ 50,000		
2018/19 projects					£ -
Alma	Electrics			£ 250,000	£ 250,000
Eastfield	Flat roof coverings and roof lights			£ 100,000	£ 100,000
Eastfield	Heating Plant			£ 150,000	£ 150,000
George Spicer	Walls and windows			£ 250,000	£ 250,000
George Spicer	Heating plant			£ 100,000	£ 100,000
Galliard	Heating Distribution				
Eldon	Electrics			£ 300,000	£ 300,000
Sub Total		£ -	£ 6,247,505	£ 15,631,000	£ 21,878,505
Condition Total	Sub Total	£ -	£ 6,327,505	£ 15,723,000	£ 22,050,505
School Kitchen Programme			£ -		£ -
Eldon	Kitchen Rebuild		£ 1,950,444	£ 200,000	£ 2,150,444
Brimadown	Kitchen Rebuild		£ 2,424,546	£ 200,000	£ 2,624,546
School Kitchen Programme Total	Sub Total	£ -	£ 4,374,990	£ 400,000	£ 4,774,990
Schools Access and SEP Support					£ -
Bush Hill	Main access route			£ 450,000	£ 450,000
Russet House	Adaptations for Russet House			£ 240,000	£ 240,000
Chase Farm Temporary School@Bishops					
Stoford	Reinstatement works		£ 80,000		£ 80,000
Garfield	Autistic Unit (SEP Project)		£ 350,000	£ 900,000	£ 1,250,000
Garfield	Site Managers House		£ 250,000		£ 250,000
Minchenden Autistic Unit	SEP Project support		£ 500,000		£ 500,000
Bowes Southgate Green			£ 520,000		£ 520,000
SEP Support				£ 1,300,674	£ 1,300,674
Access Total		0	1,700,000	2,890,674	4,590,674
Contingency				£ 200,000	£ 200,000
Aylands	Urgent security		£ 100,000		£ 100,000
Eastfield	Urgent security		£ 50,000		£ 50,000
Prince of Wales Primary	Urgent Gas Pipe renewal		£ 50,000		£ 50,000
TOTAL			£ 200,000		£ 200,000
TOTAL		£ -	£ 12,882,495	£ 19,213,674	£ 31,896,169
Balance		-£ 11,774,970	-£ 14,213,674	-£ 0	-£ 0

