

Notice of KEY Executive Decision

Subject Heading:	Provision for School Places: Robert Beard Centre for the Pupil Referral Service (PRS) – Olive Academy Works (2018) -
Cabinet Member:	Councillor Robert Benham, Lead Member for Children & Learning
CMT Lead:	Tim Aldridge, Director of Children's Services
Report Author and contact details:	Andy Skeggs Head of Technical Services Andy.skeggs@onesource.co.uk 01708 433600
Policy context:	The Council's Commissioning Plan for Education Provision in Havering(including PRS)
Financial summary:	The Capital Programme includes an allocation of £2,500,000 for the Pupil Referral Service – costs will be contained within this allocation.
Reason decision is Key	Expenditure or saving (including anticipated income) of £500,000 or more.
Date notice given of intended decision:	September 2018
Relevant OSC:	Children and Learning
Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

- See Appendix 1 for report for the Service reorganisation which necessitates said expansion works
- Appendix 2 – checkpoint 2

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[x]
Places making Havering	[]
Opportunities making Havering	[]
Connections making Havering	[]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Authorisation to award a **standard form works** contract to Haynes and Smith Ltd. in the sum of £1,639,776.34.00 for said works.[on time?].

AUTHORITY UNDER WHICH DECISION IS MADE

See Legal Implications and risks in Part B
Records setting out authority are attached

STATEMENT OF THE REASONS FOR THE DECISION

- 1- Appendix 1 sets out the reasons relating to this decision.
- 2- Part B below sets out the particular reasons for this decision viz the obligations on officers to protect the interests of the Council.

OTHER OPTIONS CONSIDERED AND REJECTED

- 1 – Do nothing - considered and after due consideration rejected.
- 2 – Do something else: There have been no new material considerations to as to impact on the rejection of this option set out in Appendix 1
- 3 – Waiver – fast track and other processes where alternative compliance is considered: despite the pressing need given the academic year and the relevant facts set out in the reports which are referenced in this report, officers are of the view that the standard process can and should be adhered to.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Andy Skeggs

Designation: Head of Technical Services

Signature:
October 2018)

Date: th September 2018 (revised version 10

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The award of a works contract for the schools expansion programme has the legal implications in the next paragraph which in this report is subject 2016 reorganisation of the PRS, set out in the subsequent paragraph B

- 1 **A: Havering Schools Places** This decision is the award of a works contract (section 18)
- 2 Attached are the checkpoint reports (section 8). These set out the background and the procurement details.

The works are in relation to the named premises. The programme under which such works fall is set out on the council web site for which this is the link:

- 3 https://www.havering.gov.uk/info/20006/schools_and_education/445/delivering_education/1. The statutory framework is set out there.
- 4 In brief, this is the introductory paragraph for ease of reference:

“School Place Planning and Provision

As strategic commissioner, the London Borough of Havering has a statutory responsibility to monitor the supply and demand for places and ensure there is sufficient capacity to meet demand by planning for growth.

The School Organisation and Place Planning is the council’s service area that ensures that Havering meets this function. The team has the statutory responsibility for long-term planning for early years, Primary & secondary, post-16 and SEN places in Havering.

Within our page you will find information on the [Childcare Sufficiency Report](#), [Commissioning plan for education provision](#) and the [School planning data pack](#).

The areas we cover:

- Education provision place planning function, including the review of early years and school places, expansion and rationalisation programmes.
- Leads on Havering’s Education Provision Strategy, contributing to planning and implementation of major projects, including the Primary and Secondary school expansion programme. “

B Havering Schools - Specific Information - Pupil Referral Service Reorganisaion

The specific decision relating to the PRS which thus obliges the Ciuncil to undertake the above works is set out in the link below:

<http://democracy.havering.gov.uk/mglIssueHistoryHome.aspx?lId=16934>

4: Accordingly the legal powers and duties are set out above and elsewhere in the report so that relevant authority (Constitution 3.3 – Contract Powers) permits

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a member of SLT to award this works contract to the supplier referred to as the contract value falls within that delegated power (£164,176 and £5,000,000 and to give effect to the same.

FINANCIAL IMPLICATIONS AND RISKS

Total Costs	£
Breakdown of costs	
Works (Contract award)	1,639,777
Fees, charges and surveys	200,000
FF&E	100,000
Accommodation works and design contingency	200,000
Project costs in total	2,139,777
Funded by:	
Capital Programme re Pupil Referral Service Available for this project.	2,500,000
Expenditure to date for fencing, security, Demountable classrooms, sundry repairs and minor remodelling.	220,000
Contingency/ balance remaining	140,223

Risks

As with most capital schemes, there is a risk that the scheme could overspend due to issues arising during the build process, however given the size of the works, and previous experience of the contractor any significant overspend is unlikely. Any small issues arising can be funded from the remaining balance of £140,223.

As with all contracts there is a risk to contractor delivery/continued operation. However the contractor selection process will partly mitigate this risk, along with careful project management.

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are none

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The new provision will have a positive benefit in facilitating opportunities for children to achieve their full potential.

Full Equality Impact Assessments will be carried out regarding this and all future development and expansion projects

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BACKGROUND PAPERS

There are none

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name: Tim Aldridge
Executive Director for Children and Adult Services

Date: 2018

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 11/10/2018

Signed J. J. R. R.