



**Havering**  
LONDON BOROUGH

## Notice of Non-Key Executive Decision

<b>Subject Heading:</b>	Implementation of an expansion of St Edward's Church of England Voluntary Aided Primary School nursery
<b>Decision Maker:</b>	Trevor Cook, Assistant Director of Education
<b>Cabinet Member:</b>	Councillor Oscar Ford, Cabinet Member for Children and Young People
<b>SLT Lead:</b>	Tara Geere, Director of Starting Well (DCS)
<b>Report Author and contact details:</b>	Pooneeta Mahadeo School Organisation Manager <a href="mailto:pooneeta.mahadeo@havering.gov.uk">pooneeta.mahadeo@havering.gov.uk</a> 01708 431092
<b>Policy context:</b>	The Childcare Act 2006 placed duties on all local authorities to secure sufficient childcare, so far as is reasonably practicable for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children).
<b>Financial summary:</b>	Cost for the building works required for expanding the nursery at St Edward's Church of England Primary School is estimated at £380K and this will be funded from Basic Need grant.

**Non-key Executive Decision**

	The revenue costs related to the operation of the expanded provision will be met from the Early Years block of the Dedicated Schools Grant.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	People's OSSC
<b>Is this decision exempt from being called-in?</b>	Yes

**Non-key Executive Decision**

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

People - Things that matter for residents **X**

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

Non-key Executive Decision

**Part A – Report seeking decision**

**DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

1. To implement an expansion of the nursery class at St Edward's Church of England Voluntary Aided Primary School from 30 fte places to 45 fte places from 1 January 2024.

<b>Name of school</b>	<b>Nursery class capacity</b>	<b>Nursery class new capacity</b>
St Edward's Church of England Voluntary Aided Primary School	30 fte places	45 fte places from 1 Jan 2024

2. To agree the release of funding at a value of £380k to proceed with building works and other project related expenses.

**AUTHORITY UNDER WHICH DECISION IS MADE**

3 Functions delegated to staff

3.4 Powers of Second Tier Managers

**Contract powers**

To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

**STATEMENT OF THE REASONS FOR THE DECISION**

The nursery class is full to capacity and the school has a waiting list and unable to fulfil parents' requests for places at the nursery. In March the Chancellor announced a significant expansion of the free early education entitlements offer. Phase 1 -15 hours of free childcare for working parents of 2-year-olds from April 2024.

The expansion will help to meet the increasing demand for early years and childcare places from working parents.

**OTHER OPTIONS CONSIDERED AND REJECTED**

None

**PRE-DECISION CONSULTATION**

**Non-key Executive Decision**

The Governing Body of the School has agreed the expansion to meet the increasing demand for places.

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

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 18/08/2023

## Non-key Executive Decision

### Part B - Assessment of implications and risks

#### **LEGAL IMPLICATIONS AND RISKS**

The prescribed alterations' statutory process must be followed to enlarge premises as set out in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 if:

- the proposed enlargement is permanent (longer than 3 years) and would increase the capacity of the school by:
  - more than 30 pupils; and
  - 25% or 200 pupils (whichever is the lesser).
- the proposal involves making permanent any temporary enlargement (which was intended to be in place for no more than 3 years) that meets the above threshold.

Small scale expansions that do not meet the thresholds above do not need to follow the formal statutory process.

The formal statutory process is therefore not required for the nursery class expansion as the expansion only results in an extra 15 places.

Otherwise there are no legal implications.

#### **FINANCIAL IMPLICATIONS AND RISKS**

The estimated capital costs are shown below.

<b>CONTRACT SUM ANALYSIS - SUMMARY</b>	
	<b>COST</b>
Facilitating works	£12,700
Substructure	£12,600
Superstructure	£115,401
Internal finishes	£37,450
Fittings, furnishings and equipment	£15,000
Services	£31,144
External works	£9,700
Main Contractor's preliminaries	£8,500
Project / Design team fees	£12,000
Other development / project cost	£2,702
Contingency	£122,000
<b>TOTAL CONTRACT SUM</b>	<b>£379,197</b>

This will be funded from Basic Need grant – C30070: Schools Basic Needs 2020/21. Planning permission has been granted for this scheme as per the plan in Appendix 1

## **Non-key Executive Decision**

There is a risk that tender prices will exceed the available budget. This can be managed by the contingency within the scheme budget, or funded from unallocated Basic Needs Grant. The Financial Implications will be re assessed prior to the award of the contract

### **Revenue Implications**

LAs receive funding for nursery provision through the Early Years block of the Dedicated Schools Grant (DSG). The funding is based on participation and is allocated according to the total number of hours attended by 2, 3 and 4 year olds in a provision within Havering at a census date in January.

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

The human resources implications will be managed by the school with Education HR support where appropriate. There is likely to be a need to recruit additional teaching and support staff and the school will undertake the recruitment and selection process in accordance with the existing and relevant policies and procedures.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The expansion will help to meet demand arising from the expanded free early education entitlements offer for working families.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

In general

## Non-key Executive Decision

The project subject of this relates to improving building efficiency within the educational asset portfolio and delivers a modern and efficient facility which is substantially more efficient and more environmental than the rest of the educational portfolio.

The following sections outline the environmental and climate change considerations that have been addressed as part of the building design and procurement of the construction contract which is subject to the present report. This has been divided into design considerations and contractor selection considerations.

### Design element

The design was carried out by professional architects, who recognise, as the Royal Institute of British Architects has declared, that the climate emergency is the most pressing professional challenge of this generation, and that it should receive proportionate attention and care.

Designs have been carried out following the latest and most up to date tools and advices arising from the RIBA, the BRE, the Ministry of Housing, Communities and Local Government (now the Department for Levelling up) and other professional and advisory bodies.

The impact of carbon emissions has been considered as part of the design. Designers of this building are fully aware that the built environment is responsible for a large part of the carbon emissions in Great Britain. Current figures estimate that 47% of carbon emissions arise from the built portfolio. This includes space heating and electricity. The design proposed seeks to reduce space heating related carbon emissions by improving the fabric of the building; by reducing dissipation of heating, we minimise the need for fuel to heat spaces. Furthermore, this educational design has been carried out with particular attention to natural lighting and ventilation. This has the effect of minimising energy spent for artificial lighting and mechanical ventilation. Where artificial lighting is required, the design has privileged LED lighting which delivers an energy saving of around 75% and is designed to last up to 25 times longer than incandescent lighting. In light of the above, the targets of energy performance of the building fabric and of its services have been increased to 10% over the Building Regulations levels.

With a view to reduce the dependency of the building to fossil fuels and to reduce the ongoing costs of the service users, the designers have considered implementation of thermal and photovoltaic installations. In this scheme design, PV panels have been implemented and it will be functioning alongside an electric heat pump, which means that the majority of the energy consumed by the facility will be sustainably produced on site.

In order to mitigate the adverse effects of climate change on the building that is being designed and on the business continuity of the service being delivered therein, designers have devoted time and attention to reducing direct summer sunshine into the building fabric, which would create a need for electrical/mechanical cooling.

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Additionally, designers have noted that the risk of flash flooding has greatly increased, and is likely to increase further. Design have been carried out, that focus on minimising the risk, not only of flood pressure being displaced to neighbouring properties, but also of damage and disruption of service to the building. Where practicable, floor levels have been raised and other flood resilience measures have been implemented, often above and beyond the statutory requirements.

With a view to improve local, urban and sub-urban biodiversity, the designers have tried to privilege, within the boundaries of the requirements of the service users, soft landscaping and planted areas to hard landscaped areas, such as concrete or tarmacked areas.

Additionally, in order to improve urban biodiversity, habitat for pollinators and water run-off slowing, green and living roof solutions were considered as part of the design. In this scheme design, due to roof pitching restrictions and roof geometry requirements, which would make the installation of living roofs un-economic, these have not been implemented.

#### Procurement element

As part of the tender exercise, tenderers have been asked to produce their environmental credentials, and have been evaluated on this basis, along with other technical queries. In particular, tenders have been evaluated in relation to their response to waste management, energy and carbon footprint questions.

Contractors have been asked to confirm what measures, above and beyond their contractual obligations, they propose to take in order to minimise the production of waste arising from operations, and how the remaining amount of waste will be recycled and disposed of.

Furthermore, contractors will be asked to confirm describe what measures, above and beyond their contractual obligations, they propose to take in order to minimise the use of fossil fuel energy in your operations, and to generally decrease the carbon footprint of operations. Additionally contractors will provide details describing their process to calculate their organisation's carbon footprint and what concrete steps they will have already taken in order to reduce this or offset the emissions produced by their business.

Lastly, as part of the Council's commitment to go paper free, the tender exercise, which some years ago would have resulted in huge amounts of paper being produced, has been moved online and it is now a fully digitalised exercise.

### **BACKGROUND PAPERS**

None

**Non-key Executive Decision**

Appendix 1 – St Edward's Nursery planning application drawings

Non-key Executive Decision

**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: Trevor Cook

~~Cabinet Portfolio held:~~

~~CMT Member title:~~

Head of Service title AD Education Services

~~Other manager title:~~

Date: 18/08/23

**Lodging this notice**

The signed decision notice must be delivered to Committee Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_

**Non-key Executive Decision**

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