

# WIRRAL COUNCIL

CABINET – 9<sup>th</sup> DECEMBER 2009

## REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

### **BUILDING SCHOOLS FOR THE FUTURE (BSF); UPDATE ON CURRENT PROJECTS, MAIN BSF PHASE I AND POTENTIAL TO WORK JOINTLY ON BSF DEVELOPMENT AND IMPLEMENTATION.**

---

#### **EXECUTIVE SUMMARY**

This report updates Cabinet on the two BSF projects in progress; Woodchurch High School and Birkenhead High School for Girls Academy, sets out the current position in respect of the main BSF programme and seeks approval for officers to discuss with Sefton LA the potential for future joint working on the BSF programme and the potential for a joint Local Education Partnership which is the current means of delivery of BSF required by Partnerships for Schools (Pfs) who lead the BSF programme nationally.

#### **1.0 Background**

The most advanced BSF project on Wirral is the One School Pathfinder – a new build at Woodchurch High School. This project comprises the total new build school (excluding the recently built Sports Hall), demolition of existing school and creation of parking/drop off, landscaping and upgrades to pitch and recreation areas. Alongside this major project, scheme development continues on the proposed joint LA/Football Association all weather facility to be built to the rear of the existing Sports Hall, to be used for school and community use.

This scheme was procured under the Pfs Framework and Kier North West were awarded the contract. Cabinet approval was given on 05.02.09 for this £25 million scheme. The project is on site with the basic elements in place; - steel frame, roof and floor slabs, drainage and work underway to brickwork, cladding and internal walls. The project remains on target to have the new build available at the start of the 2010 Academic year, with subsequent demolition of the existing school and completion of external works by Easter 2011. This is an extremely tight timescale and will be dependant upon progress through the winter. Good progress is being made at this time and the project remains on budget, with no major cost variations to date. Working relationships between the school/LA/contractor are good and the contractor is progressing the works in a considered way in respect of the 'live' school and the neighbours. There are no major concerns at this stage.

- 1.1 The Pfs procurement framework is also being used to procure capital works at Birkenhead High School for Girls Academy, which acquired Academy status from September 2009. The high school element has a full intake of 100 into Year 7. A sum of £11.7 million has been allocated by Pfs for capital new build and refurbishment at the school, funding which is allocated to and administered by the LA. This allocation is in addition to the One School Pathfinder capital and the indicative capital allocation to Wirral for main BSF. This project has been the subject of a series of reports to Cabinet, most recently in respect of the required Pfs Outline Business Case on 26.11.09. Intensive scheme development is in progress, with the intention to short list

bidders from the PfS Framework in February 2010, award the build contract in October 2010 and complete building works by July 2012. Currently, progress is in line with planned timescales, the appointed consultants and architects from the PfS framework are providing timely and appropriate support and direction and working relationships between the school/LA/PfS and the architectural/consultancy staff on this project are good. As a former independent school which has moved to state funding, a series of other discussions are taking place on issues separate to the capital project, for example staff access to LA services and training, information sharing and revenue budget issues.

- 2.0** The next element of BSF currently planned to follow the two schemes set out above is Wirral BSF Phase I. This is the first of three phases in the full BSF planned programme for Wirral. The position was most recently set out for Cabinet on 27.11.08.
- 2.1 As a result of the initial consultation across all authorities in 2003, Wirral was allocated a provisional timescale of entry into full BSF in Wave 12 in 2015. This was a later phase of the initial programme, based upon the national prioritisation of overall deprivation (Free School Meals) and examination performance in the authority. The allocation to Wave 12 also reflected the recent, substantial investment into the secondary school estate under the grouped PFI programme, the Aided school investment following the closure of St Benedict's and other major capital investments at Mosslands and Oldershaw.
- 2.2 PfS consulted further in 2008 on alternative timings and procedures for the later waves – Waves 7-15 of BSF. In response to this consultation, Cabinet approved a revised BSF submission on 26.06.08, which took the original submission and divided it into three phases (in the original 2003 consultation only a single submission could be made). In summary:
- Phase 1 – Birkenhead Secondary provision and the most urgent Secondary Special School renewal
  - Phase 2 - Remainder of borough Secondary provision (excluding PFI and Aided) and other Special School works
  - Phase 3 Capital works at remaining schools, i.e. PFI and Aided (those schools with the most recent, significant capital investment).

The 2008 PfS consultation allowed the BSF programme to be broken down into Phases or Waves. The Wirral phasing was aimed at linking BSF to both the falling secondary roll issues and challenges and the need to review Special School accommodation where investment has been more limited in recent years.

- 2.3 The PfS link to prioritisation based upon deprivation and examination performance meant that the Birkenhead proposals as Phase I had the best chance of increasing Wirral's priority rating for at least part of BSF. There was also a strong link to the most serious area fall in pupil numbers. From this re-submission PfS informed the authority in March 2009 that the Phase I listed at 2.2 above, had been re-prioritised ahead of the previous 2015 start date for Wirral. Along with around 30 other LA Phase I submissions, Wirral's Phase I has the potential to start in the period 2011-2015, subject to being able to satisfy the PfS Readiness to Deliver criteria and having robust plans in place to deal with school organisation/capacity issues as well as the Transformation/Standards raising agenda.

- 2.4 Following the indication of priority from PfS, it is up to each authority to decide when to demonstrate their preparedness to deliver, via the submission of a Readiness to Deliver document. There is no final deadline for submissions, authorities are encouraged not to submit Readiness to Deliver submissions until they are fully prepared, have resources in place and have a clear timeline for delivery.
- 2.5 Currently PfS require authorities entering full BSF to set up a Local Education Partnership (LEP) in order to deliver BSF. Any authority which does not want to procure BSF through a LEP has to demonstrate a robust, acceptable alternative to the satisfaction of PfS. Wirral, like most authorities, does not currently have a relevant local procurement framework in place which would allow opt out from the LEP requirement. A LEP is a public private partnership which comprises a private sector partner (PSP), the local authority (LA) and BSF Investments managed by PfS. The PSP has an 80% stake, the LA 10% and BSF Investments 10%.
- 2.6 The LEP is the PfS procurement model for very large scale capital investment, for smaller scale, individual schemes the PfS Framework can be used, using pre-procured contractors on conventional contractual arrangements, as has been used for the One School Pathfinder and Birkenhead Girls Academy (Academy 1).
- 2.7 Before starting work on preparing the Readiness to Deliver (RtD) submission to PfS for Phase I main BSF, proposals for secondary reorganisation in Birkenhead must be confirmed. There are a number of reasons why this is the case. Firstly, any RtD submission which does not address the surplus place challenges will not be approved. Secondly, decisions on Birkenhead mainstream provision will shape the remainder of Phase I BSF in respect of remaining secondary provision, particularly St Anselm's Catholic College which has some very poor accommodation and the special school schemes to be included in Phase I BSF.
- 2.8 There are also significant resource and funding issues in respect of the development of a Readiness to Deliver submission for Phase I BSF. Additional specific project staff would need to be engaged, either directly or via consultants, both to manage the project and also provide financial and legal support. To date the One School Pathfinder and Academy I are being managed by existing staff alongside other projects and workstreams, the scale of full BSF means that it would be impossible and unacceptable to PfS to attempt to manage full BSF in the same way. There are also specific financial requirements in setting up the LEP, contributing the 10% stake in the LEP and agreeing the PfS requirement to meet any shortfall in build costs for the programme.
- 2.9 It is against this background that a number of authorities have looked to set up 'joint LEPs' e.g. Salford/Wigan, Blackburn with Darwin/Bolton. This has led to the sharing of issues and costs. Early exploratory discussions have taken place between the relevant officers in Wirral and Sefton to consider the potential for joint working on BSF and a joint LEP should PfS continue to require the LEP structure for BSF procurement.
- 2.10 The idea to consider joint working builds upon some information sharing and support at officer level to date on the One School Pathfinder projects in Wirral and Sefton, procured under the PfS Framework, both with a negotiated single bidder and contract award to Kier and both are in construction. The joint discussions between officers have been helpful to both projects to date.

- 2.11 From this work, it has become apparent to both authorities that there may be merit in developing joint working on BSF further, in particular as:-
- Both authorities are based in the same region and are easily accessible to each other in close proximity
  - Both authorities are Metropolitan bodies of similar size and facing a similar range of financial, social and school organisational challenges
  - In addition to the One School Pathfinder projects, both authorities are exploring the provision of Academies
  - Both authorities Phase I full BSF proposals include significant special provision
  - There is a good deal of 'common ground' in how each team of officers has approached the One School Pathfinder and wider BSF to date.
- 2.12 Taking the existing links further could be in the form of greater information sharing, and joint procurement of specialist consultants, through to a joint LEP to cover BSF works in both authorities. The further any joint working BSF partnership progresses the greater the potential for benefits to both authorities, in particular:-
- The size and commercial value of the contracts from both authorities being combined, both the construction/Local Education Partnership 'contracts' and those needed to support BSF e.g. financial and legal, would be more attractive to the market than two, smaller LA contracts. This is particularly the case when BSF work in Wirral and Sefton is compared to the much greater size of contracts to be bid for in some areas nationally.
  - Joint working is likely to produce a greater level of contractor/partner interest, as it allows for continuity of work across a greater number of projects, leading to procurement benefits and work planning for various trades. It also offers a more cost effective management and consultant structure to be developed.
  - Joint working, in particular the development of one LEP, would allow for cost sharing between the authorities. In terms of the substantial costs of setting up a LEP it would allow each authority to fund 50% of the LEP rather than 100% of each of two separate LEPs.
  - It would allow two LA schools capital/BSF teams to benefit from working together. Sefton are about twelve months ahead of Wirral in developing full programme BSF which means a wealth of experience to date for Wirral to link up with. Wirral has other experience to offer, for example in school PFI, which will be new to Sefton CYPD but which Wirral has been involved in, on a fairly large scale, for over ten years.
  - Both authorities are similar in size, the staff teams are similar, the budget and other challenges facing the two LA's are similar. Both have One School Pathfinder schemes on site, with the same contractor, Kier and both Phase I BSF programmes include mainstream and special provision. Both authorities have Academy proposals at various stages of development.
- 2.13 This report seeks approval to continued discussions and sharing of information. There are no financial implications at this stage. Sefton will know the outcome of their Readiness to Deliver in the next few weeks from PfS and from that stage, once approval is in place, will be seeking to progress as quickly as possible to the development stages. If approval is given to further discussions and further positive progress is made, it is likely that a Memorandum of Understanding between the authorities would be required to be drawn up and approved by Cabinet. This would be the subject of a future Cabinet report.

### **3.0 Financial and Staffing Implications**

There are none arising directly from this report. Greater joint working would offer potential to share some staff, consultancy and direct costs between two organisations, to the benefits of both.

### **4.0 Community Safety Implications**

All new and refurbished premises are designed to enhance security and safety of users.

### **5.0 Local Agenda 21 Implications**

Further investment in school accommodation will address environmental and energy usage issues in below current standards accommodation.

### **6.0 Planning Implications**

Full planning approval is in place for the Woodchurch High School project and the relevant approval will be applied for in respect of capital work at Birkenhead High School for Girls Academy and all future projects.

### **7.0 Anti-poverty Implications**

Investment through BSF is intended to support the drive to improve outcomes for children, provide a wide range of opportunities and contribute to the narrowing the gap agenda.

### **8.0 Equal Opportunities Implications**

There are none arising directly from this report. The new Woodchurch High School is fully accessible and the works at Birkenhead High School for Girls Academy will improve access.

### **9.0 Human Rights Implications**

There are none arising directly from this report.

### **10.0 Local Member Support Implications**

BSF has implications for all Wards.

### **11.0 Background Papers**

Contract working papers for Woodchurch High and Birkenhead High School for Girls Academy  
PfS Guidance document on joint working.

## **RECOMMENDATIONS**

That Cabinet:

- i) Notes the progress on the Woodchurch High School re-build and the Birkenhead High School for Girls Academy capital scheme development.
- ii) Notes the general update on the position in respect of the proposed main BSF programme.
- iii) Notes the discussions to date on possible joint working with Sefton LA on BSF and
- iv) Approves further discussions taking place, with any formal proposals arising from the discussions to be the subject of a future report to Cabinet.

**Howard Cooper**  
**Director of Children's Services**