

APRIL 2023

Report Title:	INTERNAL AND EXTERNAL REFURBISHMENT OF CLARE MOUNT SPECIALIST SPORTS COLLEGE, LEASOWE (FORMER KINGSWAY ACADEMY SITE)
Report of:	ASSISTANT DIRECTOR, ASSET MANAGEMENT

REPORT SUMMARY

This report requests that the Director of Regeneration and Place agrees to award a construction contract to Lyjon Construction Ltd. The contract includes extensive internal refurbishment over an 18-week contract period. The construction works will provide places for pupils who will move from the existing Clare Mount Specialist Sports College to these refurbished premises at the former Kingsway Academy the contract will also address major suitability works at the school for those pupils with Special Educational Needs(SEND).

The decision supports the delivery of the Wirral Plan by providing Brighter Futures: working together for brighter futures for our children, young people, and their families by breaking the cycle of poor outcomes for all regardless of their background.

This decision affects the Leasowe and Moreton East Ward and is a Key Decision.

Appendix 1 of this report is not for Publication by virtue of by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

RECOMMENDATION

The Director of Regeneration and Place is recommended to approve that Lyjon Construction Ltd be awarded the contract for an estimated 18 week period to undertake internal refurbishment works for Clare Mount School to these refurbished premises at the former Kingsway Academy within approved budget and in accordance with the lowest fixed priced criteria.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The former Kingsway Academy building has remained empty since the closure of the school in 2018. The site is included within the Wirral Private Finance Initiative (PFI) schools' contract that was signed in 2001 and runs until July 2031. The PFI scheme allowed for the significant refurbishment and new build of nine schools across the local authority to meet the requirements of mainstream schools at the start of the PFI contract.
- 1.2 The site has been maintained by the current PFI contractor until a suitable use for the building was approved. Options in relation to the school building use had been explored at the end of 2019, of which one of these was the possibility of Clare Mount Specialist Sports College moving to the former Kingsway Academy building. The PFI contract explicitly states that the site must be used for educational purposes.
- 1.3 On 24th November the Children and Young People's Committee agreed that there was a clear need to bring the building back into use and approval given to proceed with feasibility.
- 1.4 Following the feasibility study it was proposed and agreed to relocate the neighbouring Clare Mount Specialist Sports College to the former Kingsway Academy site, on a phased basis. This decision would allow additional capacity to meet the increasing numbers of SEND pupils across Wirral as well as the opportunity for essential supporting services to be co-located to the site.
- 1.5 This project will support the Brighter Futures theme of the Wirral Plan 2021 - 26 and specifically the delivery of the school asset and sufficiency and SEND strategies.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Retain the former Kingsway Academy as a "mothballed" building; this would still require the Authority to pay a significant annual unitary charge as per the PFI contract agreement until 2031.
- 2.2 Invest in the current Clare Mount School which has significant building issues; the schools' roofs are prone to leaks which would be an ongoing issue if the school remained at this site, windows are single glazed leading to inflated energy costs, and many sections of the building require urgent replacement. Flooding has been an issue historically due to the low water table in the area. The estimated backlog maintenance is more than £1m.
- 2.3 Realign the allocation of SEND pupils across several Wirral schools, this option would create additional capital outlay and was affirmed that this option would not meet the needs of pupils who would be best supported by specialist staff at Clare Mount.

3.0 BACKGROUND INFORMATION

- 3.1 Clare Mount Sports College is a secondary school supporting pupils aged 11 – 19 with Moderate Learning Disabilities (MLD) and Autistic Spectrum Condition (ASC). The school is currently rated as outstanding by OFSTED with 249 pupils on roll (2021), this increased significantly in September 2022 and will increase again for the new academic year starting in September 2023.
- 3.2 The adaptations required to meet a SEND secondary school cannot be overstated and overlaid with extremely complex PFI contractual obligations, any required changes were going to present challenges.
- 3.3 Whilst the general fabric of the former Academy school was in good repair, there was evidence of external deterioration, particularly the roof which was having a detrimental effect on the internal elements of the building, and which has continued to cause significant anxieties to ensure the building is suitable for Clare Mount.
- 3.4 Not only were challenges with the PFI contract recognised at the very start of the feasibility, but there was also a very short amount of time to undertake the feasibility, discuss school requirements, identify a design team, draw up detailed specifications, undertake drawings/site investigations, establish a procurement route and deliver the scheme.
- 3.5 The programme of works has been approached in phases to allow Clare Mount to operate across the two sites since September 2022 in order to meet the increased number of pupils on roll. Phase 1 was completed in December 2022.
- 3.6 The modifications to the site within phase 2 of the programme will further enhance the learning environment bespoke to special education requirement, including:
- Repurposing existing specialist classrooms which were not required;
 - Refurbishing existing classrooms with new flooring/decorations and teaching walls as completed in phase 1,
 - Create 18 general purpose rooms for years 8 to 11 (including those to provide additional capacity from September 2023);
 - Fitting out of two new food technology rooms and the refurbishment of a Design Technology classroom and construction room;
 - Create 3 new IT suites;
 - Refurbishment of 5 science labs, as well as a prep room and prep store;
 - Refurbishment of office areas, stores and admin spaces, including ancillary space to the classrooms;
 - WC facilities to provide unisex cubicles;
 - external courtyards for the provision of sensory play equipment, including drainage and surfacing.

The schedule of works is attached to this report.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The cost of the project is being met from the Council's Department for Education Grant for School Condition Allocation and is included within the wider school Capital Programme. Any capital receipt which is generated from the former Clare Mount site will be considered in line with the approvals sign-off from DfE to support other school building projects and will be the subject of further reports.
- 4.2 Following a detailed specification being prepared by architects for both condition and suitability elements of the building, the tender was processed via the Council's Tender Portal The Chest, with six approved Bidders selected in accordance with Contract Procedure Rules. Two bidders opted out and four bids were received.
- 4.3 Tenders were received on a fixed price basis. Fees associated with this project, which are in addition to the contract costs, are £150,377.00 for professional fees, clerk of works, and Construction Design Management Regulations (these regulations ensure all health and safety considerations are taken which appertain to the construction programme).
- 4.4 Exempt financial details are contained within Appendix 1 of the report.

5.0 LEGAL IMPLICATIONS

- 5.1 The commission of the services detailed in this report have been undertaken in accordance with The Public Contract Regulations 2015 and the Council's Contract Procedure Rules.
- 5.2 The award of this contract is being made on lowest tender basis. The Council's Contract Procedure rules set out how contracts are to be awarded by the Council in accordance with the Procurement Strategy requirements.
- 5.3 The award will be underpinned by a formal contract which will be drawn up by the Council's legal team.
- 5.4 Appendix 1 is not for Publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no direct staffing and ICT implications arising from this report.
- 6.2 The works will improve the fabric of a significant asset held within the school estate portfolio and remove a very poor asset from the portfolio. All alterations to assets are amended within the Council's Asset Management system.

7.0 RELEVANT RISKS

- 7.1 Timescales associated with this programme of works are very tight to not only undertake the feasibility study but to agree specifications of the work required, continually liaise with the PFI providers and their legal teams and to reassign technical staff from within Asset Management. Risks were identified to ensure that a procurement route was agreed to engage contractors to undertake the works in time for the school to have full occupancy by September 2023 to meet the anticipated increase in pupil numbers. Risks have been managed to date by detailed programme planning, liaison with the school, technical staff and senior Children's Services management, which will continue through the programme.
- 7.2 Failure to deliver this project could have serious safety implications for the Council who has a statutory duty to provide suitable education for Wirral children including those with Special Educational Needs.
- 7.3 Financial risks were considered with this project however, the fixed price basis will remove those risks associated with inflation and associated cost of living implications.
- 7.4 Site safety risks were assessed prior to the tender process starting and this influenced the scope of the contract. The project will be managed under the Construction (Design & Management) Regulations.
- 7.5 A new Fire Safety Act is being introduced, any changes within this piece of safety legislation will be identified and assessed within the scope of the proposed works.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Engagement took place internally between technical and education officers at design of specification stage.
- 8.2 Planning approval is not required for these internal adjustments however, Building Control are involved in the approval of design elements.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 The delivery of this project will ensure that children's disabilities are met within the area and within a facility that meets their special needs, including access and egress. All site and new facilities provided will meet the requirements of the Equality Act 2010.

9.3 Equality implications form part of the procurement and tender process.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Due to the extensive refurbishment several elements such as the new installation of electrical and mechanical services will support greener solutions for energy use through LED lights, controllable energy management system.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Lyjon Construction Ltd have confirmed that they will use their best endeavours to ensure that not less than 95% of the workforce, directly and sub-contractors will be established residents of Wirral.

11.2 The company support principles contained in the Code of Practice for employment and training produced by Wirral Council.

11.3 The company will allow assistance to be given with the objective to reduce long term unemployment.

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APPENDICES

Appendix 1- Exempt Financial details.

Appendix 2 – Schedule of Works (PDF document) attached

BACKGROUND PAPERS

Tender Specification (exempt from publication)

Submitted bids from the bidders (exempt from publication).

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Policy & Resources Committee Council	15 February 2023 27 February 2023

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