

# Decision Report – Cabinet Key Decision

- 18<sup>th</sup> October 2017

## Proposed 14 Class Primary School at Nerrols Farm, Taunton

Cabinet Member(s): Cllr Frances Nicholson– Cabinet Member for Children and Families Division and Local Member(s) Cllr Giuseppe Fraschini

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	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
	County Solicitor	Honor Clarke	29/9/17
	Monitoring Officer	Julian Gale	2/10/17
	Corporate Finance	Kevin Nacey	2/10/17
	Human Resources	Chris Squire	6/10/17
	Property / Procurement / ICT	Richard Williams	21/9/17
	Senior Manager	Claire Lovett Julian Wooster	6/10/17
	Local Member(s)	Cllr Giuseppe Fraschini	27/9/17
	Cabinet Member	Cllr Frances Nicholson	5/10/17
	Opposition Spokesperson	Cllr Jane Lock	6/10/17
	Relevant Scrutiny Chairman	Cllr Leigh Redman	6/10/17
<b>Forward Plan Reference:</b>	FP/17/09/09		
<b>Summary:</b>	<p>As a result of significant demographic growth and the initial phases of the housing development at Nerrols Farm in Taunton (Northwall Grange), a new 14 class primary school is required to meet the demand for additional places as there are insufficient existing school places in the area and existing schools cannot be expanded sufficiently to meet the demand.</p> <p>This paper seeks approval for the Authority to appoint a contractor and to proceed with the delivery of a 14 class primary school at Nerrols Farm, Taunton for September 2019 at a gross maximum expenditure funded from existing approved Basic Need allocations and Section 106 contributions.</p>		
<b>Recommendations:</b>	<p><b>That the Cabinet:</b></p> <ol style="list-style-type: none"> <li><b>1. Approves the appointment of a contractor to proceed with the delivery of a 14 class primary school at Nerrols Farm, Taunton for September 2019 at a gross maximum project cost.</b></li> <li><b>2. Approves the gross maximum project cost as set out in Appendix A.</b></li> </ol>		

	<p><b>3. Delegates authority to the Head of Corporate Property to finalise contract negotiations and to instruct the County Solicitor to execute all necessary contractual documents in order for SCC to enter into contract with the selected contractor.</b></p>
<p><b>Reasons for Recommendations:</b></p>	<p>To meet the Local Authority's statutory duty to provide sufficient school places by approving the appointment of a contractor to deliver a new 14 class primary school in Taunton to meet pupil place demand arising from significant demographic growth in the area in addition to the initial phases of the housing development at Nerrols (Northwalls Grange).</p>
<p><b>Links to Priorities and Impact on Service Plans:</b></p>	<p>The recommendations link to this Headline Vision in the County Plan:      "Our vision for Somerset is simple: More jobs; more homes; more powers from government; more local co-operation; better health; better education and prospects; better roads, rail, broadband and mobile signal."</p> <p>The recommendations link to the following Target in the County Plan:      "We will aim to have better school results for all children across all key stages and in particular at GCSE and A-Level with a particular focus on disadvantaged children."</p>
<p><b>Consultations and co-production undertaken:</b></p>	<p>The requirement for a new school at Nerrols Farm is referenced in the Councils in The School Place Planning Infrastructure Growth Plan:  <a href="http://www.somerset.gov.uk/EducationIGP">www.somerset.gov.uk/EducationIGP</a></p> <p>The Authority has held regular update meeting with Taunton Deane Borough Council Officers regarding the proposed new school at Nerrols Farm. In addition discussions have also been had with the Crown Estate and the housing developers.</p> <p>The local member, opposition spokesperson and the chairman of Scrutiny (people and place) have been consulted about this proposal and raised no objections.</p> <p>As the project progresses, stakeholder / community consultation events will be held.</p>
<p><b>Financial Implications:</b></p>	<p>The gross capital cost of providing the new school will be met from a combination of the Authority's existing Basic Need funding and from contributions secured as part of the Section 106 agreement including a serviced primary school site of 1.1 hectares and funding calculated in accordance with a formula based on the number of dwellings to be erected.</p>

<p><b>Legal Implications:</b></p>	<p>As a public body, Somerset County Council is required under s.135 Local Government Act 1972 to make standing orders with respect to the making by them of contracts for the execution of works and the standing orders shall include provision for securing competition for such contracts and for regulating the manner in which tenders are invited.</p> <p>Paragraph 17 of the Council’s Contract Procedure Rules and Standing Orders permits the Council to make use of framework agreements to award a contract.</p> <p>The Scape Framework seeks to assist contracting authorities whose aims are to improve, by collective action, the delivery of their property function to the benefit of their communities. Scape as a local authority controlled and owned company is a body which can publically procure works, goods and services and which has experience in establishing Framework agreements. An access agreement between Scape System Build Ltd and Somerset Council was signed in 2013 allowing SCC to take full advantage of any of the Scape procurement frameworks operating in the area.</p> <p>It is proposed to appoint a contractor through the Scape Framework to deliver the new 14 class primary school at Nerrols Farm. Should the model school(s) available through Scape not meet the Somerset Benchmark we will award a contract through the available alternative frameworks ( e.g. Southern Construction Framework; Futures for Somerset).</p> <p>The main contractor contract will be a bilateral contract between the Authority and the relevant contractor. The selected academy sponsor won’t feature on the contract but the building will be transferred to the academy upon completion.</p> <p>The section 106 agreement for Nerrols requires the developer to provide a serviced site of 1.1 hectares and contribute towards the costs of the school building.</p>						
<p><b>HR Implications:</b></p>	<p>None</p>						
<p><b>Risk Implications:</b></p>	<p>The risk of the LA not meeting its statutory duty of providing sufficient school places is very high if this school is not built and ready to open by September 2019</p> <table border="1" data-bbox="512 1765 1489 1809"> <tr> <td><b>Likelihood</b></td> <td><b>5</b></td> <td><b>Impact</b></td> <td><b>5</b></td> <td><b>Risk Score</b></td> <td><b>25</b></td> </tr> </table>	<b>Likelihood</b>	<b>5</b>	<b>Impact</b>	<b>5</b>	<b>Risk Score</b>	<b>25</b>
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<p><b>Other Implications (including due regard implications):</b></p>	<p><b><u>Equalities Implications</u></b></p> <p>The proposed new build will be fully accessible for disabled users with the proper facilities and provisions in place to cater for them, pursuant to statutory obligations set out in Equality legislation and that brought together under the umbrella provisions of the Equality Act 2010</p>						

	<p><b><u>Community Safety Implications</u></b></p> <p>Improved access to education will have a positive impact on community safety. Improved access to quality educational facilities could serve to reduce the likelihood of low level anti-social behaviour and improve children’s chances to thrive long term.</p> <p><b><u>Sustainability Implications</u></b></p> <p>This will be a local school for local children and therefore there will be no transport arrangements so that walking and cycling to school are the natural, logical and obvious choices. A new primary school will promote a sustainable community as the population in this area grows.</p> <p>The new school building will achieve the equivalent BREEAM Very Good.</p> <p><b><u>Health and Safety Implications</u></b></p> <p>Risks involved in the proposed building works will be managed by the appointed contractor through their construction Health and Safety Plan required for all such projects.</p> <p>From opening this will be the responsibility of the Academy Sponsor.</p> <p><b><u>Privacy Implications</u></b></p> <p>Deemed not to be relevant because Academies are separate Public Authorities and Data Controllers and consequently will be responsible for their own data protection.</p> <p><b><u>Health and Wellbeing Implications</u></b></p> <p>The school is being built to meet local demand so that walking and cycling to school are the natural, logical and obvious choices for the school journey.</p>
<p><b>Scrutiny comments / recommendation (if any):</b></p>	<p>Not applicable.</p>

## 1. Background

- 1.1. The need for the new school at Nerrols Farm has arisen from the significant demographic growth in the area and is referenced in the Authority’s School Place Planning Infrastructure Growth Plan.
- 1.2. Barratt Homes and David Wilson Homes who have both established show homes at Nerrols are actively marketing new homes for sale. The first phase is for 260 homes with outline permission for 900. There are insufficient existing school places in the area, neither can existing schools be expanded sufficiently to meet the demand. The recently relocated and expanded West Monkton

primary school to the east is forecast to be full by September 2019. Lyngford Park Primary to the west of Nerrols is also at capacity.

- 1.3. Because of the significant demographic growth in the surrounding area a 14 class school is required. 7 classes will be required initially and the remaining 7 will be brought into use according to further demographic growth and the build out rate of the housing developments.
- 1.4. The Richard Huish Trust, an approved DFE sponsor, is preparing to submit a bid for this proposed new school under Wave 13 of the Free School programme. However the Government have not opened the next bidding round and have provided little indication as to when they will do so.
- 1.5. To ensure that the Authority meets its statutory duty to provide sufficient school places the proposed new school needs to be commissioned now to ensure completion by September 2019. This paper therefore seeks approval to appoint a contractor and to proceed with the delivery of the proposed new school.
- 1.6. The gross capital cost of providing the new school will be met from a combination of the Authority's existing Basic Need funding and from contributions secured as part of the Section 106 agreement including a serviced site of 1.1 hectares for a new primary school and funding for places.
- 1.7. In the event that the free school bid is successful a method may be arrived at under which the Government would assume responsibility for the project but this is no more than a possibility.

## **2. Options considered and reasons for rejecting them**

- 2.1. There are insufficient existing school places in the area, neither can existing schools be expanded sufficiently to meet the demand. The recently relocated and expanded West Monkton primary school to the east is forecast to be full by September 2019. Lyngford Park Primary to the west of Nerrols is also full. Therefore in order to satisfy the need for additional school places a new school is required.
- 2.2. It is proposed to appoint a contractor through the Scape Framework to deliver the new 14 class primary school at Nerrols Farm. Should the model school(s) available through Scape not meet the Somerset Benchmark we will award a contract through the available alternative frameworks (e.g. Southern Construction Framework; Futures for Somerset).

## **3. Background Papers**

- 3.1. Appendix A – Financial paper
- 3.2. Scape Access Agreement
- 3.3. [www.somerset.gov.uk/EducationIGP](http://www.somerset.gov.uk/EducationIGP)