



**Executive**  
20 May 2013

**Report from the Director of Regeneration  
and Major Projects and the  
Director of Children and Families**

Wards Affected:  
ALL

**Review of the School Expansion Programme 2012-2016**

**Not for publication ('below the line')**

Appendix 2 of this report is Not for Publication.

## **1.0 Summary**

- 1.1 In August 2012 the Executive approved the strategy for primary school expansion to meet the need for 21FE by 2020-21. An update on the SEN requirement was also provided, requiring 192 new places. The strategy for meeting the projected shortfall (19FE) of secondary school places was approved in January 2013.
- 1.2 This report provides an update on the school expansion programme with a focus on optimising the use of available funding. It also seeks approval to appoint the design team and associated services for developing the designs for the schemes under Phases 2 & 3.

## **2.0 Recommendations**

The Executive are requested to:

- 2.1 Note the update on demand for primary, secondary and SEN provision in section 4.
- 2.2 Note the update on primary, secondary and SEN proposals as per section 5.
- 2.3 Approve the proposals for providing temporary school places for 2013-14 as per section 6.
- 2.4 Approve the current allocation of funds as per the forecast allocation listed under Table 10.

- 2.5 Award contract as per recommendations in section 10 of this report to Curl la Tourelle for the Design Services (including Architects, M&E, Landscape Architecture and Structural Engineering) for Phase 2 & 3 of the school expansion programme. The total value of the contract is £1.34m at a fee rate of 3.193% based on the estimated building works contract sum of £42m.
- 2.6 As detailed in the procurement section 10 of this report, paragraphs 10.27 and 10.28, to delegate authority to the Director of Regeneration and Major Projects in consultation with the Lead Member for Regeneration & Major Projects to appoint one or more consultant services using existing Framework Agreements up to combined total value of £3m, for the expansion of the schemes referred to in section 5 and 6 of the report.

### 3.0 Detail

- 3.1 The Executive has agreed the expansion strategy to meet the need for primary, secondary and SEN schools places in Brent.
- 3.2 The Council has developed a four year strategy under the School expansion Programme 2012-16 taking into account the supply and demand mismatch, and the limited funding envelope available to the Council.
- 3.3 The Council has developed a four year rolling programme of school expansion based on improved demand forecast, smarter procurement, construction and project management arrangements than those employed to date. The programme will consider the immediate need for primary places, Secondary and SEN requirements and explore financial models that may help to deliver these. The Council will need to explore all avenues of possible funding to avoid a future significant supply and demand mismatch.

#### School places delivered

- 3.4 Since 2010-11 the following temporary and permanent primary places have been delivered:

Table 1. **Permanent and Bulge Places delivered since 2010-11**

2010-2011	School Name	Permanent	Bulge
1.	Park Lane	210	
2.	Braintcroft		60
3.	Brentfield		30
4.	Islamia		30
5.	Preston Manor Lower		60
6.	Preston Park		20
7.	St Robert Southwell		15
8.	Wykeham		30
<b>Total Places 2010-11</b>		<b>210</b>	<b>245</b>
2011-2012	School Name	Permanent	Bulge
9.	Brentfield	210	
10.	Byron Court	70	

11.	Newfield	210	
12.	Preston Manor	420	
13.	Chakhill		30
14.	Furness		60
15.	Mitchell Brook		30
16.	N W London Jewish		20
17.	Preston Park		10
18.	Wykeham		30
	<b>Total Places 2011-12</b>	<b>910</b>	<b>180</b>
<b>2012-2013</b>	<b>School Name</b>	<b>Permanent</b>	<b>Bulge</b>
19.	Chalkhill		30
20.	Mount Stewart Infants		30
21.	Wembley High T C		60
22.	Vicar's Green (Ealing)		15
23.	Preston Park Annexe		60
24.	Stonebridge Annexe		180
25.	Curzon Crescent		30
26.	College Green		25
	<b>Total Places 2012-13</b>		<b>430</b>
<b>2013-2014</b>	<b>School Name</b>	<b>Permanent</b>	<b>Bulge</b>
27.	Barham*	210	
28.	Fryent *	420	
29.	Mitchell Brook *	210	
30.	St Robert Southwell *	15	
	<b>Total Places 2013-14</b>	<b>855</b>	<b>Refer to section 6</b>

\*Permanent provision is currently being delivered. These schools had taken Bulge Reception classes in September 2012, which will convert to Permanent from September 2013.

3.5 **Temporary places delivered for 2012-13:** 430 temporary places were created for the 2012-13 academic year, which ensured that all applicants from Reception to Year 6 by end of December 2012 had been offered a place. Some of the temporary or bulge reception places were not available until January 2013, hence, these places have been offered to children on waiting lists and to new arrivals. Currently there are 101 vacancies overall in Reception both in the temporary provision and in permanent classes across the borough which will be needed for children who continue to arrive throughout the year. There are 54 unplaced reception children, all of whom have been made an offer, but are either under statutory school age, or are holding on for an offer of a school of preference. Any places not taken up in this year will be available as Year 1 places for September 2013 which will be needed for Year 1 aged children arriving outside the normal admission round. This is a much better position compared to February 2012 when there were 191 unplaced children and 70 vacancies in the comparative Reception Year group.

3.6 The Council is also in the process of delivering the expanded Crest Academies, which will provide 1FE each at the Boys' and the Girls' schools.

- 3.7 In addition, we have delivered a 20 place MLD unit at Alperton Community School and are in the process of completing delivery of the rebuild The Village School. The works will be completed in time for the next academic year.

#### 4.0 Update on Demand for School Places

- 4.1 **Primary requirement:** As reported in August 2012, based on GLA projections, 21 new forms of entry primary provision will be required by 2020-21 across the borough. The majority of this demand is front loaded, which means that the new places will be required by 2014/15 and 2015/16. A high level of demand exists across the borough, with a significant requirement in planning areas 3 & 5.
- 4.2 **SEN requirement:** Based on the January 2012 census data, we had forecast that 192 new SEN places will be required of which 86 are primary and 106 secondary places. 150 out of the 192 places are required by 2016-17.
- 4.3 **Secondary requirement:** Based on the 2012 GLA projections we had reported that 19 forms of entry secondary provision will be required.

#### 5.0 Update on Permanent School Expansion Proposals

- 5.1 **Primary proposals:** Through a complete portfolio analysis, we had identified that up to 17.5FE primary places could be provided by 2014/15 across all planning areas through permanent expansion of existing primary and secondary schools and a further 2FE at Braintcroft by 2015/16, which was linked to the creation of new SEN places. A further 13FE and 9FE were identified in Phases 3 & 4, respectively. In total, we identified potential for providing 39FE across Brent.
- 5.2 We had also reported that each scheme listed in previous Executive report would need to be validated prior to commencing the expansion proposal. This is because there are several risks which may delay or even stop the implementation of a scheme, such as, a school may decide not to proceed with the expansion and/or planning constraints may render a scheme unviable. It may be necessary to substitute a scheme with another if any of the proposed schemes is not feasible, subject to due diligence completed by the Council and agreement with the school. In order to address such risks, the full list of schemes proposed would over-deliver primary capacity; however, in practical terms we are buffering our supply strategy in order to ensure that right amount of places are created in the local areas of need. We agreed to continue to review the supply and demand closely over the life of the expansion programme.
- 5.3 Over the last few months, we have been discussing the primary school expansion proposals with governing bodies and other stakeholders.
- 5.4 The current view is that 17.5FE could be planned to be delivered for the 2014-15 and 2015-16 academic years, subject to statutory consultation and further school agreements. An additional 1FE subject to funding and agreement with the Diocesan Board could be delivered under Phase 4.
- 5.5 The list of schools that have agreed to commence statutory consultation or are in the process of considering to expand is as follows:

Table 2. **Phase 2:** Schemes which are likely to provide full new capacity by September 2014.

No.	Schemes	Planning Area	No. of New FE
1	*Uxendon	2	2
2	*Preston Park	2	1
3	*Harlesden	4	2
4	^Princess Frederica	5	1
5	**St. Joseph Primary	4	1
6	*Wembley High (new build)	2	4
7	*Vicar's Green (Ealing)	3	0.5FE
	<b>Total</b>		<b>11.5FE</b>

- 5.6 Leopold Primary School was part of the Phase 2 expansion plan by 1FE. However, after careful consideration and in consultation with the school, the Council will not be progressing with the expansion of the school. The reason for the decision is that further development of the feasibility study has demonstrated that a 1FE permanent expansion on the Leopold site will result in the school having external area that is significantly below guidelines. In addition, the significant structural work in the proposed scheme will require complex phasing/temporary classrooms which would compromise the regular operation of the school during term time for the duration of the construction period. As a result, it is envisaged that the overall scheme would not represent value for money as it would involve replacing existing accommodation as well as providing additional classrooms. Officers will continue to work on the approved schemes in the programme to deliver the required number of places in each phase.

Table 3. **Phase 3:** Schemes which are likely to provide new capacity by September 2015.

No.	Schemes	Planning Area	No. of New FE
8	**Elsley	3	2
9	^Stonebridge Primary	4	1
10	^Malorees Inf. & Jr.	5	1-2
11	***Oriental City	1	2
	<b>Total</b>		<b>6FE</b>

Table 4. **Phase 4:** Schemes which are likely to provide new capacity between September 2016 and September 2018.

No.	Schemes	Planning Area	No. of New FE
12	St Joseph Inf. & Jr.	3	1
	<b>Total</b>		<b>1FE</b>

\*Statutory consultation has commenced.

\*\*Statutory consultation likely to commence over the new few weeks.

\*\*\*Dependant upon completion of S106 agreement.

^Require school approval.

5.7 The following schools have declined to expand at this stage:

**Table 5. Schools not expanding**

No.	Schemes	Planning Area	Comments
1	Wykeham	1	School has decided to defer any further consideration for expansion for at least one year.
2	Northview	5	School does not want to expand beyond its existing 1FE provision.
3	Braintcroft	5	School has decided not to consider an expansion until after its Ofsted review over the next 12 months. Subsequent expansion will be dependent upon obtaining a Good Ofsted rating. The school has decided not to co-locate.
4	Chalkhill	3	The school has decided not to expand.
5	Mount Stewart Jr.	2	Infant school has expressed its interest to expand but the separate Junior school has declined to expand.
6	Kingsbury Green	1	School has decided not to expand the school and continue focusing on improving its standards.

**Phase 4:** Finally, the remaining primary schools/sites that will be considered for expansion if a continued growth in demand is established and subject to school agreement and funding:

**Table 6. Potential future proposals**

No.	Schemes	Planning Area	No. of New FE
1	Quintain Site	2	2
2	Our Lady of Lourdes RC	4	2
3	John Keble CoE	4	1
4	St Andrew & St Francis	5	1
	<b>Total</b>		<b>6FE</b>

- 5.8 **SEN proposals:** 77 new SEN places were proposed under phases 2 & 3 for meeting the shortage up to 2016-17. We had envisaged that 44 SEN primary places could be provided at Manor through co-location with Braintcroft Primary) and 30 new secondary SEN places at Woodfield Special School.
- 5.9 Since Braintcroft Primary School has not agreed to expand for the foreseeable future and has declined to co-locate with Manor Special School, we are identifying other options to make up the shortfall.
- 5.10 Woodfield Special School has agreed to consult on an expansion which will provide 40 new SEN places instead of the previous proposal for 30 places.
- 5.11 Oakington Primary School will be expanding its existing Additionally Resourced Provision (ARP) unit by 10 new places from September 2013 and the unit in Kensal Rise Primary School will close, due to reduction in demand for specialist speech and language places.

- 5.12 We have successfully delivered a 20 place ARP unit Alperton Community School and additional 25 SEN places will be delivered by September 2013 at the newly rebuilt The Village Special School. Both these schemes have previously been allocated funding and do not impact current or future allocations.
- 5.13 We are also in the process of optimising the use of existing ARPs, which will fill the existing 14 vacancies in the system.
- 5.14 All the above measures put together, will help the Council provide 109 SEN places against the total 2020-21 requirement of 192 places.
- 5.15 **Secondary proposals:** As reported in January 2013, further analysis of the secondary proposals is necessary. Currently, there is insufficient secured funding to undertake secondary schemes.
- 5.16 Under the secondary strategy, we had identified the creation of 2FE under Phase 1, 10FE under Phase 2 and 2FE under Phase 3, totalling 14FE from September 2014 onwards. The remaining shortfall in provision (5FE) will be reviewed further through annual monitoring of the roll projections to ensure that any large fluctuation in demand is taken into consideration in order to not over provide. We will also continue to review the impact on supply of school places in Brent through the arrival of Free Schools outside the borough's own planning. The DfE has purchased Arena House, a former CNWL building in Wembley, for a new 4FE secondary free school (Michaela Community School) in Brent from September 2014. This takes secondary capacity beyond the figure needed for 2014 and contributes to meeting the capacity needs beyond that date.
- 5.17 Our current proposal is to proceed with Phase 1 (2FE) expansion of Queens Park Community School 2015-16 which would involve discussing the proposal with the school over the next month. This is on the basis of the funding allocation of £4.9m as represented in Table 10 below.
- 5.18 Having reviewed the overall programme, taking into account the lack of secured funding and the immediate capacity that will be created in Brent from September 2014, our recommendation is that Phase 2 schemes continue to stay on hold. Under Phase 2 schemes officers had proposed the expansion of Kingsbury High School by 4FE and creation of a 6FE secondary school at Gwenneth Rickus Building, for which £32.5m capital would be required.
- 5.19 As Phase 3 of secondary school expansion, the Priority Building programme is theoretically on track to deliver 2FE expansion through the expansion of Copland and Alperton Community Schools between the academic years 2017/18 and 2019/20.
- 5.20 If Phases 1 and 3 proceed as above and Michaela Community School opens, using current projections there will still be shortfall of 11 FE secondary school places will be short by 2020-21. As identified in the January 2013 Executive report, the remaining shortfall in provision will be reviewed further through annual monitoring of the roll projections to ensure that any large fluctuation in demand is taken into consideration in order to not over provide. Sudden shifts in Brent's pupil population may occur due to several factors, e.g. the current national policy driven

changes to housing benefits. We will also review the plans of neighbouring boroughs in order to maximise opportunities for partnership in providing new school places since we are aware of high numbers of (unplanned) additional places coming into adjoining boroughs through the free schools route.

## 6.0 Demand for Temporary Primary Places 2013-14

6.1 The latest statistics on children awaiting primary school places are as follows:

Table 7. Out of School Children and Vacancies

YEAR GROUP	Number of out of school children 19/03/2013	Number of children who have not been offered a school place as of 19/03/2013	Vacancies as of 19/03/2013
REC	54	1	95
YR 1	76	4	35
YR 2	17	3	50
YR 3	23	3	24
YR 4	24	1	49
YR 5	24	0	60
YR 6	10	1	123
<b>TOTAL</b>	<b>228</b>	<b>13</b>	<b>436</b>

6.2 This shows that it is only in Year 1 that demand currently exceeds supply. Processes have been tightened up and timescales shortened to better ensure that parents take up the places that are available, even when the geographical location is less than ideal for them.

6.3 As reported in August 2012, the demand for primary school places in Brent is projected to grow. The demand for 2013-14 is supported by the actual number of applications being received for the 2013-14 academic year. 3799 on time applications were received by January 15, 2012 compared to 3717 on time applications over the current academic year 2012-13. As last year, we will again be able to offer all on-time applicants a place. Since the closing date a further 233 late applications have been received, compared to 598 late applications for the entire 2011-12 academic year. Based on previous years' experience, late applications will continue to be received throughout the next academic year and account for a small but significant percentage of demand.

6.4 Our current projections based on previously reported GLA projections for the 2013-14 academic year including in-year places is as follows:

Table 8. Primary requirement for September 2013-14 onwards

R	Y1	Y2	Y3	Y4	Y5	Y6	Classes
13	4	4	2	1	1	1	26



6.5 While Phase 2 expansion will create new primary places for the 2014-15 academic year, we will need to provide temporary places for 2013-14 leading up to the creation of new permanent provision in 2014-15. In total we are projection that 26 temporary classes will be required during the next academic year. The following table summarises the current options analysis for creation of temporary places:

**Table 9. Draft Proposals for Temporary Primary Provision 2013-14**

<b>Sr. No.</b>	<b>School Name</b>	<b>No. of New Classes</b>	<b>Risk of Delivery (H-high, M-medium, L-low)</b>	<b>Comments</b>
1.	Kingsbury High/ Village Modules	7	H – Requires further agreement with KHS for permission to use as temporary provision and also requires extension of planning permission.	Dependent upon the GB view of Kingsbury Green, this provision could become linked to a nearby primary school and the pupils could eventually transfer to the proposed expansion in two years.
2.	Gwenneth Rickus Building	15	M – May be suitable for temporary satellite provision of an existing Brent primary school. Potential planning issues will need to be considered.	Since there is lack of funding to convert this property into a 6FE secondary school and also the fact that it will be a very small site to accommodate a secondary school, we are proposing to use this facility as a temporary school for a period of 4 to 7 years. We are carrying out a feasibility study but it appears that it could be relatively quickly be converted into a temporary primary base.
3.	Make use of new classrooms previously delivered	2	M – Requires agreement with individual schools – Brentfield and Preston Manor.	This will require analysing demand for upper years Y5 & Y6 and utilising new classrooms at previously expanded schools (Brentfield and Preston Manor). We will aim to fill the empty classrooms in the upper year groups Y5 & Y6.
4.	'Bulge' Classes	2	H – Creating new 'bulge' classes is becoming increasingly difficult since most schools are now running previous bulge classes or have recently expanded.	We are in the process of reviewing the proposed expanding schools with a view to establish temporary classes in advance of the new capacity being delivered for 2014-15. This would allow the bulge class to progress to a permanent facility in two years.
<b>TOTAL</b>		<b>26</b>	<b>To be confirmed after a full review.</b>	

6.6 Timescale will pose a particular challenge to all the above draft proposals. We will be continuing to carry out further analysis over the next few weeks. Funding of £2.5m has been identified to deliver temporary provision for the next academic year.

6.7 We are also reviewing the possibility of using other non-school buildings in the event of one or more of the above draft proposals cannot be delivered due to any reason.

## 7.0 Capital Allocation

- 7.1 As reported previously, the Council had received three allocations equalling £79.79m. The total combined capital available for school places was expected to be £92.3m, which was approved by the Executive to be allocated to the primary school expansion programme.
- 7.2 The Council has been allocated a further £22.75m for the 2013-14 and 2014-15 basic need funding rounds. This is approximately £8m more than previously forecast.
- 7.3 The total main capital allocation available to spend by the end of 2014-15 on new school places is £87.99m, including new and the balance of prior year grant allocations as well as Section 106 and Schools contributions but excluding allocations agreed to deliver Phase 1 primary expansion. Elements of future unsecured funding may be required to be brought forward within the Capital Programme to meet expenditure cashflows. This would incur increased levels of unsupported borrowing in the earlier years on a short term basis, incurring increased levels of debt charges on the General Fund Revenue Account. However, upon receipt of corresponding grant money, in subsequent years the forward funded sums could be repaid and the debt charges arising negated.
- 7.4 Table 10 below provides the summary of the funding position.

Table 10. **Summary of the Fund Allocation 2012-18**

		Provision Type				
		Primary FE	Secondary FE	SEN Primary & Secondary Places	Primary Temporary Classes (2013)	Project Team
<b>School Places Required by 2020-21</b>	Forecast Demand	21.0	19.0	192	30	N/A
	New Places Proposed	18.5	12.0	109	TBC	N/A
	<b>Places Gap</b>	<b>2.5</b>	<b>7.0</b>	<b>83</b>	<b>30</b>	<b>N/A</b>
<b>Capital Programme Budget to 2014-15</b>	<b>Forecast Cost of New Places Proposed (£m)</b>	<b>78.70</b>	<b>22.00</b>	<b>1.57</b>	<b>2.50</b>	<b>2.40</b>
	<b>Secured Funding (£m):</b>					
	Basic Need Settlements	75.87	4.90	0.07	2.50	2.40
	School Contributions	0.75	0.00	0.20	0.00	0.00
	Unsupported Borrowing - Self Funded	0.00	0.00	1.30	0.00	0.00
	<b>Total Secured Funding (£m)</b>	<b>76.62</b>	<b>4.90</b>	<b>1.57</b>	<b>2.50</b>	<b>2.40</b>
<b>(Surplus)/Deficit of Funding over Expenditure</b>	<b>2.08</b>	<b>17.1</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

- 7.5 In the above table, the forecast demand for primary, secondary & SEN school places is based on school census data from the 2012-13 academic year. This means that the forecast, in line with the previous trend could shift further up once the analysis is revised based on the current year's census data. While the analysis will be completed by May 2013, it can be assumed that any upward (or unlikely downwards) shift in demand will be based on a medium to long term requirement for which corrective action could be planned in advance.
- 7.6 **Primary funding:** £76.62m out of the £78.7m projected expenditure to provide primary school places is based on secured funding and school contributions. The remaining £2.08m may require unsecured funding, which will need an Executive decision for the increased levels of unsupported borrowing in the earlier years on a short term basis as outlined in paragraph 7.3. Hence, 17FE out of the proposed 18.5FE could be funded through secured funding.
- 7.7 **Secondary funding:** £4.9m out of the forecast expenditure £22m on expansion of secondary schools is currently available from secured funds. This will allow 2FE provision to be delivered in 2014-15. The remaining £17.1m may require unsecured funding, which will need an Executive decision for the increased levels of unsupported borrowing in the earlier years on a short term basis as outlined in paragraph 7.3.
- 7.8 **SEN funding:** It is proposed that the requirement for £1.5m SEN funding will be paid through a combination of unsupported borrowing on an Invest to Save basis (£1.3m) and schools contribution (£200k). It is envisaged generally the SEN schemes will be based on Invest to Save and will require specific proposals to evidence demand and the return period. This way the finite capital could be stretched to maximise school places across the three sectors.
- 7.9 Total forecast expenditure £107.17m (including contingency) across primary, secondary and SEN provision is based on the list of schools included under Sections 5 & 6 above, which excludes Phase 1 school expansions (Barham, Mitchell Brook, Fryent & St. Robert Southwell Primary Schools). The S106 sites, Oriental City and Quintain sites may be potential primary free schools (2FE each) which could invite separate DfE funding, hence, are not included within the total expenditure at this stage. However, this means that at some stage the risk will need to be factored in if the additional DfE funding is not realised, e.g. in the event of a policy shift whereby the DfE requires local councils to provide both land and funding.
- 7.10 Capital Maintenance funds of £16.6m (£4.6m secured + £12m forecast), which has not been included within the total forecast secured funding of £87.99m, would be allocated towards the DDA works and essential repair and maintenance programme. Currently the approved capital programme 2013/14 to 2016/17 has allocated a total of £9.2m to Asset Management Plan works at schools to include Health and Safety works. Alternatively, this budget could fund further school expansion projects.

7.11 The budget will need to be rebalanced on a regular basis to ensure the supply and demand across primary, secondary and SEN provision is able to meet the fluctuating demand and further grant allocations budget deficits can be matched.

## **8.0 Need for additional resources**

8.1 A core strategy for the medium term for meeting the additional demand for school places has been agreed by the Executive; however, additional measures are required in the near term to ensure that the immediate need for places can be met and that any marginal changes in the proposed new provision could be offset. Some of the measures previously proposed in the strategy reports are summarised as follows:

- Develop and review creative solutions, e.g. utilising existing or buying non-school estate consisting of land and/or buildings to create new school places; creating small schools within new housing blocks; greater utilisation of existing Children Centres; developing cross-boundary provision.
- Improve our approach to admission arrangements making use of any surplus places.
- Continue reviewing the prospects of new Free Schools in Brent and where possible align its contribution to meet the local demand.

8.2 Furthermore, the Council will continue to focus its activity in maximising the capital funding required to deliver all the new school places. As evidenced from table 10, we do not have sufficient funds to meet the entire need for more school places. Measures being taken include:

- Making further bids to the EfA for funding e.g. Basin Need Safety Valve
- Continue lobbying the government for new funds in partnership with London Councils.
- Review the Council's Capital Programme with a view to ascertain funding contribution from other sources e.g. S106/CIL agreements.
- Review requirement for prudential borrowing, if necessary.

## **9.0 Financial Implications**

9.1 The figures included within Section 7.0 of this report refer to the approved capital programme as part of the 2012/13 Budget Setting process plus the additional Basic Need Settlement announced by the DFE on 1<sup>st</sup> March 2013. It should also be noted that the DFE Settlement was for a two year period covering the 2013/14 and 2014/15 financial years and as such allocations for future years are forecasts only and will be subject to change post future settlement announcements.

- 9.2 Significant changes to school funding relating to the national funding formula and the funding of academies are planned by the DfE and announcements are expected shortly. Reforms have already been consulted on regarding the calculation of the Dedicated Schools Grant (DSG) which will preclude debt charges on new unsupported borrowing being met from this revenue source in the future.
- 9.3 The funding requirement in this report is based on the current pupil projections up to 2020-21 and the proposed provision outlined in sections 5 & 6 of this report. However, it must be noted that if the projections were to change significantly, this would have an impact on the funding requirement.
- 9.4 As per table 10 of this report, a funding shortfall of £19.18m is forecast. However, it is important to note that not all primary, secondary & SEN school proposals identified in the August 2012 and January 2013 Executive reports, respectively, are included with the expenditure column (£107.17m). The current primary schemes being taken through are expected to meet most of the demand for 2020-21 on the basis of the existing demand forecast. Similarly, the secondary schemes will meet the majority of the demand and provide further scope to adjust supply according to demand variations, free school proposals and new funding allocations.

## **10.0 Procurement**

- 10.1 The London Construction programme (LCP) was formed with a view to achieving efficiencies in collaborative procurements and sharing common procedures and best practice in the construction sector.
- 10.2 The London Construction Programme (LCP) is an umbrella arrangement that aims to cut the cost and risk of localised procurement and achieve better value for money outcomes from construction projects through collaboration. Leveraging the combined buying power of London's public sector and associated buying organisations, LCP is a programme that aims to co-ordinate available resources to best effect and to maximise value for money.
- 10.3 The Construction Related Consultants Services Framework Agreement (CRCS 2012) is the first to be let through the LCP.
- 10.4 Management of the LCP CRCS 2012 Framework Agreements is coordinated and carried out by procurement teams within the London Boroughs of Haringey, Barnet and Enfield and their respective ALMO's - Homes for Haringey, Enfield Homes and Barnet Homes. LCP are responsible for the overall management of the framework arrangements. Each Framework Lot is assigned to one of the boroughs.
- 10.5 The Council has completed the access agreement to use the Construction Related Consultants Services Framework Agreement (CRCS 2012) for providing design services including of Architects, Client Design Advisors, Mechanical &

Electrical Engineers, Structural Engineers, Quantity Surveyors, BREEAM Assessors and CDM Coordinator.

- 10.6 It was decided, in view of timescales available to procure the consultants for delivering design services using CRCS 2012. The principal grounds for using this framework was that it allowed for a relatively fast procurement route with a sufficient number of listed consultants.
- 10.7 We have completed a mini-tender under Lot 5 of the CRCS 2012 for the Design Services (including Architects, M&E, Landscape Architecture and Structural Engineering).
- 10.8 Eight consultants are listed under Lot 5 (Education Architects over £3,000,000) of the CRCS 2012.
- 10.9 The rules of the framework are that a mini-competition has to be carried out in most cases, using prescribed evaluation criteria (these are listed in section 4.10 below). However the frameworks rules do allow some discretion as to the weighting of the different criteria.
- 10.10 Issue of mini-tender took place on 10 March 2013. During the mini-competition two tenderers confirmed that they would not submit a bid. Five tenders were received on 25 March 2013.
- 10.11 Tenderers were asked to provide a fee for each school in the programme based on a percentage of the final construction cost for that school using a Design and Build (D&B) Construction contract. The mini-tender was evaluated using the average fee% when applied to the estimated total programme construction value which is £42m. This allowed Brent to receive maximum discount as it represented the highest band value of over £25m (BDB12) under the CRCS 2012, Lot 5. Price variations based on construction methods other than the Design & Build route such as Traditional Construction, Two Stage Open Book Construction and Design & Build (Two Stage) were also received, which will allow flexibility in the event of contract variation but it was confirmed that these options would not be scored. This approach was developed in consultation with London Borough of Haringey's procurement department, who are responsible for managing the CRCS 2012 framework.
- 10.12 Since the estimated contract sum for the purpose of tender was based on over £25m band, it would allow the Council some flexibility to add or subtract schemes in the event if an expansion proposal was dropped due to unforeseen events e.g. result of the statutory consultation may not be in favour of an expansion, and the need for the scheme to be replaced. Whilst the tendered average fee price would be applicable from £25m and over, in the event if the estimated contract sum combined total was to drop below £25m then the relevant framework rate against the relevant band would be applicable including any discounts offered in the mini-competition.

## Evaluation process

- 10.13 Legal and procurement officers informed the approach to tender analysis in order to align with internal approval procedures.
- 10.14 Tenderers were advised that the contract would be awarded on the basis of the most economically advantageous tender using the following main criteria:
- Quality 60%
  - Price 40%

**Table 11. Timetable to Award Contract**

Date	Action	No. Of days
10 March 2013 - 25 March 2013	TENDER DOCUMENTS ISSUED & DUE	11
25 March – 04 April 2013	QUALITATIVE EVALUATION PERIOD Tasks: Review Scoring individually Consensus Scoring & Moderation 1 Clarification Meetings Review Consensus Scoring & Moderation 2	7
4 April 2013	Collating scores	1
May 2013	Executive Approval	1

- 10.15 The qualitative analysis: was undertaken for the full tender and scored by three Council representatives.
- 10.16 As advised to bidders, the Qualitative Proposals were evaluated against the detailed criteria set out below.

**Table 12. Quality Criteria for Design Services**

No.	Question	Weighting
1.	Please explain the main steps/activities required to create tender packages for the main contractor.	10
2.	Please explain the main steps/activities required to create enabling works packages which will be required for planning & tender much sooner than the main tender so that the enabling works could be undertaken during the school summer holiday 2013.	10
3.	How would you liaise with other members of the design team to ensure	5

	the project is delivered within the time, quality and cost constraints?	
4.	How would the design team as CDA liaise with the main contractor once the contract is awarded with an aim to assist the Council's project managers to meet the requirements of time, quality and cost?	5
5.	What would be the advantages and disadvantages for using BIM (Building Information Modelling) for the school expansion programme? Please state the experience you have in using technology to improve the process of designing and building schools.	5
6.	What steps would you take in ensuring project timescale is not delayed due to asbestos (known and unknown) in existing school buildings and playground? Please also include measures would be taken for developing the brief for asbestos surveys.	10
7.	Brent Council is in the process of undertaking topographical, underground, measured building and CCTV drainage surveys for most of the schools under the programme. Please explain how you intend to use the output data and the surveys you would undertake in addition to the ones listed above and the purpose for such.	10
8.	Provide details of the resource allocation you intend to provide, showing names and hours per day and week reflecting how you will co-ordinate the design process.	5
9.	Provide detailed CV's of the key staff (including the overall programme lead) you propose to work on this project demonstrating pertinent and relevant knowledge. End User (school) facing staff must have school experience.	10
10.	Please demonstrate in a succinct design programme how this project can be delivered by 31 July 2014. The programme should include all elements e.g. initial design phase, contractor's works, practical completion and handover to the end user (school). Please explain which stage of the design phase you would recommend taking the project to maintain timescale, quality and cost effectiveness.	10
11.	How would you avoid the contractor making an over-optimistic assessment of the quality of the tender information? Your response should address the two scenarios:  a) the design team produces detailed design drawings or model showings the routes of distribution systems, but has not produced co-ordinated working drawings or a fully co-ordinated model. The contractor might expect that the routes indicated are feasible, albeit with some planning of the precise positions of individual services. If these routes are not feasible	10



	<p>then significant additional work will be incurred in planning and agreeing new routes.</p> <p>b) The design team may produce co-ordinated working drawings or a fully co-ordinated model to show how the building services relate to the building structure and fabric, and to demonstrate that adjoining services do not clash. The contractor might assume that the installation details can be confined primarily to the planning of fixings, supports and the sequence of activities. On award, if the contractor finds that there are physical clashes which necessitate extensive re-positioning of the services, it could become uncertain who is to carry out the necessary redesign and/or remodelling. The contractor may not have priced for such a detailed exercise.</p>	
12.	<p>Provide examples based on your experience which illustrates your ability to work with a wide range of modular system providers. Provide examples of various modular building methods and summarise the main technical differences that will need to be allowed for in the design packages for tender. Example, module width &amp; height limitations, typical fenestration requirements, level changes, service provision for modular buildings, structural limitations and refurbishment works in the existing school buildings.</p>	10
	<b>Total Score</b>	100

10.17 Quantitative Analysis: In order to score the costs it was confirmed that the lowest tenderer for each school would receive a full score of 40% with the next lowest tenderer's score being adjusted to reflect the percentage difference they were from the lowest tenderer.

10.18 All tenderers were offered an opportunity to attend a clarification interview. Two tenderers chose to withdraw before attending the interview having been advised that it was not possible for their tender to be successful ( as the difference in score after the initial evaluation was too great).

## Results of Tender Analysis

### Qualitative Analysis

10.19 First Moderation: the qualitative scoring of the tender submissions was initially undertaken by each individual scorer and then reviewed in a moderation meeting to provide an agreed consensus score. The result of the first weighted moderation scoring for the qualitative analysis is set out below:

**Table 13. Tenderer Quality Scores – First Moderation**

<b>Tenderers*</b>	<b>Quality Score %</b>
Tenderer A	48
Tenderer B	46.2
Tenderer C	45
Tenderer D	40.2
Tenderer E	39

\*Tenderers names corresponding to the above listing is provided in Appendix 2 Not for Publication.

- 10.20 Second & Final Moderation: following tender clarification meetings, a further review of qualitative scoring was undertaken together with a second moderation meeting to agree the final consensus scores for each tenderer.

**Table 14. Tenderer Quality Scores – Final Moderation**

<b>Tenderers*</b>	<b>Quality Score %</b>
Tenderer A	51.6
Tenderer B	46.2
Tenderer C	45
Tenderer D	40.2
Tenderer E	39

\*Tenderers names corresponding to the above listing is provided in Appendix 2 Not for Publication.

- 10.21 Clarification meetings with the tenderers were not scored. The alteration in scores between the first moderation and final moderation can be attributed to the improved clarity of the bids as a result of the clarification meetings and the tenderers' responses to requested clarification information regarding their tender submissions.

### **Price Evaluation**

- 10.22 The final result of the price evaluation is set out below:

**Table 16. – Price Scores**

<b>Tenderers*</b>	<b>Price Score %</b>	<b>% Fee**</b>	<b>Cost (£)***</b>
Tenderer A	37.18	3.193	1,341,060
Tenderer B	27.83	4.266	1,791,720
Tenderer C	40	2.968	1,246,560
Tenderer D	22.43	5.293	2,223,060
Tenderer E	37.76	3.144	1,320,480

\*Tenderers names corresponding to the above listing is provided in Appendix 2 Not for Publication.

\*\*Final Consultant fee will be based on the %fee of the contractor's contract sum.

\*\*\* The above cost is based on consolidated estimate of £42m contract sum across several schemes.

## Final Analysis outcome

- 10.23 Following finalisation of scoring of the two components to the tender analysis the final scores (Quality + Price) are as follows:

Table 17. – **Final Scores (Quality + Price)**

<b>Tenderers*</b>	<b>Total Score %</b>	<b>Overall Ranking</b>
Tenderer A	88.78	1
Tenderer B	74.03	4
Tenderer C	85	2
Tenderer D	62.63	5
Tenderer E	76.76	3

\*Tenderers names corresponding to the above listing is provided in Appendix 2 Not for Publication.

- 10.24 It is clear from the scores above that Tenderer A (Curl la Tourelle Architects) have scored highest. It should be noted that most tenderers scored very similarly on quality issues and that the differential in the scores is due to the variation in price between the different bidders.

## Appointment Recommendation

- 10.25 On the basis of the above qualitative and quantitative analysis it is recommended that Curl la Tourelle Architects (Tenderer A) is appointed for the Phase 2 & 3 school expansion programme as the Lead consultant under Lot 5 of the CRCS 2012. The appointment will be for the Design Services (including Architects, M&E, Landscape Architecture and Structural Engineering).
- 10.26 The contract is proposed to commence on 21 May 2013 subject to the Council's observation of the requirements for call-in period.

## Procurement of other consultants and services

- 10.27 While the recommendation for appointment of consultants for the Design Services (including Architects, M&E, Landscape Architecture and Structural Engineering) for Phases 2 & 3 are covered under this report, other consultant services will also be required. Currently, the Council is in the process of receiving tenders using CRCS 2012 framework for the services of Quantity Surveyors. Competitions may also be required for CDMC and other related services such as contract administrators, specialist surveys, clerk of works.
- 10.28 Due to the urgent need to deliver on these schemes by August 2014 or risk a wider gap in provision of primary school places from September 2014, it is also proposed that there be delegation to the Director of Regeneration and Major Projects to award one or more consultancy services contracts (other than the design services including Architects, M&E, Landscape Architecture and Structural Engineering) to deliver on these schemes in consultation with the Lead Member for Regeneration and Major Projects up to combined total value of £3m, for the expansion of the schemes referred to in section 5 and 6.

## **11.0 Legal Implications**

- 11.1 Under sections 13 and 14 of the Education Act 1996 (as amended by the Education Acts 2006 and 2011), a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The Local Authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. It must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the Local Authority has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 11.2 As a contingency, to support the admission to school of children as quickly as possible, the In Year Fair Access Protocol has been revised and schools and the Unions have been consulted on a new proposed Protocol. The Protocol now in place allows for the admission of children over schools planned admission numbers in the event that a school place is not available. Schools will not be required to maintain classes over the planned admission number but will revert to the usual admission number when children leave.
- 11.3 The Director of Legal and Procurement Services notes that this procurement and award procedure has been carried out in accordance with the LCP CRCS Framework Agreement which is appropriate for schools-related professional services of this nature. Approval to use the CRCS Framework was given by the Director of Legal & Procurement Services prior to commencement of the call-off process. It is also noted that time constraints will apply to this and subsequent procurements of professional services on the Brent Schools Expansion Project and that the report seeks powers of contract award delegation to Director level in accordance with the Council's CSO.
- 11.4 The Director of Legal & Procurement Services will have responsibility for drawing up and concluding a formal contract with the successful tenderer identified in this report. Pending Executive confirmation of the award, and because of the urgency of the services requirement, the Council has entered into a formal Letter of Intent (LOI) with the successful tenderer. This LOI enables agreed (RIBA) stages of the architectural work to commence and minimises risk to the Council in a number of ways, including a financial limit on services to be provided in the interim and enables the Council to discontinue the services should the award fail to receive Executive confirmation or should some other situation arise which might inhibit progress to a formal contract with the successful tenderer. The issue of a letter of intent was approved by the Director of Legal and Procurement Services and the Service Director as required by Contract Standing Orders.

## **12.0 Equality Implications**

- 12.1 Particularly at secondary transfer, parents are looking for a school which meets their cultural and religious/non-religious aspirations. Achieving this is complex in

Brent where so many different ethnic and cultural groups converge and where the population changes so rapidly. There is already a good supply of girls and boys only secondary places in the borough as well as Catholic and Jewish schools and overall, the first preference applications indicate that parents are looking for high achieving schools as an opportunity to improve their child's life chances.

12.2 An Impact Needs/Requirement Assessment (INRA) has been prepared as part of the four year rolling programme, which will be further reviewed quarterly.

### **13.0 Staffing/Accommodation Implications**

13.1 As approved by the Executive in August 2012, new Capital Team for Delivering School Expansion Projects is in the process of being established.

#### **Background Papers**

- Executive Report August 2012 'School Expansion (Primary) Programme 2012-16'
- Executive Report January 2013 'School Expansion (Secondary) Programme 2012-16'

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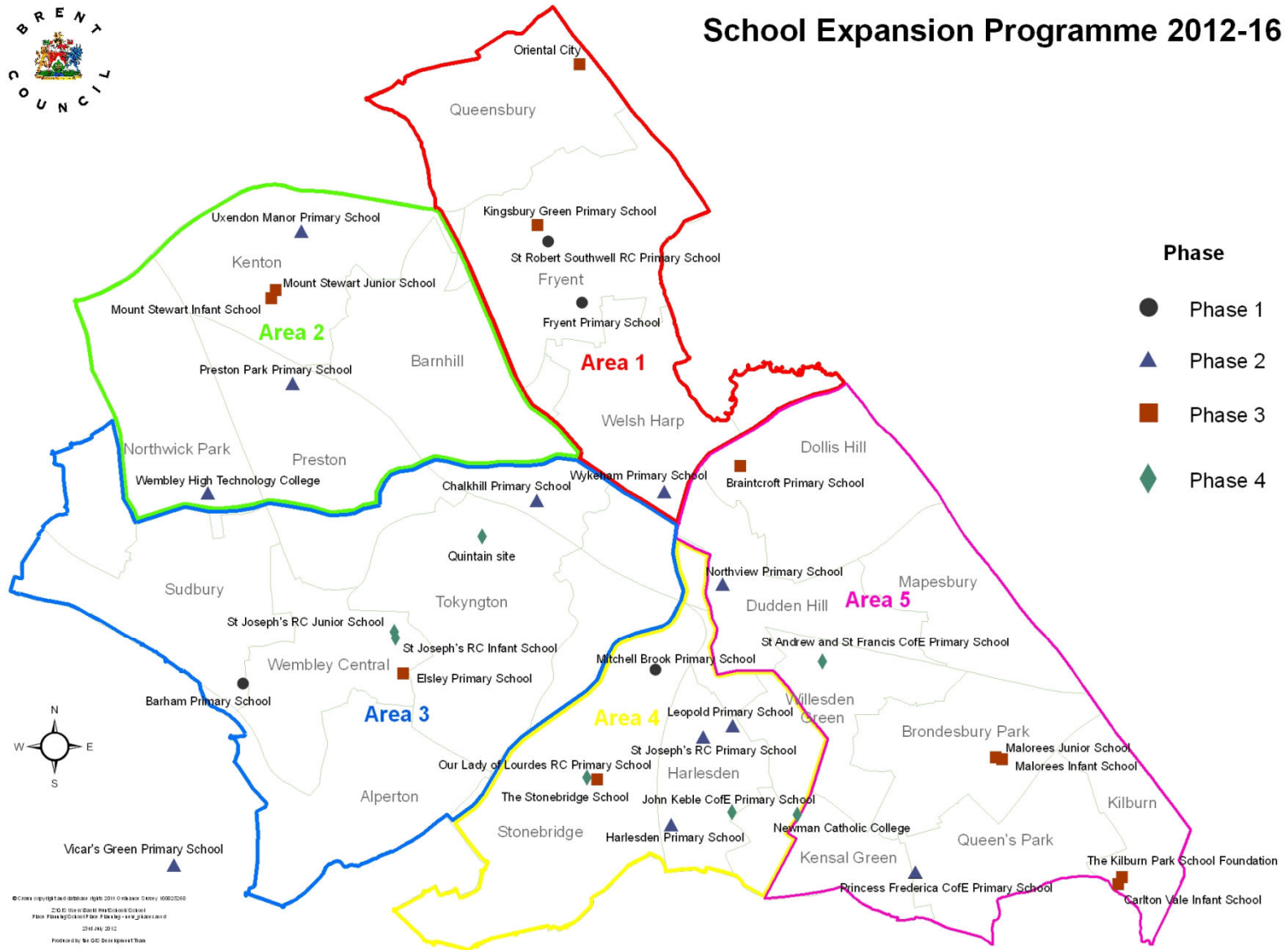
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Map 1. Primary School Expansion



# School Expansion Programme 2012-16



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