



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Cabinet on the 9th of March 2022

That authority be delegated to the Executive Director for People, Health and Care in consultation (now Director of Childrens Services) with the Portfolio Holder for Children and Education to:

1. Approve the continuing rolling programme of identified highest priority condition works within the Schools Capital Maintenance Programme.
2. Approve the programme of new pupil places schemes to ensure that the Local Authority has sufficient and suitable school places to meet its statutory responsibility in accordance with the Education Act and the demand for local places due to new housing developments. This program includes the need for two new 210 place primary schools, as well as expanding some of the Local Authority's existing sites by the creation of a further 150 pupil places at Cleethorpes Academy, and 245 pupil places across Laceby and New Waltham schools.
3. Approve the programme of works within the High Need Programme.
4. Commence procurement exercises where necessary in connection with the above, and to appoint suitable providers to run two new proposed 210 place primary schools to include award, mobilisation and implementation at the appropriate time.
5. To carry out all ancillary activity reasonably arising from the above. Form MO1
6. That the Assistant Director Law, Governance and Assets be authorised to execute any documentation arising from the above recommendations.

2. Subject and details of the matter (to include reasons for the decision)

Approval is sought to award a contract for the following works at New Primary School Waltham, New School Build to Hobson and Porter.

The tender has returned within budget at £ 5,810,885.50, with associated fees, direct costs, legislative consents and contingency, bringing the total cost to £ 6,934,564.10 which enables the project to complete within the overall capital funding envelope.

Funding has been allocated from the schools Capital Programme for the new school which will have a capacity for 210 pupils + SEND provision.

3. Decision being taken

That the Director for Children's Services in consultation with the Portfolio Holder for Children and Education awards the contract for the new build of a primary school on the site allocated for education provision on Sunningdale, Waltham.

On the 9th March 2022, Cabinet approved the Schools Capital Programme for 2022 and beyond. The cabinet report gave a detailed breakdown of schemes and indicated budget allocations attributed to each scheme (these sums were subject to change). The scheme identified for Sunningdale, Waltham is a new primary school to enable the school planning area of Waltham to increase pupil places to meet the growing demand for provision within this area of the borough.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No

5. Anticipated outcome(s)/benefits

This is an identified school expansion scheme as captured within the Schools Capital Programme, which will increase the capacity of school places by 210 within the Waltham Pupil Planning Area

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

There are no alternative options to present for consideration.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

A tender report has been produced for this project and presented to the Schools Asset Team and the programme and allocated sums are captured in the Education and Inclusion Board. The procurement of this scheme has gone to all the relevant framework contractors for pricing.

This work has been viewed by the contractors who have in turn submitted their costs. We are happy with the price and quality responses and believe the tender report shows how competitive this price is whilst taking into consideration the quality element of this tender.

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the Cabinet decision and delegations. The approach adopted is via a framework contract which has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The works will be funded through a combination of Central Government's Basic Need Grant, secured Education Section 106 sums and corporate borrowing. Allocations have been made within the existing capital programme and capital financing costs associated with corporate borrowing are reflected within revenue budgets.

12. Human Resource Comments (Head of People and Culture or nominee)

No Human Resource implications

13. Risk Assessment (in accordance with the Report Writing Guide)

Risk assessment is identified as a part of the council's risk process under the Basic Need programme. Further risk assessments will be picked up by EQUANS and the contractor for the works.

14. Has the Cabinet Tracker been updated with details of this decision?

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Name: Ann-Marie Matson

Title: Director of Children's Services

15. Decision Maker(s):

Signed: REDACTED

Dated: 27/02/24

16. Consultation carried out with Portfolio Holder(s):

Name: Cllr Margaret Cracknell

Title: Portfolio Holder for Children and Education

Signed: REDACTED

Dated: 27th February 2024

17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.