



City of Westminster

Cabinet Member Report

Decision Maker: Cabinet Member for Children, Families and Young People

Date: 11 August 2017

Classification: Not for Publication

This report is Confidential because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) – paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Title: Expansion of St Georges School

Wards Affected: Maida Vale

Key Decision: No

Financial Summary: The total estimated cost of the building contract is £5,829,577, which is significantly less than the pre-tender estimate of £7,069,743. The Council had allocated up to £6,718,000 from Basic Need Grant and the School has also secured Condition Improvement Funding of £1,830,000, totalling £8,548,000. After accounting for non-contract costs (e.g. furniture, contingencies, etc) any excess will be divided between the school and the Council and re-applied to priority projects.

Report of: Alan Wharton
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1. Executive Summary

1.1 This report seeks approval to enter into a contract for the construction of a new extension at St George's School.

2. Recommendations

- 2.1 That this report be exempt from disclosure by virtue of the Local Government Act 1972 Schedule 12A, Part 1, paragraph 3 (as amended), in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 2.2 That the Cabinet Member for Children, Families and Young People approve the award of a contract for expansion works at St George's School to ARJ Construction Limited for an amount not exceeding £5,829,577.80 and authorises the Director of Education, the Executive Director of Growth, Planning and Housing and the Director of Law to enter into such a contract.

3. Reasons for Decision

- 3.1 The Council has a statutory duty to provide sufficient school places for every child who needs one in its area.

4. Background, including Policy Context

- 4.1. Cabinet on 29th June 2015 approved a strategy to expand secondary schools in Westminster and delegated authority to the Director of Schools, the Director of Growth, Housing and Property and the Director of Law in consultation with the Cabinet Member for Children and Young People, to take such measures as necessary to give effect to the proposals set out in this report.

The expansion of Westminster secondary schools reflects the London-wide need for an additional 34,000 places by the end of this Parliament.

Cabinet's decision was a Key Decision.

- 4.2 Following a thorough procurement exercise, Gate 2 approval was obtained on 24 July 2017 to enter into a contract to build an extension at St George's School. The extension will replace temporary buildings on a neighbouring Council owned site, now being redeveloped, add new space and re-configure internal layouts.

5. Financial Implications

- 5.1 The total tendered cost of the project is £5,829,577.80, which is significantly less than the pre-tender estimate of £7,069,743. The Council had allocated up to £6,718,000 from Basic Need Grant and the School had secured Condition Improvement Funding of £1,830,000 totalling £8,548,000. After accounting for non-contract costs (e.g. furniture, contingencies etc) any excess will be divided between the school and the Council and re-applied to priority projects.
- 5.2 This project is one of four schools included the secondary school expansion originally costed at £18.4M.

- 5.3 Only one tender was submitted from five invited, but the tender is £1,240,165 below the Pre-Tender Estimate.
- 5.4 VAT advice has been sought from the Council's external tax advisors to ensure that the VAT liability is minimised.

Finance Comments: Lize Ferreira, Finance Manager, Family Services – 020 8753 1899.

6. Legal Implications

- 6.1 The recommendation to award the proposed contract to ARJ Construction Limited must be done in compliance with Regulations 86 (Notice and decision of award) and 87 (standstill period) of the Public Contracts Regulations ("the Regulations") as well as in accordance with paragraph 3.19 of the Council's Procurement Code

The mandatory standstill is the period which ends at midnight at the end of the tenth calendar day after sending out the notification notice of the award decision if the Council sends the notice by electronic means or by fax or 15th day after the notice is sent by other means. The contract cannot be signed by the successful tenderer beforehand.

Legal Comments: Sharon Cudjoe, solicitor – 020 7361 2993

7. Consultation

- 7.1 Public consultation relating to the expansion has been carried out. Ward Members have been consulted and have raised no objections other than to draw attention to the potential disruption during the building contract, and possible additional noise from pupils using the improved roof top play area.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact Alan Wharton, email awharton@westminster.gov.uk, tel: 020 7641 2911

APPENDICES

- 1. Report(s) to Gate Panel 1 and 2 – 24 July 2017.

BACKGROUND PAPERS

Cabinet report 29th June 2015

For completion by the Cabinet Member for Children, Families and Young People

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: _____

State nature of interest if any

.....
(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled Expansion of St Georges School and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for *Children, Families and Young People*

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Other Implications

- 1. Resources Implications – none other than set out in the Financial Implications**
- 2. Business Plan Implications – the project contributes to statutory duty**
- 3. Risk Management Implications – failure to deliver will risk breach of statutory duty**
- 4. Health and Wellbeing Impact Assessment including Health and Safety Implications - none**
- 5. Crime and Disorder Implications - none**
- 6. Impact on the Environment – sustainable design and building practices will be followed**
- 7. Equalities Implications - none**
- 8. Staffing Implications - none**
- 9. Human Rights Implications - none**
- 10. Energy Measure Implications – the scheme is seeking to achieve a high BREEAM rating**
- 11. Communications Implications – none other than those referred to**