

Norfolk County Council

Record of Individual Cabinet Member Decision

Falcon Junior School Refurbishment Works

Responsible Cabinet Member: Councillor Fisher (Cabinet Member for Children's Services)

Background and Purpose:


In February 2019 Falcon Junior School (with 462 pupils) first experienced flooding in the main building of the school. As the school was not part of the Building Maintenance Partnership it engaged a plumbing company to consider the cause.

It became apparent that it was beyond the capacity of the school and governing board alone to deal with the issues and flooding events so support was provided by Children's Services officers.

Initial repairs were completed following drain surveys, but following extensive rainfall there was a recurrence of some flooding issues, and in Autumn 2019 three of the four year groups at the school relocated temporarily to the nearby White House Farm Primary School, which as a new school had opened a single class, whilst further repairs were underway. Covid and increasing pupil numbers at White House Farm meant this solution was unsustainable in the medium term.

The root cause of the flooding has been established as primarily the age and condition of the building, but in addition to some historical works were commissioned by a leaders and governors at the time that failed to meet the Building Regulation requirements. Works undertaken were attempting to improve the layout of the school originally constructed in 1970s and include courtyard infill, resulting in the forming of a classroom without natural light and failure to ensure all drainage from the courtyard area was effectively redirected.

A budget allocation has been made to cover redecoration, but in allocating this sum, Children's Services Capital Priorities Group considered the case to use the schools' capital maintenance grant to bring the overall standard of teaching and learning accommodation to a more suitable standard, and recognise the considerable extreme circumstances the school had experienced in the prior two year period. Similar schemes had been successfully delivered at other schools of the same era, and as well as having a positive impact on learning, these changes can improve behaviour management in classes. A recommendation was made for the full budget allocation for the additional works and approved under delegated powers.

Decision: To allow an exemption from Contract Standing Orders and a direct contract award of Munnings Construction Ltd to undertake the remodelling of the classrooms and toilets at Falcon Junior School within the total project estimate of £1.6m, allocated from the NCC school's capital maintenance grant for 2020/2021.	
Is it a key decision?	Yes
Is it subject to call in? If Yes – Deadline for Call in	Yes Date: (4pm Thursday 18 March 2021)
Impact of the Decision: To ensure construction works are completed whilst temporary accommodation is on school site, in time for next academic year	
Evidence and reason for the decision: As set out in attached report	
Alternative options considered and rejected: As set out in attached report	
Financial, Resource or other implications considered: As set out in attached report	
Record of any conflict of interest:	
Background Documents: <ul style="list-style-type: none"> Cabinet report Schools' capital programme, August 2020 	
Date of Decision:	11 March 2021
Publication date of decision:	11 March 2021
Signed by Cabinet member: I confirm that I have made the decision set out above, for the reasons also set out Signed:  Print name: Cllr John Fisher Date: 11/03/2021	
Accompanying Documents: <ul style="list-style-type: none"> 	

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Individual Cabinet Member Decision Report

Item No:

Decision making report title:	Falcon Junior School Refurbishment Works
Date of meeting:	Not applicable
Responsible Cabinet Member:	Councillor John Fisher Cabinet Member for Children's Services
Responsible Director:	Sara Tough Executive Director for Children's Services
Is this a key decision?	Yes
If this is a key decision, date added to the Forward Plan of Key Decisions.	General exception notice issued on 10th March 2021

Introduction from Cabinet Member

Falcon Junior School has undergone considerable drainage repairs following extensive flooding. A temporary modular Portakabin was brought onto site last year for twelve months. In addition to the remedial works, following a recommendation by Capital Priorities Group, the Executive Director of Children's Services has agreed a budget for additional works under her delegated powers, to improve the building layout for teaching and learning. The school is in an area close to the North East growth triangle, where changes to the educational landscape are considered likely in future years.

As the works require remodelling and structural changes it would be expedient to include a suitable building contractor in the opening-up and survey process, and subsequent design solutions. A tender process would take 3-4 weeks minimum. In order to meet the very short delivery timescales it is requested that a direct dialogue with a contractor from the NCC Construction Framework replaces the tender process in this case.

This report outlines an approach to deal with these urgent issues in a timely manner, allowing children to return to the school safely for the coming academic year, September 2021.

Executive Summary

As Responsible Body for the residual maintained Schools' Estate, NCC receives a capital maintenance grant to ensure the fabric of its schools as 'safe, warm and dry'. The responsibility for day to day maintenance of the school buildings and sites resides with school governing board but when an issue is beyond the ability of the school alone, the Local Authority has a strategic responsibility to invest in the condition of a school to ensure the place planning duty is discharged effectively. In the case of Falcon Junior School in Sprowston, the school experienced severe flooding within the building and Children's Services schools' capital programme has funded the repairs. The estimated cost of £1.6m is

above the £1.25M of delegated approval threshold but below the £4.7m threshold under the procurement regulations to openly advertise.

Recommendations

- 1. The Cabinet Member for Children's Services is asked to confirm the appointment of Munnings Construction Ltd to undertake the:**
 - **Remodelling of the classrooms and toilets at Falcon Junior School within the total project estimate of £1.6m, allocated from the NCC school's capital maintenance grant for 2020/2021.**

1. Background and Purpose

- 1.1. In February 2019 Falcon Junior School (with 462 pupils) first experienced flooding in the main building of the school. As the school was not part of the Building Maintenance Partnership it engaged a plumbing company to consider the cause.
- 1.2. It became apparent that it was beyond the capacity of the school and governing board alone to deal with the issues and flooding events so support was provided by Children's Services officers.
- 1.3. Initial repairs were completed following drain surveys, but following extensive rainfall there was a recurrence of some flooding issues, and in Autumn 2019 three of the four year groups at the school relocated temporarily to the nearby White House Farm Primary School, which as a new school had opened a single class, whilst further repairs were underway. Covid and increasing pupil numbers at White House Farm meant this solution was unsustainable in the medium term.
- 1.4. The root cause of the flooding has been established as primarily the age and condition of the building, but in addition to some historical works were commissioned by a leaders and governors at the time that failed to meet the Building Regulation requirements. Works undertaken were attempting to improve the layout of the school originally constructed in 1970s and include courtyard infill, resulting in the forming of a classroom without natural light and failure to ensure all drainage from the courtyard area was effectively redirected.
- 1.5. In order to bring all the Junior School pupils back to the site and allow the repairs to complete whilst remaining Covid-secure, an emergency Portakabin building was placed on the school site for a 12 month period. This is due to be removed in Summer 2021.
- 1.6. A budget allocation has been made to cover redecoration, but in allocating this sum, Children's Services Capital Priorities Group considered the case to use the schools' capital maintenance grant to bring the overall standard of teaching and learning accommodation to a more suitable standard, and recognise the considerable extreme circumstances the school had experienced in the prior two year period. Similar schemes had been successfully delivered at other schools of the same era, and as well as having a positive impact on learning, these

changes can improve behaviour management in classes. A recommendation was made for the full budget allocation for the additional works and approved under delegated powers.

2. Issues and Proposals

- 2.1. The proposal is to ensure all classrooms are accessed via a corridor, provide increased and improved toilet provision, access to natural light and have doorways compliant for disabled access.
- 2.2. In order to achieve the timescale of the next academic year, works need to commence as soon as possible. A pre-feasibility study has been completed and initial structural assessments completed. As with any older building, asbestos and other intrusive surveys are now required to assess what will be needed and experience of these types of works recommend that the building contractor is present to assess the structure along with architects. The building contractor is required to begin a dialogue to decide the design solution.
- 2.3. Because of the urgency to ensure that all works are complete whilst the Portakabin is on site to provide accommodation for around 400 of the children, it is proposed that a building contractor is engaged by a direct dialogue and single quote. The proposed contractor is part of the NCC Construction Framework Lot 1 (works between £1m and £3m) and therefore passed the rigorous quality evaluation to join and has a demonstrable track record for works on school sites.
- 2.4. The terms of the NCC Construction Framework require works let via a 'mini-competition' of framework contractors. This process normally takes between three to four weeks which would mean that the works would be delayed and therefore not be completed for September 2021, or the contractor would not be able to be involved in the structural survey and design process which needs to commence before the end of March.
- 2.5. The annual capital maintenance grant for NCC schools totalled £7.84m, consisting of £5.28M initial allocation, followed by an additional £2.56m later 'windfall' in recognition of the condition of school buildings across the Country. Cabinet in August 2020 ratified the capital allocation of £1.6M to provide the emergency temporary accommodation.
- 2.6. The aim is to use Munnings Builders Ltd via the NCC Framework to undertake the work for several key reasons:
 - (1) As well as presence on the NCC Construction Framework Lot 1, this contractor has a successful track record on the Minor Works framework, and the remodelling works to draw on this type of expertise
 - (2) Munnings currently have availability to undertake the works within the required timescales for September 2021
 - (3) The enforced time limit for completion would not have allowed sufficient time to arrange for competitive tenders to be submitted for the work.

3. Impact of the Proposal

- 3.1. Key construction works will allow the temporary modular building to be removed at the end of the 12-month contract and for the works to be complete whilst the pupils and staff are not accommodated in the building.

4. Evidence and Reasons for Decision

- 4.1. Essential repair and remodelling works will be delayed. It is likely that in the event of procuring contractors the critical timescales will be missed.

5. Alternative Options

- 5.1. The alternative would to procure contractors which is rejected as argued elsewhere in this report

6. Financial Implications

- 6.1. The work for the remodelling of the school classrooms and toilets will be funded from existing schools' capital maintenance grant for 2020/21.

7. Resource Implications

- 7.1. **Staff:** Nil
- 7.2. **Property:** As described elsewhere in this report
- 7.3. **IT:** Nil

8. Other Implications

8.1. Legal Implications

The forming of a contract to undertake the works as an exemption to Contract Standing Orders and approach a contractor for a single quote to ensure timescales can be met. The PCR2015 threshold for Works is £4.7m and therefore there is no requirement under the procurement regulations to openly advertise.

8.2. Human Rights implications nil

8.3. Equality Impact Assessment (EqIA)

The NCC schools' capital programme has been assessed to ensure that it has no adverse impact on young people including those with disabilities, gender reassignment, marriage/civil partnerships, pregnancy/maternity, race, religious belief, sex or sexual orientation where appropriate, as it aims to secure a good place of education for every child. In particular it seeks to ensure that every school has sufficient capacity for strong leadership and governance to safeguard a good education for all.

8.4. Health and Safety implications

A key aim of undertaking the work described elsewhere in this report is to reduce the risk of disruption. Also, this is an opportune time to undertake these noisy and intrusive works while the school is currently decanted into the emergency accommodation already on the school site. The contractor will be required to produce a Covid19 compliant Risk and Method Statement, in addition to standard Health and Safety information.

8.5. **Sustainability implications**

A secondary aim of the scheme will be to consider installation of LED lighting to the school to improve the learning environment and will provide more energy efficient lighting.

9. **Risk Implications/Assessment**

- 9.1. Delay in carrying out the additional works described elsewhere in this report poses considerable disruption to the education of children at the school. It is fortunate that the NCC Framework has secured experienced and appropriate contractors to work on NCC and school sites across the County.

10. **Recommendations**

- 10.1. The Cabinet Member for Commercial Services and Asset Management is asked to note that Munnings Construction Ltd were appointed onto the NCC Construction Framework Lot 1 (£1m-£3m range) following a rigorous competitive tendering process.
- 10.2. The Cabinet Member for Commercial Services and Asset Management is asked to confirm the forming of a contract with Munnings Construction Ltd to undertake the:
- Remodelling of the classrooms and toilets at Falcon Junior School within the total project estimate of £1.6m, allocated from the NCC school's capital maintenance grant for 2020/2021.

11. **Background Papers**

- 11.1. Cabinet August 2020 Schools' capital programme

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

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