



NOTICE OF MEETING
***PLEASE NOTE STARTING TIME**

Cabinet Procurement Committee

THURSDAY, 19TH FEBRUARY, 2009 at *13:00 HRS - CIVIC CENTRE, HIGH ROAD,
WOOD GREEN, N22 8LE.

MEMBERS: Councillors Adje (Chair), Bevan, Kober and Reith

AGENDA

1. APOLOGIES FOR ABSENCE (if any)

2. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

3. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

4. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF MAIN CONTRACT FOR HIGHGATE WOOD SCHOOL

(Report of the Director of Children and Young People's Service): To seek approval to award the main works design and build contract for Highgate Wood School following completion of the Pre-Construction Stage.

5. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF CONTRACT FOR PARK VIEW ACADEMY SCHOOL

(Report of the Director of Children and Young People's Service): To seek approval to award the main works design and build contract for Park View Academy following completion of the Pre-Construction Stage.

6. HARINGEY PUBLIC MORTUARY

(Report of the Director of Urban Environment) To advise on the increased costs involved in the construction of the new mortuary for the Borough and seek approval for the additional spending.

7. THE AWARD OF THE NUISANCE VEHICLE CONTRACT

(Report of the Director of Urban Environment): To report back to the Committee on the restrictions to change the core period (5 years) of the proposed contract for the removal and disposal of nuisance vehicles.

8. EXCLUSION OF PRESS AND PUBLIC

The following items are likely to be the subject of a motion to exclude the press and public as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from the Head of Local Democracy and Member Services

The following items allow for consideration of exempt information (if required) in relation to items 4 - 7 which appear earlier on this agenda.

9. BUILDING SCHOOLS FOR THE FUTURE: AWARD OF MAIN CONTRACT FOR HIGHGATE WOOD SCHOOL

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(Report of the Director of Urban Environment) To advise on the increased costs involved in the construction of the new mortuary for the Borough and seek approval for the additional spending.

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NOTE BY HEAD OF LOCAL DEMOCRACY AND MEMBER SERVICES

In accordance with Part Four Section B Paragraph 17 of the Council's Constitution only the business shown on the notice convening a special meeting may be considered and no other business shall be considered.

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11 February 2009

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[No.]

Agenda item

PROCUREMENT COMMITTEE		On 19 th February 2009
Report Title.		
Building Schools for the Future: Award of Main Contract for Highgate Wood School		
Report authorised by 		
Director of the Children & Young People's Service		
Contact Officer : David Bray 020 8489 1824 david.bray@haringey.gov.uk		
Wards(s) affected: Crouch End	Report for: Key Decision	
1. Purpose of the report		
1.1 To seek Procurement Committee approval to award the main works design and build contract for Highgate Wood School following completion of the Pre-Construction Stage.		
2. Introduction by Cabinet Member		
2.1 The works included in this contract will bring enormous improvements to Highgate Wood School and will be of direct and lasting benefit to pupils.		
2.2 I am satisfied that the appropriate processes have been followed and we will be getting good value for money from this contract as well as contributing to our Greenest Borough strategy via a range of sustainability features.		
2.3 I am happy to support the recommendations.		

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Council Priorities

3.1.1 Making Haringey one of London's Greenest Boroughs

3.1.1.1. The Highgate Wood School Project exhibits a number of sustainability features, as follows:

- Recycled construction materials
- Certified Timber:-Chain of Custody
- Reduced Volatile Organic Compound materials
- Use of natural gas for heating and hot water production
- Minimum use of electricity (use of daylight)
- Low energy lighting
- The Service and controls will be selected to maximise the efficiency of primary energy source, minimising CO₂ & NO_x (Nitrogen Oxide) emissions and minimise use and waste of electricity
- Minimise waste in water
- Insulation where feasible on all new elements
- Improvement on Energy Saving

3.1.1.2. An initial Building Research Establishment Environmental Assessment Method (BREEAM) review indicated that the project would achieve a "Very Good" rating, which is the aspiration contained in the OBC.

3.1.1.3. The project will assist in ensuring the appropriate renewal and refurbishment of property assets in the Borough, and address issues of maintenance, all of which will contribute to the optimum use of resources in the long term.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1. A variety of sustainable measures will be incorporated in the design, reducing the use of energy and CO₂ emissions. This will help in the achievement of a BREEAM rating of "Very Good".

3.1.2.2. The new builds are within the heart of the school, ensuring safety of the users of the school and will link with the existing security system.

3.1.3 Encouraging Lifetime Well Being, at Home, Work, Play and Learning

3.1.3.1. The BSF programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing inclusion and providing a wider range of pathways of study.

3.1.3.2. The BSF programme will improve access to extended services in and around schools and contribute to improving community cohesion. Examples include access to out of hours study support for children and families, sports and the arts. This particular school will have a new Learning Resource Centre (LRC) which will

enable out-of hours studying, which can be accessed externally, without accessing the rest of the school. The new outdoor stage will encourage local community to be involved in school outdoor performances by talented young individuals within Highgate Wood School

3.1.4 Promoting independent living while supporting adults and children when needed

3.1.4.1. The Construction Partner has undertaken to implement, wherever possible, the Council's policies in respect of employing local labour, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

3.1.5.1. Key to the success of the BSF programme is to improve standards in schools. Highgate Wood School continues to improve academically and the proposals ensures a better learning environment within the school. The BSF programme will add to the learning environment for all young people to enable further progress to be made.

3.1.5.2. The BSF works for the new Learning Resource Centre, will not only improve the schools learning facility, it also allows for the school to open out of hours for the local community. The New Build will also include media classroom at upper level which will provide much needed teaching space within the school timetable.

3.1.5.3. The proposals to extend the existing dining (as requested by Partnership for Schools) will provide some much needed social areas/break out space for the pupils and a much improved Dining Area. The installation of a new upper mezzanine walkway (within the dining area) connecting the existing Adams Block, will eliminate the current thoroughfare through the dining space.

3.2 Council Strategies

3.2.1 Safer for All

3.2.1.1. In all our work we will pay particular attention to:

- Young people and crime
- Mental health issues
- Support for victims and witnesses of crime
- Working with and through communities (Community Engagement)

3.3 Resources

3.3.1 Value for Money

3.3.1.1. Overall Value for money is achieved by the procurement methodology to prove the economy, efficiency and effectiveness of each project as it is tendered. Six suitable contractors formed a BSF contractor framework to serve each project in the programme, by means of mini competitions. The successful contractor worked through the design stage ultimately producing costed packages of work. The

exercise is "open book", allowing the project manager and cost manager to see the sub consultants tenders and confirm the price meets scope and quality criteria.

3.3.1.2. Due to the nature of the works within a live school site, Criminal Records Bureau (CRB) checks will be submitted and monitored by the London Borough of Haringey for the Construction Partners "on site" staff. Supervisors from sub-contractors will also be subjected to CRB. This will bring to the Council's attention anyone unsuitable to work with children and other vulnerable members of society.

3.3.1.3. Designers are briefed to ensure the new build elements comply to the highest level of energy saving.

3.3.1.4. A thorough analysis of pupil place planning has been carried out to ensure that the school accommodation is appropriate for both current needs and the foreseeable needs of the future. Governors have signed an agreement to maintain the property in good order once the BSF work is completed. The Facilities Management (FM) aspect of the Private Finance Initiative (PFI) contract will be reviewed at the end of the BSF works.

3.3.1.5. Work streams within the programme incorporate people from the Haringey work force where practical.

3.3.1.6. A workforce development programme is already in place to ensure the skills, knowledge and experience of the staff match the needs of an effective school.

3.3.2 Engagement of the Community

3.3.2.1. The designs have been made available prior to the construction stage for resident drop in sessions, school parents days and information has been posted through the doors of local residents (also available on line for viewing). These initiatives will continue through the construction phase.

3.3.2.2. Full consultation has been undertaken as part of the BSF Stage approvals; this included consultation with Partnership for Schools, Commission for Architecture and the Built Environment (CABE), Council planners and building control, the Fire Officer and the Police (Secured by Design).

3.3.3 Full planning permission was received for the scheme on the 11th September 2008.

3.3.3.1. The selected construction partner will have a Customer Liaison Officer (CLO) whose role is to actively engage with the community through drop in sessions, leaflet drops, open evenings and many more stakeholder engagement activities to allow for comment and feedback during the construction process.

3.3.3.2. During the construction phase of the works the construction partner will set up apprenticeships and encourage the use of locally based labour and unemployed people. Apprenticeships will be within various positions, for example, trades, administration and management. These will be monitored as a Key Performance Indicator.

3.3.4 Risk Management

3.3.4.1. Risks are managed within the governance of the BSF programme. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes. Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance. An audit of the programme completed satisfactorily.

4. Recommendations

4.1 The Procurement Committee award the design and build contract, with a value set out in Appendix 16.1, with a 35 week programme to 23rd November 2009.

4.2 The Procurement Committee authorise spending on this contract up to the sum detailed in 16.1.2, with reference to the build up of this sum on 16.1.1.

5. Reason for recommendation(s)

5.1 In April 2007, following an Official Journal of the European Union (OJEU) process, Haringey's Procurement Committee agreed a framework of six Constructor Partners (CP's). These CP's would be used to source the twelve school projects in the BSF programme.

5.2 In May 2008 it was agreed with the Leader of the Council that, in order to give full Member involvement in the BSF Design and Build process, the pre-construction stage would be reported to Procurement Committee for approval. Subsequently the main award with an Agreed Maximum Price (AMP) would also be presented to Procurement Committee.

5.3 All the CP's on the framework were invited to submit proposals for the Highgate Wood School project, via a mini-competition. The mini-competition process for Highgate Wood School was completed on 18th July 2008 and a preconstruction agreement was awarded to Breyer Group Plc.

5.4 The Pre Construction stage was undertaken as follows:

5.4.1.1. The Design Team Partner developed the level of design up to Royal Institute of British Architects (RIBA) Stage D+ (detailed design) which formed the basis of the Council's Requirements. To allow the contractor partner to formulate an AMP the following information was sent to them:

- Drawings (architectural, structural and civils, mechanical and electrical, landscape and acoustic)
- Specifications
- ICT proposals
- Waste management proposals
- Statutory requirements
- Programme

- Planned maintenance programme
- Key performance indicators
- Contract terms and conditions

5.4.2 Pre Construction Services /Contractor's Proposals

5.4.2.1. The Contractor Partner undertook the following services in order to submit an AMP:

- Pre-construction design
- Supply chain management/works package tendering, with full cost management
- Value engineering/open book accounting
- Procurement of surveys
- Quality assurance
- Method statements
- Procurement of material samples
- Insurances/warranties and bonds

5.4.3 The Contractor Partner received the Council's Requirements on 20th September 2008 and then worked with the Design Team Partner and stakeholders to develop their Contractor's Proposals in response.

5.5 Review

5.5.1 The majority of the works package items within the design were tendered by the Contractor Partner (The exceptions were fencing, terrazzo and incoming services). The CP was instructed to send out individual work packages to a minimum of three suppliers. The suppliers were asked to return their prices to Potter Raper Partnership's (cost consultant) Office for opening and recording, and the CP submitted a recommendation report for the Individual packages, which demonstrated value for money. As a result, Potter Raper Partnership (PRP) confirmed that over 90% of the works received three tenders; the remainder were qualified, but PRP have confirmed these demonstrated value for money.

5.5.2 The Design Team Partner has reviewed the recommendation to ensure that they are compliant with the Council's Requirements. There have been no significant derogations from the Council Requirements.

5.6 Final Tender

5.6.1 The AMP was submitted and opened on 17th December 2008. The tender included the following information:

- Form of Tender
- Contractor AMP form
- Programme
- Contractor's Proposals

5.7 Health and Safety Implications

5.7.1 During the pre-construction stage the designs have been reviewed by a Construction Design and Management Co-ordinator, (Gardiner and Theobald). Their duties have included:

- Advise and assist the client with their health and safety duties
- Notify details of the project to HSE
- Co-ordinate health and safety aspects of the design work and co-operate with others involved with the project
- Facilitate good communication between the client, designers and contractors
- Liaise with the principal contractor regarding ongoing design work
- Identify, collect and pass on pre-construction information
- Prepare and update the health and safety file

5.7.2 As part of their acceptance onto the Contractor's Framework for BSF the contractor partner is a member of the Contractors Health and Safety Assessment Scheme (CHAS). This has allowed the Council access to contractor partner's information on their Health and Safety record, to ensure that they are meeting the necessary regulations.

6. Other options considered

6.1 Not Applicable

7. Summary

7.1 The Highgate Wood BSF project has been the subject of a 2 stage tendering process with a contractor appointed to undertake pre-construction services. This report addresses the process used to ensure value for money, identifies the anticipated costs resulting from the procurement exercise and seeks approval to proceed to award the main design and build contract.

8. Chief Financial Officer Comments

8.1 The Service Financial Comments highlight (para. 13.2) the level of provisional sums within the contract, which at £499,750 represents some 15% of the AMP; as such there would seem to be a high degree of risk associated with these items and Members may wish to seek further explanation as to how this risk is to be managed. In this context regard should also be had to the level of contingency identified (£277,000) since any adverse variation against provisional sums would fall as a charge against that sum.

9. Head of Legal Services Comments

9.1 The Director of children and Young People Services is seeking Procurement Committee approval of an award of the contract for the Design and Build phase of the Highgate Wood School Project (the Project), to the contractor named in paragraph 16.1 (the Contractor), and for authorisation to spend on this contract up to the sum detailed in 16.1.2, with reference to the build up of this sum on 16.1.1.

9.2 The Contractor was recommended to the Procurement Committee for the award of

the Pre-construction contract for the Project and the opportunity to negotiate an Agreed maximum Price for the project as a whole, following a mini-competition held with the contractors on the BSF Contractor Partners Framework Agreement.

9.3 As confirmed by external legal advisers to the BSF programme, Eversheds, the BSF Construction Partners Framework Agreement was established following the correct advertisement in accordance with EU public procurement directives and regulations.

9.4 The Pre-Construction services contract was awarded to the Contractor under delegated authority on 2 September 2008.

9.5 The Construction Procurement Group have confirmed that all parties to the Pre-Construction Services contract mini-competition understood that the Council reserved the right to award the subsequent contract for the Design and Build stage of the contract to the same contractor that was awarded the contract for the Pre-construction stage of the contract provided agreement as to an Agreed Maximum Price and other terms of the D & B contract is reached with that contractor.

9.6 Agreement as to the Agreed Maximum Price and other terms of the Design and Build contract have now been reached with the Contractor therefore this report is seeking approval of the award of the contract for the Design and Build stage of the Project to the Contractor.

9.7 As the value of the Agreed Maximum Price in relation to the proposed contract exceeds £250,000, the Procurement Committee is the appropriate body with the power, under CSO 11.3, to approve the award of the proposed contract.

9.8 The Head of Legal Services confirms that, subject to funding, there are no legal reasons preventing Members from approving the recommendation as to the proposed contract award set out in Paragraph 4 of this report.

10. Head of Procurement Comments

10.1 The process for assembling the Agreed Maximum Price (AMP) is based on an open book process where the sum of each package of works (such as piling and decorations) compiles the AMP.

10.2 The AMP has been assembled by the contractor following a series of mini competitions to their supply chain and the figures received are arithmetically checked by the Cost Consultant. The prime contractor recommends the intended sub-contractor for each package for examination by the Cost Consultant and Project Manager.

10.3 The Agreed Maximum Price is then received and processed by Council officers in accordance with standing orders and financial regulations.

11. Equalities and Community Cohesion Comments

11.1 The new build elements of the Highgate Wood project are being designed to be fully accessible to all levels of physical ability (DDA compliance). As part of the vision for the campus, the facilities have the potential to be open to the local community.

11.2 An Equalities Implication Assessment is complete and submitted to the Director of CYPs .

12. Consultation

12.1 The Construction Procurement Group has been fully consulted in the preparation of this report.

12.2 A wide range of internal and external stakeholders have been consulted during the course of project development. These stakeholders include the school and its administrators, the local community, local Members, Partnerships for Schools, DCFS, and the Commission for Architecture and the Built Environment (CABE).

12.3 A Governing Body Agreement has been agreed in principle with the Highgate Wood School which acknowledges that the Contractor Partner will require access to the school premises to carry out the works and that the school will liaise closely with them to support the phasing and decanting requirements of the scheme.

12.4 Legal Implications (provided by Eversheds)

12.4.1 The BSF Framework Agreements with the Construction Partners were established following the correct advertisement in accordance with EC procurement directives and regulations.

12.4.2 The framework incorporates a mechanism in order to score call offs and mini competitions. It anticipates that, subsequent to the appointment of a contractor to a Pre-Construction Services Agreement, a Design and Build Contract will be entered into with that contractor in substantially the same form as the draft in the framework

12.4.3 Whilst the contractor has been proceeding with the services under the Pre-Construction Services Agreement, Haringey's Construction Procurement Group, with the assistance of other professional advisers, has been progressing the process of establishing the scope and price for the Design and Build Contract.

13. Service Financial Comments

13.1 Appendix 1 presents the AMP Stage Cost Schedule. This table confirms all project cost elements associated with the project's design and build phases based on information from Potter Raper Partnership and confirmed by the Mace Project Manager – this table incorporates previous stages approved via delegated authority. This table shows that the Maximum Project Cost equals the cash limited budget for this project and therefore has the necessary budget provision available for this approval to be made.

13.2 The Procurement Committee is asked to note that the AMP contract includes £499,750 Provisional Sum items. These items are subject to confirmation as more detailed design and costing work is completed by the contractor. The Project Manager is asked to focus attention on concluding Provisional Sum items to ensure that costs are contained within agreed contract limits.

13.3 DCSF issued a revised promissory letter on Monday 24th November 08 confirming the BSF programme FBC had successfully been signed off, and the total grant funding payable to the council. As defined in the DCSF Funding Protocol, the date of this Promissory letter defines the moment of financial close for funding purposes. This was confirmed by the discussion and minute of the 21st October BSF Programme Board.

14. Use of appendices /Tables and photographs

14.1 Agreed Maximum Price Summary (16.1)

14.2 Provisional sum schedule (16.2)

14.3 Programme Milestones (16.3)

14.4 Construction awards to date (16.4)

15. Local Government (Access to Information) Act 1985

15.1 The following documents were used in the compilation of this report:

15.2 The Council's Standing Orders

15.3 Appendix 1 of this report contains exempt information and is **not for publication**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

- *Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).*

HARINGEY COUNCIL

EQUALITY IMPACT ASSESSMENT FORM



Service: BSF

Directorate: Children & Young People's Service

Title of Proposal: BSF project – Highgate Wood School

Lead Officer (author of the proposal): Peter Smedmor (Project Manager)

Names of other Officers involved: Nick Kemp (Transformation Coordinator), & wide range of other agents and contractors acting for the council, including architects, cost consultants



State what effects the proposal is intended to achieve and who will benefit from it.

1. 1 Project outline

- ❖ Highgate Wood is one of 12 schools in the BSF programme that has completed its pre-construction stage and is moving to the main stage of the Design and Build programme. Procurement Committee approval is now being sought to award the main works design and build contract for HIGHGATE WOOD school
- ❖ Following significant and sustained consultation the work will comprise
 - Creating a new Learning Resource Centre for pupil, staff and external community users
 - Extending and improving the Dining facilities to promote healthy eating and creating better circulation through the school.
 - Creating additional associated teaching areas for schools curriculum and creating new mezzanine teaching classroom also containing a control room for the sound, lighting & projection facilities within the hall.
 - The new teaching area will include the necessary acoustics, ventilation and heating, all of which will contribute to more effective learning.
 - Remodelling the school's specialist areas, with enhanced ICT infrastructure, to support improved service delivery to school students and community users
 - Improvements in disability access and usage.
 - New outdoor performance stage

1.2 What effects the proposal is intended to achieve

- ❖ The BSF works support CYPs and national goals, by improving (i) exam outcomes for students (ii) students' personal development & well-being (iii) facilities for community site users, (iv) specialist facilities
- ❖ The areas/functions of the site to be improved in line with this goal are: ICT provision for students and other site users; teaching and learning accommodation; social spaces for students and site users.
- ❖ Increased access to 14-19 diplomas and other specialist pathways both at the school and at other locations providing greater choice and diversity of provision for parents and students.
- ❖ Improved access to ICT will reduce the 'digital divide' for families with limited ICT access at home and enhance the learning activities for all students
- ❖ A managed learning environment will enable any parent to securely access information on their child, such as attendance, homework and progress

Who will benefit?

- ❖ The BSF programme has as its core aim to break the link between disadvantage and low achievement. The resource allocation for this school will help to redress this disadvantage, whilst ensuring the raising of attainment levels for all students. In particular by providing increased access to a wider curriculum, including 14-19 diplomas, improved personalised learning and greatly increase access to ICT.
- ❖ The BSF works at this school are intended to benefit the students & community site users
- ❖ The school's students are more economically disadvantaged than the national norm (18.1% FSM entitlement, compared to national average of 14.2%), & over half (57.6%) from minority ethnic groups, compared to national average of 19.5%, reflecting the nature of the local community. Community site users, whether parents/carers, or other community groups, reflect a similar profile

You should gather all relevant quantitative and qualitative data that will help you assess whether at present, there are differential outcomes for the different equalities target groups – diverse ethnic groups, women, men, older people, young people, disabled people, gay men, lesbians and transgender people and faith groups. Identify where there are gaps in data and say how you plug these gaps.

In order to establish whether a group is experiencing disproportionate effects, you should relate the data for each group to its population size. The 2001 Haringey Census data has an equalities profile of the borough and will help you to make comparisons against population sizes.

http://harinet.haringey.gov.uk/index/news_and_events/fact_file/statistics/census_statistics.htm

2 a) Using data from equalities monitoring, recent surveys, research, consultation etc. are there group(s) in the community who:

- **are significantly under/over represented in the use of the service, when compared to their population size?**
- **have raised concerns about access to services or quality of services?**
- **appear to be receiving differential outcomes in comparison to other groups?**

2a

Groups significantly under/over represented in use of the service, when compared to their population size

- ❖ **Age:** the school serves the 11-18 age group; community users are of varied ages, with high representation of adults with school-age children (as they are parents of Highgate Wood students), a high representation of younger students (weekend arts groups) and relatively low representation of older people, although wide use is made of sports facilities by adults out of school hours.
- ❖ **Gender - students:** in common with many mixed secondary schools, boys (61.5%) outnumber girls (38.5%) although this profile is changing as Year 7 is now divided 50:50. There is no significant gender pattern amongst community users
- ❖ **Race:** the school roll reflects local ethnicity patterns, with high (57.6%) representation of (national) minority ethnic groups, the largest categories of which are currently Turkish/Kurdish (9%), Black or Black British- African (6.3%), Black or Black British- Caribbean (7.1%), Mixed-White & Black Caribbean (5%), White, Any Other White background (17%), Any Other Ethnic Group (6.7%), 23.7% of students have a first language other than English, well above national average
- ❖ Similar patterns are discernable amongst community users, but there is no requirement for users to complete an ethnic monitoring return
- ❖ **Religion:** around 6% of students are Muslim; a similar pattern is present in community user profile (but there is no requirement on community users to declare their faith affiliations)
- ❖ **Disability:** the school has very slightly below the national average of students with SEN (18.0% vs 19.9%). There is one student with a physical disability and about 10 with mild to moderate visual impairments. The school will after BSF be one of two schools with facilities for visually impaired pupils.
- ❖ **Sexual orientation:** the school does not hold data on student sexual orientation, unless confidentially divulged by individual students; similarly, the school does not hold such records on other users

Groups that have raised concerns about access to service/service quality

- ❖ The log of parental queries shows that the school receives a level of queries below similar schools, reflecting the school's recognised success in achieving satisfactory progress for its students (as evidenced by Raise online see <http://www.cocentra.com/>)
- ❖ Parents of Black British and Black African backgrounds and those from the Turkish and Kurdish communities, have however expressed concerns that the school does not fully involve them in school life, but have recently responded to various initiatives in this area that will be enhanced by the BSF programme
- ❖ No concerns have been raised by community user groups about equalities access issues, except for the possibility of restricted access to one building; this will be addressed in the BSF programme

Groups which appear to be receiving differential outcomes in comparison to other groups

- ❖ Students in the equalities target groups, with some clearly identified exceptions (identified below) make educational progress broadly in line with national norms. Standards are, however, below national averages on entry, so 'catch-up' to national average standards is a challenge. Accelerating progress by all groups is therefore the goal of the BSF project
- ❖ *Gender - students:* in line with national patterns, boys standards are below girls (typically reflecting lower prior attainment at Key Stage 2), but in terms of achievement (Key Stage 2-4 Contextual Value Added), both girls & boys achieve in line with expectations, with the exception of girls who arrived at the school with low attainment. It should be noted that girls arriving with high attainment achieve at a level far higher than expected
- ❖ *Race:* standards achieved by most groups are slightly below national, but all ethnic group's achievement is in line with or above national, bar those of Irish origin (1.2% of school population, i.e. 18 students), Caribbean (7.1%, i.e. 89 students), Any Other White (17%, i.e. 23 students) & Chinese (0.5%, i.e. 7 students)- progress slightly below expectations). These groups' achievement is slightly (but not significantly in DCSF terms) below national. Whilst not a current DCSF ethnic group category, the school is aware that Turkish/Kurdish boys (as a subset of other groups listed) underachieve
- ❖ *Religion:* no significant patterns of underachievement
- ❖ *Disability:* students with SEN (School Action) tend, as would be expected, to have standards below national and school norms, but the school is aware that achievement of students at 'School Action' is significantly below national (see below for mitigating action) It should also be noted that SEN students with statements achieve at a higher level than expected
- ❖ Some community users can find difficulties with difficult physical approach to the current school entrance, access to upper floors in one of the main buildings; difficult routing of circulation space; limited range of environmentally-controlled rooms & sufficiency of specialist rooms, all of which inhibit more widespread use

2 b) What factors (barriers) might account for this under/over representation?

- ❖ *Age:* relatively low representation of older people as site users is a function of current demand; the school continues to welcome proposals for adult education/community activities,
- ❖ *Gender:* over-representation of boys is a function of parental choice (Haringey has a girls school but no boys school – hence gender is skewed in many schools) though the increasing ratio of girls indicates a change in patterns of choice; boys' attainment at KS2 is not in the control of this school; given low prior attainment, boys are more at risk of inappropriate behaviour, thence exclusion, than the national norm
- ❖ *Race:* the lower attainment of particular groups on entry to the school has multiple causation, including: high levels of disadvantage; EAL; factors associated with prior schooling and low prior attainment; factors associated with refugee/asylum-seeker status. It is difficult to

generalise about reasons for the underachievement of the (slightly) under-achieving ethnic groups, particularly where the actual numbers are low, & there is multiple causation. The school, however, has strong student tracking procedures, & is aware of & addressing the individual circumstances of weak progress for each individual concerned. For the largest category of students not achieving to their full potential (Black Caribbean students, and Turkish and Kurdish boys), the main reason identified by the school is a lower level of engagement of both the students and their families. Risk of exclusion- as in Gender section

- ❖ *Religion*: no particular issues
- ❖ *Disability*: see 2a, above

Using the information you have gathered and analysed in step 2, you should assess whether and how the proposal you are putting forward will affect existing barriers and what actions you will take to address any potential negative effects.

3 a) How will your proposal affect existing barriers? (Please tick below as appropriate)

	Reduce barriers
--	-----------------

Comment

- ❖ Proposal will **reduce** barriers, by accelerating the already satisfactory rates of achievement for most target groups, the slightly depressed achievement for identified groups, & improving community ease of access

3 b) What specific actions are you proposing in order to respond to the existing barriers and imbalances you have identified in Step 2?

- ❖ **Gender:** boys' achievement, thence attainment, will benefit from: improvements in teaching and learning provision (particularly additional rooming to support small maths, English & science groups); improved independent study facilities (particularly improved facilities for booster sessions in new learning resource centre). Improvements to circulation space & SEN provision will benefit boys in terms of reducing opportunities for poor behaviour, which can otherwise detract from focus on learning, & lead to exclusion. Specific provision has been made for students with short or medium behavioural difficulties to have a more personalised curriculum that gets them back on track and avoid exclusions. This is particularly relevant African Caribbean boys, although not exclusively so.
- ❖ **Race:** achievement, thence attainment, for all minority ethnic groups will benefit from measures described in Gender section, above
- ❖ **Religion:** Muslim boys (see earlier sections) will benefit from all of above measures
- ❖ **Disability.** The new works are fully compliant with DDA, statutory legislation and DCFS Building Bulletins. Learner achievement, personal development & well being will benefit from: improvements to circulation space, and social space; larger, more purpose-fit, environmentally-controlled classrooms; installation of lift to Adams Block – serving four storeys and lift to the new LRC; additional Disabled WC within LRC. Students with SEN will also have achievement, thence attainment, raised by measures described in the gender section, above & the additional spaces created will facilitate the school in continuing to provide more personalised support for the growing School Action cohort to meet their needs in a more appropriate way
- ❖ Community users (particularly the elderly or less mobile) will benefit from: disabled toilets; more environmentally-controlled rooms; new lifts serving inaccessible areas; LRC accessible externally
- ❖ The design allows for flexibility of spaces and rooms, should the school's needs change with time

3 c) If there are barriers that cannot be removed, what groups will be most affected and what Positive Actions are you proposing in order to reduce the adverse impact on those groups?

- ❖ The BSF project cannot in itself widen provision for community users, such as the under-represented older citizens. Revenue funding (which BSF cannot provide) to sustain this provision is the key challenge. This is being addressed through the newly appointed extended services team and some measures within the schools specialist community plan
- ❖ Underachievement by identified ethnic groups (above) will be addressed by measures including: booster sessions in key subjects; additional training for staff on effective Assessment for Learning; closer working partnerships with parents/carers, in particular specific target groups; use of MEAP and BPAP programmes lead by teachers with specific responsibilities; use of progress tracking data, on a case-by-case basis, working with students, teachers, parents/carers on individualised strategies to accelerate progress
- ❖ Underachievement by SEN (School Action) students will be addressed by the same measures identified in the previous paragraph, &, additionally, remapping of SEN provision with more responsibility taken by Learning Support teachers and the appointment of Higher Level Teaching Assistants. Specialist support and facilities will be available for visually impaired pupils at the school.

Consultation is an essential part of impact assessment. If there has been recent consultation which has highlighted the issues you have identified in Steps 2 and 3, use it to inform your assessment. If there has been no consultation relating to the issues, then you may have to carry out consultation to assist your assessment.

Make sure you reach all those who are likely to be affected by the proposal, ensuring that you cover all the equalities strands. Do not forget to give feedback to the people you have consulted, stating how you have responded to the issues and concerns they have raised.

4 a) Who have you consulted on your proposal and what were the main issues and concerns from the consultation?

Group /Body consulted	Focus of consultation	Frequency & timing of consultation	Concerns/Issues raised by consultees	Overall message from consultees
HIGHGATE WOOD governing body (including parent, community representatives)	School's vision for improvements in provision funded by BSF	Governors & Head submitted detailed written proposals		Governors made clear that their main goal was to raise achievement for all sections of school community
	Design Quality Indicator workshop attended by governors, staff, parents and students	Reviewing priorities, & match of priorities to emerging design	Views fed into design process	
	Initial design proposals (Stage B)	Briefing prior to Stage B signoff, then formal signoff of proposals	Various concerns over design detail.	Governors agreed proposals
	Stage C design proposals	As above	As above	Signed off proposals
	Stage D design proposals	As above	As above	Signed off proposals
	Final detailed proposals for works – "Employers Requirements"	Detailed information on all aspects of proposals provided	None	Proposals agreed
	Seeking confirmation that governing body was satisfied with the consultation process, and that the design is in line with the governors views expressed in their vision document (see above)	Prior to Final Business Case	None	Formal confirmation agreed from governing body, that they are satisfied with process and outcome
Head teacher	Head teacher involved at all stages in governing body consultation process – see above			
	Detailed consultation throughout all stages described in	Weekly meetings with project officers, architects, ICT	Wide range of issues covered during duration	Head happy with process and outcome

	governing body section	consultants, FF&E consultants, plus regular telephone & email discussion	of project, all resolved	
Staff	Consultation on detail of: room adjacencies; room layouts; ICT specifications; FF&E	Programme of workshops & group/individual meetings' participation in DQI workshop	Wide range of issues covered; concerns all resolved	
Students	Consultation on range of aspects of project including Joined Up Design project run by the Sorrell Foundation	Input into governors' vision document; in-house discussion throughout process; DQI workshops; drop-in surgeries with architects	Wide range of issues covered, & student views fed into design process	
Parents	As above	Involvement through: input into governors' vision document via parent governors; parent governor representation throughout process; drop-in sessions with architects	Wide range of issues covered. All significant concerns addressed, but parents aware that not all aspirations were deliverable, given limited budget	
Community Users & general public	As above	User involvement: consultation on input into vision document; discussions with WAES, & user groups, talking to school business manager, & fed into design process; drop-in sessions with architects. Planning consultation process via standard procedures	As above & logistical concerns regarding the impact of the actual works on the local community – ongoing consultation to address this	

4 b) How, in your proposal have you responded to the issues and concerns from consultation?

- ❖ There has been an intensive consultation process, over several years, with detailed records kept of all changes to design, all of which have been subject to scrutiny by Partnerships for Schools, the BSF board (with elected members represented), and the governing body
- ❖ At all design stages and major decision-making points, there has been formal consultation
- ❖ During the consultation process the environmental conditions were a key concern of the school. Throughout the design stage these have been discussed and resolved. Although these

were included within the original brief the project team has had to spend additional time looking at the health and well being of the user groups to improve ventilation, acoustics and lighting within the building.

- ❖ It is impractical to summarise the vast numbers of ongoing modifications to the design over the past 3 years, but the key issues raised & resolved are as below
- ❖ Responses to community user needs: The LRC is accessible externally to enable community users to use out of hours. The LRC has access for disabled users and includes Disabled WC's within.
- ❖ Actions in response to concerns from governors, students & others on student user needs: The Dining Area has been extended giving the school better social and breakout space. The circulation has been improved, eliminating the current thoroughfare through existing dining area. Students will be looking to participate in the finishing to new areas. The LRC will be more spacious and workable than existing library.

4 c) How have you informed the public and the people you consulted about the results of the consultation and what actions you are proposing in order to address the concerns raised?

- ❖ Feedback provided to major constituencies through: Project Manager written & oral feedback to Head teacher; written & oral reports to governors by Head &/or Project Manager; school newsletter feedback to parents, students, community users; drop-in sessions; additional feedback to students via school assemblies, Transformation Manager has given updates to staff, parents and students at Parent's Evenings, PSA meetings, Academic Review days and assemblies



The issues you have identified during the assessment and consultation may be new to you or your staff, which means you will need to raise awareness of them among your staff, which may even training. You should identify those issues and plan how and when you will raise them with your staff.

Do you envisage the need to train staff or raise awareness of the issues arising from any aspects of your proposal and as a result of the impact assessment, and if so, what plans have you made?

- ❖ Highgate Wood is a school now judged 'Good' by the national regulating body (OfSTED)
- ❖ Part of the requirements for a Good school are that it has good self-review systems, & is actively training its staff to improve quality & equality. The issues identified in this impact assessment draw heavily from the schools self-review, & there is clear evidence (verified by the School Improvement Partner) that the issues identified in this EIA are on the school's training agenda. These include training on: assessment for learning focused through arts methodologies; curricular target-setting & progress tracking of student performance; effective use of ICT, provision for students without access to home facilities; teaching bilingual learners; strategies to raise achievement of target groups; individual performance management plans, containing customised CPD/training plans for over 100 staff

If the proposal is adopted there is a legal duty to monitor and publish its actual effects on people. Monitoring should cover all the six equality strands. The purpose of equalities monitoring is to see how the policy is working in practice and to identify if and where it is producing disproportionate adverse effects and to take steps to address the effects. You should use the Council's equal opportunities monitoring form which can be downloaded from Harinet. Generally, equalities monitoring data should be gathered, analysed and report quarterly, in the first instance to your DMT and then to the Equalities Team.

What arrangements do you have or will put in place to monitor, report, publish and disseminate information on how your proposal is working and whether or not it is producing the intended equalities outcomes?

- ***Who will be responsible for monitoring?***
- ***What indicators and targets will be used to monitor and evaluate the effectiveness of the policy/service/function and its equalities impact?***
- ***Are there monitoring procedures already in place which will generate this information?***
- ***Where will this information be reported and how often?***

The following monitoring arrangements are in place in respect of equalities issues in respect of provision & outcomes for all EIA target groups, & provision for user groups:

- ❖ Annual:
 - school outcomes & provision reviewed by school, logged in school Self-Evaluation framework (SEF), then scrutinised by School Improvement Partner (SIP); outcomes reported to governing body & LA SIP coordinator, feeding into CYPS review
 - review of outcomes by Haringey School Improvement officers, & intervention if significant negative trends identified
- ❖ Every 2-3 years: OfSTED inspection reviews & judges quality of all aspects of school, including equalities issues; outcomes published nationally
- ❖ Annual review of Specialist Schools Plan targets with particular reference to community outcomes
- ❖ One year after BSF works completion: review of impact by independent DQI assessor; outcome fed to BSF Board, which has elected member representation.
- ❖ The implementation of the School's Equality Scheme (SES) will allow the school to monitor issues in relation to race, gender, age, disability, religion and sexual orientation. The SES will also identify the key Equality Impact Assessments that the school proposes to undertake and will link in with the key issues raised in the BSF programme.

In the table below, summarise for each diversity strand the impacts you have identified in your assessment

Age	Disability	Ethnicity	Gender	Religion or Belief	Sexual Orientation
This proposal will have NO adverse impacts on any of groups identified					
	<p>Improved SEN student achievement, through:</p> <ul style="list-style-type: none"> - Smaller core subject classes enabled by additional room provision - Improved access to in school & anytime, anywhere ICT - Reduced exclusion risk, via new facility, & improved circulation & social space - Improved DDA & physical access for community & other users, by measures described in document 	<ul style="list-style-type: none"> - Improved achievement for under-achieving ethnic group, by means other than BSF (see detail in document) - Improved achievement by all minority ethnic groups (most achieving well), by virtue of MOST (92%) of students being from these groups, therefore benefiting from project 	<ul style="list-style-type: none"> - Both male & female students achieve well at this school. All will benefit, however, from this project 	<ul style="list-style-type: none"> - No discrete underachievement is currently existing for Muslim students or site users - All students will benefit from this project 	<ul style="list-style-type: none"> - Whilst sexual orientation is not logged by schools, students of all orientations will benefit from the project



Please list below any recommendations for action that you plan to take as a result of this impact assessment.

Issue	Action required	Lead person	Timescale	Resource implications
<p>The guidance note says that "Summarise the actions that are recommended against each of the risks/potential adverse effects on each of the groups covered in the assessment. This should be used to develop an action plan to implement the improvements needed to address the adverse effects that have been identified".</p>				
<p>As Step 8, & the main body of this document demonstrates in detail, the project creates no adverse effects</p>				
Gender Boy' achievement	New study rooms and new independent study facilities, together with improved circulation	School/PM	12 months	School to review
Improved disabled access/facilities to the school	Disabled access to new areas and allowing school to reorganise facilities	School/PM	12 months	School to review
Encourage Community users	Create out of hours facilities (i.e. LRC) for community use	School	12 months	School to review

There is a legal duty to publish the results of impact assessments. The reason is not simply to comply with the law but also to make the whole process and its outcome transparent and have a wider community ownership. You should summarise the results of the assessment and intended actions and publish them. You should consider in what formats you will publish in order to ensure that you reach all sections of the community.

When and where do you intend to publish the results of your assessment, and in what formats?

The results of the assessment intend to be published on the Haringey website, under the Building Schools for Future.

Assessed by (Author of the proposal):

Name: Peter Smedmor

Designation: Project Manager

Signature: 

Date: 9th February 2009

Quality checked by (Equality Team):

Name: Arleen Brown

Designation: Equalities and Diversity Team

Signature: 

Date: 9th February 2009

Sign off by Directorate Management Team:

Name:

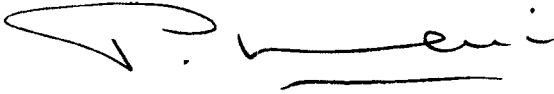
Designation:

Signature:

Date:

Agenda item

[No.]

PROCUREMENT COMMITTEE		On 19 February 2009
Report Title. Building Schools for the Future: Award of Contract for Park View Academy		
Report authorised by  Director of the Children & Young People's Service		
Contact Officer : David Bray 020 8489 1824 david.bray@haringey.gov.uk		
Wards(s) affected: West Green	Report for: Key Decision	
<p>1. Purpose of the report</p> <p>1.1 To seek Procurement Committee approval to award the main works design and build contract for Park View Academy school following completion of the Pre-Construction Stage</p>		
<p>2. Introduction by Cabinet Member</p> <p>2.1 The works included in this contract will bring enormous improvements to Park View Academy and will be of direct and lasting benefit to pupils in a deprived part of the borough.</p> <p>2.2 I am satisfied that the appropriate processes have been followed and we will be getting good value for money from this contract as well as contributing to our Greenest Borough strategy via a range of sustainability features.</p> <p>2.3 I am happy to support the recommendations.</p>		

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Council Priorities

3.1.1 Making Haringey one of London's Greenest Boroughs

3.1.1.1. The Park View Academy Project exhibits a number of sustainability features, as follows:

- Measures to minimise water use
- Energy efficient lighting
- Lighting daylight sensing
- Lighting occupancy sensing
- Sub-metering
- School travel plan
- Reduced Volatile Organic Compound materials
- Photo voltaic panels
- Permeable paving
- Sustainable measures visible to students

3.1.1.2. The scheme will achieve a Building Research Establishment Environmental Assessment Method (BREEAM) "Very Good" rating.

3.1.1.3. The project will assist in ensuring the appropriate renewal and refurbishment of property assets in the Borough, and address issues of maintenance, all of which will contribute to the optimum use of resources in the long term.

3.1.2 Creating a Better Haringey: Cleaner, Greener and Safer

3.1.2.1. The Park View Academy Project will renew, improve and extend the fabric of the school significantly enhancing the learning environment of the students. This will improve their safety both on site and moving to, from and within the site, and create defined areas for specialised student activities which can be supervised. This will be further reinforced by an extension of the security measures around the school.

3.1.3 Encouraging Lifetime Well Being, at Home, Work, Play and Learning

3.1.3.1. The BSF programme will contribute to the transformation in outcomes for young people in Haringey by improving the learning environment, providing anywhere/anytime access to ICT, increasing inclusion and providing a wider range of pathways of study.

3.1.3.2. The BSF programme will improve access to extended services in and around schools and contribute to improving community cohesion. Examples include access to out of hours study support for children and families, sports and the arts. This particular school will have a new learning campus feel with a series of distinct faculties linked by a forum space linking the faculties and the campus as a whole. The creation of faculties will give them more autonomy and enable them to extend the school day. The location of the faculties relating to performing arts and the Learning Resources centre as well as the sports block will enable the School to offer upgraded faculties for community use out of school hours.

3.1.4 Promoting independent living while supporting adults and children when needed

3.1.4.1. The Construction Partner (CP) has undertaken to implement, wherever possible, the Council's policies in respect of employing local labour, and creating apprenticeships for local people.

3.1.5 Delivering Excellent, Customer Focussed, Cost Effective Services

3.1.5.1. The key to the success of the BSF programme is to improve standards in schools. Within the Park View Academy design the disposition of classrooms has been reviewed and the nomination of classroom types has been amended. This has resulted in a distinct faculty zone co-located on one level and with immediate adjacencies of classrooms, department offices and dedicated storage. This co-location of teaching space and by improving the circulation the design has also set out to reduce the opportunity for bad behaviour through reduced congestion and decrease in movement time .

3.1.5.2. The BSF work to the School's specialist areas, performing arts, allow for an extensive remodel of the faculties to bring up to standard whilst introducing appropriate levels of ICT infrastructure for both the students use and the wider community

3.1.5.3. Key entrances and circulation are to be rationalised with a view to improve student safety. The new pedestrian access to the site from West Green Road will create a secure route for the students into the campus, whilst separating them from the vehicular access, and a more direct and legible route for visitors to the refurbished reception area.

3.1.5.4. The refurbished faculty will have improved facilities for pupils with SEN. A dedicated co-located inclusion suite has been included within Block A along with the SEBD unit. Internal access within the school has been addressed and there is removal of stepped level changes throughout all buildings at ground floor. Within the remodelled areas there has been inclusion of disabled WC's and changing room facilities.

3.1.5.5. The core of the building and primary entrance area will contain the forum/assembly hall/dining hall/LRC. It will be possible to isolate this core area allowing access to these facilities enabling out of hours study of community use.

3.1.5.6. The dining room and kitchen are to be remodelled and re-equipped. The remodelling will ensure an increase in natural light and view to the outside, whilst the new kitchen and dining room will assist the school to promote healthy eating.

3.1.5.7. Much of the school suffers from poor acoustics, overheating and poor ventilation and this proposal aims to improve or mitigate these problems where possible to create an excellent space for learning and teaching.

3.2 Council Strategies

3.2.1 Safer for All

3.2.1.1. In all our work we will pay particular attention to:

- Young people and crime
- Mental health issues
- Support for victims and witnesses of crime
- Working with and through communities (Community Engagement)

3.3 Resources

3.3.1 Value for Money

3.3.1.1. Overall Value for Money is achieved by the procurement methodology to prove the economy, efficiency and effectiveness of each project as it is tendered. Six suitable contractors formed a BSF contractor framework to serve each project in the programme, by means of mini competitions. The successful contractor worked through the design stage ultimately producing costed packages of work. The exercise is "open book", allowing the project manager and cost manager to see the sub consultants tenders and confirm the price meets scope and quality criteria.

3.3.1.2. Due to the nature of the works within a live school site, Criminal Records Bureau (CRB) checks will be submitted and monitored by the London Borough of Haringey for the Construction Partners "on site" staff. Supervisors from sub-contractors will also be subjected to CRB. This will bring to the Council's attention anyone unsuitable to work with children and other vulnerable members of society.

3.3.1.3. Designers are briefed to ensure the new build elements comply to the highest level of energy saving. The school is adopting Haringey's sustainability policy. (see 3.1 above)

3.3.1.4. A thorough analysis of pupil place planning has been carried out to ensure that the school accommodation is appropriate for both current needs and the foreseeable needs of the future. Governors have signed an agreement to maintain the property in good order once the BSF work is completed. The FM aspect of the PFI contract will be reviewed at the end of the BSF works.

3.3.1.5. Work streams within the programme incorporate people from the Haringey work force where practical.

3.3.1.6. A workforce development programme is already in place to ensure the skills, knowledge and experience of the staff match the needs of an effective school.

3.3.2 Engagement of the Community

3.3.2.1. The designs have been made available prior to the construction stage for resident drop in sessions, school parents and school governors' review days, school council assemblies and information has been posted through the doors of local residents (also available on line for viewing). These initiatives will continue through the construction phase.

3.3.2.2. Full consultation has been undertaken as part of the BSF Stage approvals;

this included consultation with Partnership for Schools, Commission for Architecture and the Built Environment (CABE), Council planners and building control, the Fire Officer and the Police (Secured by Design).

3.3.2.3. Full planning permission was received for the scheme on the 10th of September 2008

3.3.2.4. The selected Construction Partner will have a Customer Liaison Officer (CLO) whose role is to actively engage with the community through drop in sessions, leaflet drops, open evenings and many more stakeholder engagement activities to allow for comment and feedback during the construction process.

3.3.2.5. During the construction phase of the works the construction partner will set up apprenticeships and encourage the use of locally based labour and unemployed people. Apprenticeships will be within various positions, for example, trades, administration and management. These will be monitored as a Key Performance Indicator.

3.3.3 Risk Management

3.3.3.1. Risks are managed within the governance of the BSF programme. This includes Stream Lead meetings and reporting to the Programme Board. The projects are managed within Prince 2 methodology and Managing Successful Programmes. Procurements are managed to European Legislation and advice is taken from legal advisers to ensure compliance. An audit of the programme completed satisfactorily.

4. Recommendations

4.1 The Procurement Committee award the design and build contract, with a value set out in Appendix 16.1, with a 70 week programme to 20th September 2010.

4.2 The procurement committee authorise spending on this contract up to the sum detailed in 16.1.2, with reference to the build up of this sum on 16.1.1.

5. Reason for recommendation(s)

5.1 In April 2007, following an Official Journal of the European Union (OJEU) process, Haringey's Procurement Committee agreed a framework of six Construction Partners (CP's). These CP's would be used to source the twelve school projects in the BSF programme.

5.2 In May 2008 it was agreed with the Leader of the Council that, in order to give full Member involvement in the BSF Design and Build process, the pre-construction stage would be reported to Procurement Committee for approval. Subsequently the main award with an Agreed Maximum Price (AMP) would also be presented to Procurement Committee.

5.3 Five of the CP's on the framework were invited to submit proposals for the Park View Academy project, via a mini-competition. The mini-competition process for Park

View Academy was completed on 12th June 2008 and a preconstruction agreement was awarded to Balfour Beatty Construction Ltd.

5.4 The Pre Construction stage was undertaken as follows:

5.4.1.1. The Design Team Partner developed the level of design up to RIBA Stage D+ (detailed design) which formed the basis of the Council's Requirements. To allow the Construction Partner to formulate an AMP the following information was sent to them:

- Drawings (architectural, structural and civils, mechanical and electrical, landscape and acoustic)
- Specifications
- ICT proposals
- Waste management proposals
- Statutory requirements
- Programme
- Planned maintenance programme
- Key performance indicators
- Contract terms and conditions

5.4.2 Pre Construction Services /Contractor's Proposals

5.4.2.1. The Construction Partner undertook the following services in order to submit an AMP:

- Pre-construction design
- Supply chain management/works package tendering, with full cost management
- Value engineering/open book accounting
- Procurement of surveys
- Quality assurance
- Method statements
- Procurement of material samples
- Insurances/warranties and bonds

5.4.3 The Construction Partner received the Council's Requirements on 3rd September 2008 and then worked with the Design Team Partner and stakeholders to develop their Contractor's Proposals in response.

5.5 Review

5.5.1 The majority of the works package items within the design were tendered by the Construction Partner (The exceptions were temporary classrooms, access and utilities, external works, kitchen installation and decant and storage – these are provisional sums within the AMP and are listed in 16.2). The CP was instructed to send out individual work packages to a minimum of three suppliers. The suppliers were asked to return their prices to Potter Raper Partnership's (cost consultant) Office for opening and recording, and the CP submitted a recommendation report for the Individual packages, which demonstrated value for money.

5.5.2 The Design Team Partner has reviewed the recommendation to ensure that

they are compliant with the Council's Requirements. There have been no significant derogations from the Council Requirements.

5.6 Final Tender

5.6.1 The AMP was submitted and opened on 19th December 2008. The tender included the following information:

- Form of Tender
- Contractor AMP Tender Form
- Certificate of Non - Collusion
- Programme
- Contractor's Proposals

5.7 Health and Safety Implications

5.7.1 During the pre-construction stage the designs have been reviewed by a Construction Design and Management Co-ordinator, (Gardiner and Theobald). Their duties have included:

- Advise and assist the client with their health and safety duties
- Notify details of the project to HSE
- Co-ordinate health and safety aspects of the design work and co-operate with others involved with the project
- Facilitate good communication between the client, designers and contractors
- Liaise with the principal contractor regarding ongoing design work
- Identify, collect and pass on pre-construction information
- Prepare and update the health and safety file

5.7.2 As part of their acceptance onto the Contractor's Framework for BSF the Construction Partner is a member of the Contractors Health and Safety Assessment Scheme (CHAS). This has allowed the Council access to contractor partner's information on their Health and Safety record, to ensure that they are meeting the necessary regulations.

6. Other options considered

6.1 Not Applicable

7. Summary

7.1 The Park View Academy BSF project has been the subject of a two stage tendering process with a contractor appointed to undertake pre-construction services. This report addresses the process used to ensure value for money, identifies the anticipated costs resulting from the procurement exercise and seeks approval to proceed to award the main design and build contract.

8. Chief Financial Officer Comments

8.1 The Chief Financial Officer has been consulted on the content of this report and has no additional comments to make.

9. Head of Legal Services Comments

9.1 The Director of children and Young People Services is seeking Procurement Committee approval of an award of the contract for the Design and Build phase of Park View Academy Project (the Project), to the contractor named in paragraph 16.1.1 (the Contractor), and for authorisation to spend on this contract up to the sum detailed in 16.1.2, with reference to the build up of this sum on 16.1.1.

9.2 The Contractor was recommended to the Procurement Committee for the award of the Pre-construction contract for the Project and the opportunity to negotiate an Agreed maximum Price for the project as a whole, following a mini-competition held with the contractors on the BSF Contractor Partners Framework Agreement.

9.3 As confirmed by external legal advisers to the BSF programme, Eversheds, the BSF Construction Partners Framework Agreement was established following the correct advertisement in accordance with EU public procurement directives and regulations.

9.4 The Pre-Construction services contract was awarded to the Contractor under delegated authority on 12 June 2008 .

9.5 The Construction Procurement Group have confirmed that all parties to the Pre-Construction Services contract mini-competition understood that the Council reserved the right to award the subsequent contract for the Design and Build stage of the contract to the same contractor that was awarded the contract for the Pre-construction stage of the contract provided agreement as to an Agreed Maximum Price and other terms of the D & B contract is reached with that contractor.

9.6 Agreement as to the Agreed Maximum Price of the Design and Build contract have now been reached with the Contractor. At the time of preparing legal comments (29/01/09), Corporate Legal Services is liaising with legal advisors, Eversheds, and Partnerships for Schools in respect of contractual amendments which the proposed Contractor has suggested. It is expected that these will be resolved before the date of the Procurement Committee.

9.7 As the value of the Agreed Maximum Price in relation to the proposed contract exceeds £250,000, the Procurement Committee is the appropriate body with the power, under CSO 11.3, to approve the award of the proposed contract.

9.8 The Head of Legal Services confirms that, subject to funding, there are no legal reasons preventing Members from approving the recommendation as to the proposed contract award set out in Paragraph 4 of this report.

10. Head of Procurement Comments

10.1 The process for assembling the Agreed Maximum Price (AMP) is based on an open book process where the sum of each package of works (such as piling and

decorations) compiles the AMP.

10.2 The AMP has been assembled by the contractor following a series of mini competitions to their supply chain and the figures received are arithmetically checked by the Cost Consultant. The prime contractor recommends the intended sub-contractor for each package for examination by the Cost Consultant and Project Manager.

10.3 The Agreed Maximum Price is then received and processed by Council officers in accordance with standing orders and financial regulations.

11. Equalities and Community Cohesion Comments

11.1 The new build elements of the Park View Academy project are being designed to be fully accessible to all levels of physical ability (DDA compliance). As part of the vision for the campus, the facilities have the potential to be open to the local community.

11.2 The school's student population has a high proportion of black and minority ethnic groups, including those which (nationally and locally) achieve standards below the norm. The changes to teaching and learning accommodation will support the school in raising the quality of teaching and learning, thence educational standards, for these students. As many of the students concerned are over-represented in the more economically-disadvantaged sections of the community, the project's enhancement to ICT-enabled independent learning provision will also support the equalities agenda

11.2 Community cohesion will benefit from the project in several ways: improved educational outcomes will increase 16+ stay-on rates, and reduce the number of students who are NEET; improvements to social spaces provision will support the school in its goal of making Park View Academy a place where students feel safe, and enjoy their schooling; the project will also support increases in the quality and range of extended services, to benefit the whole community

12. Consultation

12.1 The Construction Procurement Group has been fully consulted in the preparation of this report.

12.2 A wide range of internal and external stakeholders have been consulted during the course of project development. These stakeholders include the School and its administrators, the local community, local Members, Partnerships for Schools, DCFS, and the Commission for Architecture and the Built Environment (CABE).

12.3 A Governing Body Agreement has been agreed with Park View Academy School which acknowledges that the Construction Partner will require access to the school premises to carry out the works and that the school will liaise closely with them to support the phasing and decanting requirements of the scheme.

12.4 Legal Implications (provided by Eversheds)

12.4.1 The BSF Framework Agreements with the Construction Partners were

established following the correct advertisement in accordance with EC procurement directives and regulations.

12.4.2 The framework incorporates a mechanism in order to score call offs and mini competitions. It anticipates that, subsequent to the appointment of a contractor to a Pre-Construction Services Agreement, a Design and Build Contract will be entered into with that contractor in substantially the same form as the draft in the framework

12.4.3 Whilst the contractor has been proceeding with the services under the Pre-Construction Services Agreement, Haringey's Construction Procurement Group, with the assistance of other professional advisers, has been progressing the process of establishing the scope and price for the Design and Build Contract.

13. Service Financial Comments

13.1 Appendix 1 presents the AMP Stage Cost Schedule. This table confirms all project cost elements associated with the project's design and build phases based on information from Potter Raper Partnership and confirmed by the Mace Project Manager – this table incorporates previous stages approved via delegated authority. This table shows that the Maximum Project Cost equals the cash limited budget for this project and therefore has the necessary budget provision available for this approval to be made.

13.2 DCSF issued a revised promissory letter on Monday 24th November 2008 confirming the BSF programme Final Business Case had successfully been signed off, and the total grant funding payable to the council. As defined in the DCSF Funding Protocol, the date of this Promissory letter defines the moment of financial close for funding purposes. This was confirmed by the discussion and minute of the 21st October BSF Programme Board.

14. Use of appendices /Tables and photographs

14.1 Agreed Maximum Price Summary (16.1)

14.2 Provisional sum schedule (16.2)

14.3 Programme Milestones (16.3)

14.4 Construction awards to date (16.4)

15. Local Government (Access to Information) Act 1985

15.1 The following documents were used in the compilation of this report:

15.2 The Council's Standing Orders

15.3 Appendix 1 of this report contains exempt information and is **not for publication**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972):

- *Information relating to the financial or business affairs of any particular person (including the authority holding that information) (Ground 3).*



HARINGEY COUNCIL
EQUALITY IMPACT ASSESSMENT FORM

Service: Building Schools for the Future (BSF) programme

Directorate: Children & Young People's Service

Title of Proposal: Park View Academy (PVA) BSF

Lead Officer (author of the proposal): Deborah Hart (Project Manager, BSF)

Names of other Officers involved: Nick Kemp (Transformation Coordinator), & wide range of other agents and contractors acting for the council, including architects, cost consultants

State what effects the proposal is intended to achieve and who will benefit from it.

1.1 Project outline

- ❖ Park View Academy (PVA) is one of 12 schools in the BSF programme that has completed its pre-construction stage and is moving to the main stage of the Design and Build programme. Procurement Committee approval is now being sought to award the main works design and build contract for PVA school
- ❖ *Following significant and sustained consultation the work will comprise*
 - creating faculty teaching zones, to support improvements in leadership & management of learning
 - improvements to classrooms, in terms of design for learning, and, where necessary, acoustics, ventilation and heating, all of which will contribute to more effective learning
 - increasing the number of classrooms for specific subjects, to allow small teaching groups, to enhance achievement
 - remodelling the school's specialist areas, with enhanced ICT infrastructure, to support improved service delivery to school students and community users
 - rationalising circulation space to reduce opportunities for anti-social behaviour, and improving site access and egress, for students, site users and other visitors
 - providing improved facilities for students with special educational needs, to improve educational outcomes, and reduce risk of exclusion
 - improvements in disability access and usage.
 - improved dining facilities, to promote healthy eating
 - improved facilities for extended services

1.2 What effects the proposal is intended to achieve

- ❖ The BSF works support CYPs and national goals, by improving (i) exam outcomes for students (ii) students' personal development & well-being (iii) facilities for community site users
- ❖ The areas/functions of the site to be improved in line with this goal are: ICT provision for students and other site users; teaching and learning accommodation; individual study facilities for students and other site users; social spaces for students and site users; site safety for all site users (e.g. separating pedestrian and foot traffic on site)
- ❖ Increased access to 14-19 diplomas both at the school at other locations will provide greater choice and diversity of provision for parents and students.
- ❖ The incorporation of the West Green Learning Centre into the school campus will enable more extensive access to extended services for families and the local community.
- ❖ Improved access to ICT will reduce the 'digital divide' for families with limited ICT access at home
- ❖ A managed learning environment will enable any parent to securely access information on their child, such as attendance and progress

Who will benefit?

- ❖ The BSF programme has as its core aim to break the link between disadvantage and low achievement. The resource allocation for this school will help to redress this disadvantage;
- ❖ The BSF works at this school are intended to benefit the students & community site users
- ❖ Most PVA students come from economically disadvantaged groups (41.6% FSM entitlement, compared to national average of 14.2%), & are from minority ethnic groups (92.6%, compared to national average of 19.5%), reflecting the nature of the local community. Community site users, whether parents/carers, or other community members, show similar characteristics

You should gather all relevant quantitative and qualitative data that will help you assess whether at presently, there are differential outcomes for the different equalities target groups – diverse ethnic groups, women, men, older people, young people, disabled people, gay men, lesbians and transgender people and faith groups. Identify where there are gaps in data and say how you plug these gaps.

In order to establish whether a group is experiencing disproportionate effects, you should relate the data for each group to its population size. The 2001 Haringey Census data has an equalities profile of the borough and will help you to make comparisons against population sizes.

http://harinet.haringey.gov.uk/index/news_and_events/fact_file/statistics/census_statistics.htm

2 a) Using data from equalities monitoring, recent surveys, research, consultation etc. are there group(s) in the community who:

- **are significantly under/over represented in the use of the service, when compared to their population size?**
- **have raised concerns about access to services or quality of services?**
- **appear to be receiving differential outcomes in comparison to other groups?**

Groups significantly under/over represented in use of the service, when compared to their population size

- ❖ **Age:** the school serves the 11-16 age group; community users are of varied ages, with high representation of adults with school-age children (as they are parents of PVA students), and relatively low representation of older people
- ❖ **Gender - students:** in common with many mixed secondary schools, boys (61.3%) outnumber girls (38.7%) there is no significant gender pattern amongst community users
- ❖ **Race:** the school roll reflects local ethnicity patterns, with high (92.6%) representation of (national) minority ethnic groups, the largest categories of which are currently Black or Black British- African (14.9%), Black or Black British- Caribbean (8.7%), Asian or Asian British – Bangladeshi (4.5%), White, Any Other White background (31.4%), Any Other Ethnic Group (14.9%). 67.5% of students have a first language other than English, well above national
- ❖ **Similar patterns are discernable amongst community users, but there is no requirement for users to complete an ethnic monitoring return**
- ❖ **Religion:** compared to national norms, there is a high proportion of Muslim students (over 20%), reflecting the local population; a similar pattern is present in community user profile (but there is no requirement on community users to declare their faith affiliations)
- ❖ **Disability:** the school has an above-average proportion of students with SEN (20.2%)
- ❖ **Sexual orientation:** the school does not hold data on student sexual orientation, unless confidentially divulged by individual students; similarly, the school does not hold such records on other users

- ❖ **Groups which have raised concerns about access to service/service quality**
- ❖ As most students are from minority ethnic groups, most queries about educational quality are from minority ethnic groups. Concerns raised with the school tend to be from parent or carer, about their child's rate of progress, rather than generic queries about specific groups
- ❖ The log of parental queries shows that the school receives a level of queries below similar schools, reflecting the school's recognised success in achieving satisfactory or better progress for its students (as evidenced by Raiseonline see <http://www.cocantira.com/>)
- ❖ No concerns have been raised by community user groups about equalities access issues
- ❖ **Groups which appear to be receiving differential outcomes in comparison to other groups**
- ❖ Students in the target groups, with few exceptions (identified below) make better educational progress than would be expected in terms of national norms. Standards are, however, depressed on entry, and 'catch-up' to national average standards is very challenging. Accelerating progress by all groups is therefore the goal of the BSF project
- ❖ **Gender - students:** in line with national patterns, boys standards are below girls (typically reflecting low prior attainment at Key Stage 2), but in terms of achievement (Key Stage 2-4 Contextual Value Added), both girls & boys achieve above expectations, with the exception of girls who arrived at the school with high attainment, whose achievement is in line with national
- ❖ **Race:** standards achieved by most groups are below national (as a function of low KS 2 prior attainment), but all groups bar those of Pakistani origin (1.2% of school population - progress slightly below expectations) have achievement in line with or above national
- ❖ **Religion:** the male segments of the above underachieving group have over-representation of Muslims
- ❖ **Disability:** students with SEN tend to have standards below national and school norms, but their achievement is above expectations. "Those students with learning difficulties and/or disabilities are assessed on arrival following work with primary schools. This uniquely personalised provision ensures that these students make good progress." (OfSTED 07).
- ❖ Some community users can find difficulties with: the limited number of accessible toilets; difficult physical access to the current school entrance, & access to upper floors; difficult routing of circulation space; limited range of environmentally-controlled rooms & sufficiency of rooms, all of which discourage regular use
- ❖ **2 b) What factors (barriers) might account for this under/over representation?**
- ❖ **Age:** relatively low representation of older people as site users is a function of current demand; the school continues to welcome proposals for adult education/community activities,
- ❖ **Gender:** over-representation of boys is a function of parental choice (Haringey has a girls school but no boys school – hence gender is skewed in many schools); boys' attainment at KS2 in the control of this school; given low prior attainment, boys are more at risk of inappropriate behaviour, thence exclusion, than the national norm
- ❖ **Race:** the low attainment of particular groups on entry to the school has multiple causation, including: high levels of disadvantage; EAL; factors associated with prior schooling and low prior attainment; factors associated with refugee/asylum-seeker status. It is difficult to generalise about reasons for the underachievement of Pakistani origin students, of whom there are only around 15 on the school roll of over 1000. The school, however, has strong student tracking procedures, & is aware of & addressing the individual circumstances of weak progress for each individual concerned. Risk of exclusion- as in Gender section
- ❖ **Religion:** underachievement related to over-representation in Pakistani student group – above
- ❖ **Disability:** see 2a, above

Using the information you have gathered and analysed in step 2, you should assess whether and how the proposal you are putting forward will affect existing barriers and what actions you will take to address any potential negative effects.

3 a) How will your proposal affect existing barriers? (Please tick below as appropriate)

	Reduce barriers	Comment
<ul style="list-style-type: none"> ◆ Proposal will <i>reduce</i> barriers, by accelerating the already good rates of achievement for virtually all target groups, & improving community ease of access 		

3 b) What specific actions are you proposing in order to respond to the existing barriers and imbalances you have identified in Step 2?

- ◆ **Gender:** boys' achievement, thence attainment, will benefit from: improvements in teaching and learning provision (particularly additional rooming to support small maths, English & science groups); improved independent study facilities (particularly improved facilities for booster sessions in new learning resource centre). Improvements to circulation space & SEN provision will benefit boys in terms of reducing opportunities for poor behaviour, which can otherwise detract from focus on learning, & lead to exclusion. Specific provision has been made for students with short or medium behavioural difficulties to have a more personalised curriculum that gets them back on track and avoids exclusions. This is particularly relevant African Caribbean boys, although not exclusively so.
- ◆ **Race:** achievement, thence attainment, for all minority ethnic groups will benefit from measures described in Gender section, above
- ◆ **Religion:** Muslim boys (see earlier sections) will benefit from all of above measures, & provision for a Prayer Room
- ◆ **Disability:** The new works are fully compliant with DDA, statutory legislation and DCFS Building Bulletins. Fire doors and sprinklers have been added following discussions with the fire officer and a fire exit is now linked to existing corridors. Learner achievement, personal development & well being will benefit from: improvements to circulation space, and social space; larger, more purpose-fit, environmentally-controlled classrooms; more rooms to facilitate smaller group size in core subjects; a dedicated co located inclusion suite; upgrade of one lift; removal of stepped level changes throughout all buildings on the ground floor. disabled WC's and changing rooms in remodelled spaces). Students with SEN will also have achievement, thence attainment, raised by measures described in the gender section, above.
- ◆ Community users (particularly the elderly or less mobile) will benefit from: disabled toilets; more environmentally-controlled rooms; upgrading of lift; better circulation space; improved school entrance on West Green Road
- ◆ The design allows for flexibility of spaces and rooms, should the school's needs change with time

3 c) If there are barriers that cannot be removed, what groups will be most affected and what Positive Actions are you proposing in order to reduce the adverse impact on those groups?

- ❖ The BSF project cannot in itself widen provision for community users, such as the under-represented older citizens. Revenue funding (which BSF cannot provide) to sustain this provision is the key challenge. This is being addressed through the newly appointed extended services team
- ❖ Underachievement by a small number (but high proportion) of Pakistani-origin students is being addressed by the school on a case-by-case basis, working with students, teachers, parents/carers on individualised strategies to accelerate progress. Improvements in rates of progress since 2006 suggest the school has appropriate strategies in place
- ❖ Despite good achievement (& improvements in achievement through BSF measures), low prior attainment means the school will not be able to close the end of KS4 attainment gap, for boys in general, and many minority ethnic groups. All that it is practical and reasonable to expect a school to do in these circumstances is to continually improve rates of progress for low-attaining groups. This is a key goal of BSF, and has driven the relatively high project spend on PVA & similar schools, in comparison to the borough-wide norm
- ❖ Had more money been available for the benefit of elderly or disabled users, an additional lift would have been installed, but this was not affordable. The school, however, now has sufficient rooms to meet demand for community use in accessible ground floor areas, or areas accessible through the one lift

Consultation is an essential part of impact assessment. If there has been recent consultation which has highlighted the issues you have identified in Steps 2 and 3, use it to inform your assessment. If there has been no consultation relating to the issues, then you may have to carry out consultation to assist your assessment.

Make sure you reach all those who are likely to be affected by the proposal, ensuring that you cover all the equalities strands. Do not forget to give feedback to the people you have consulted, stating how you have responded to the issues and concerns they have raised.

4 a) Who have you consulted on your proposal and what were the main issues and concerns from the consultation?

Group /Body consulted	Focus-of-consultation	Frequency & timing of consultation	Concerns/Issues raised by consultees	Overall message from consultees
PVA governing body (including parent, community representatives)	School's vision for improvements in provision funded by BSF	Governors & Head submitted detailed written proposals		Governors made clear that their main goal was to raise achievement for all sections of school community
	Design Quality Indicator workshop attended by governors, staff, parents and students	Reviewing priorities, & match of priorities to emerging design	Views fed into design process	
	Initial design proposals (Stage B)	Briefing prior to Stage B signoff, then formal signoff of proposals	Various concerns over design detail, including temperature control - all resolved	Governors agreed proposals
	Stage C design proposals Stage D design	As above As above	As above As above	Signed off proposals Signed off

	proposals	Detailed information on all aspects of proposals provided	None	proposals Proposals agreed
	Final detailed proposals for works – "Employers Requirements" Seeking confirmation that governing body was satisfied with the consultation process, and that the design is in line with the governors views expressed in their vision document (see above)	Prior to Final Business Case	None	Formal confirmation agreed from governing body, that they are satisfied with process and outcome
Headteacher	Headteacher involved at all stages in governing body consultation process – see above Detailed consultation throughout all stages described in governing body section	Weekly meetings with project officers, architects, ICT consultants, FF&E consultants, plus regular telephone & email discussion	Wide range of issues covered during duration of project, all resolved	Head happy with process and outcome
Staff	Consultation on detail of: room adjacencies; room layouts; ICT specifications; FF&E	Programme of workshops & group/individual meetings' participation in DQI workshop	Wide range of issues covered; concerns all resolved	
Students	Consultation on range of aspects of project	Input into governors' vision document; in-house discussion throughout process; DQI workshops; drop-in surgeries with architects	Wide range of issues covered, & student views fed into design process	
Parents	As above	Involvement through: input into governors'	Wide range of issues covered.	

		<p>vision document via parent governors; parent governor representation throughout process; drop-in sessions with architects</p>	<p>All significant concerns addressed, but parents aware that not all aspirations were deliverable, given limited budget As above</p>
<p>Community Users & general public</p>	<p>As above</p>	<p>User involvement: consultation on input into vision document; discussions with WAES, & user groups, talking to school business manager, & fed into design process; drop-in sessions with architects. Planning consultation process via standard procedures</p>	

4 b) How, in your proposal have you responded to the issues and concerns from consultation?

- ❖ There has been an intensive consultation process, over several years, with detailed records kept of all changes to design, all of which have been subject to scrutiny by Partnerships for Schools, the BSF board (with elected members represented), and the governing body
- ❖ At all design stages and major decision-making points, there has been formal consultation
- ❖ During the consultation process the environmental conditions were a key concern of the school. Throughout the design stage these have been discussed and resolved. Although these were included within the original brief the project team has had to spend additional time looking at the health and well being of the user groups to improve ventilation, acoustics and lighting within the building.
- ❖ It is impractical to summarise the vast numbers of ongoing modifications to the design over the past 3 years. but the key issues raised & resolved are as below
- ❖ Responses to community user needs: circulation routes now enable adult education to operate in a wider range of school buildings, with additional disabled toilet provision. Access will therefore be easier in respect of sports, arts and cultural activities, with improved pedestrian access from West Green Road
- ❖ Actions in response to concerns from governors, students & others on student user needs: environmental controls in classrooms improved as a result of consultation; further modifications made to entrance (above, including edging railing number from the pavement at the front of the school making it less defensive and more inviting);

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Agenda item:

[No.]

Cabinet Procurement Committee

On 19th February 2009

Report Title. **Haringey Public Mortuary**

Report of Niall Bolger, Director of Urban Environment

Signed : *UABolger* 11th February 2009

Contact Officer : Keith Betts , Enforcement , Frontline Services .

Tel :020 8489 5525 E Mail : keith.betts@haringey.gov.uk

Wards(s) affected: N/A

Report for: Non key decision

1. Purpose of the report

1.1. This report is to advise on the increased costs involved in the construction of the new mortuary for the borough and seek approval for the additional spending.

2. Introduction by Cabinet Member

2.1. No introduction.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. Priority 5 – Delivering excellent , customer focused , cost effective services.

The new mortuary will provide modern facilities for undertaking Coroner's post-

mortems , and satisfy the requirements of the relevant licensing body , the Human Tissues Authority. Families, relatives and friends experiencing the unexpected death of a loved one will be able to visit premises that provide comfort and support to them , in pleasant and respectful surroundings.

3.2. Regeneration Strategy.

The new premises will enable the closure of the existing mortuary (which is close to being not fit for purpose) , adjacent to the Hornsey Central Depot site and enable the unaffected redevelopment of the depot site as part of the Heartlands regeneration programme. Part funding of this new mortuary was achieved from the Growth Area Fund , Round 2 , (£1.5 million) through the Department of Communities and Local Government on the basis of this regeneration and the associated housing delivery , in line with Government Policy.

This level of part funding from GAF was never sufficient alone to deliver this impressive building below ground (as it is in metropolitan open land) and to refurbish the existing derelict historic Lodge building. The final result is a state of the art facility for the borough. The cost of the construction is seen as value for money for a highly technical building type in a below ground situation. It has been recommended to Regeneration Programme Board, (15th January 2009) and approved to be taken to Cabinet for final authorisation that additional funding from the recently announced GAF3 allocation to the Borough should contribute to the successful completion of this project, thus enabling regeneration and housing growth through Government funding in the Heartlands area. Under the GAF3 green agenda £60,000 will enhance the mortuary by providing a "Garden of Remembrance". An additional £206,000 will provide sufficient funds to complete this complex below ground structure and provide a magnificent modern facility.

4. Recommendations

- 4.1. That the report into spending issues arising during the construction of the new mortuary be received and to agree the funding of the additional costs as proposed in paragraph 5.3.

5. Reason for recommendation(s)

- 5.1. The report to Procurement Committee prior to construction dated 20th December , 2007 agreed the costs for the works and authorised construction. This report followed a value engineering and cost savings exercise to reduce costs which had risen following the original tendering exercise and the contractor selection. The

report qualified these savings and highlighted two areas of financial risk . The first was a substantial reduction in the amount for contingencies arising during construction and the second, cost savings achieved by altering or removing elements of construction which may need to be reinstated.

5.2. During construction these risks were realised and as costs increased , there was little contingency to cover them. This has resulted in an increased overall cost for the project at £3,660m , an rise of £516k above the agreed funding and budget of £3,144m detailed in the report of 20/12/07 . Please see Appendix 1 for a detailed breakdown of these increased costs. The final account for the new mortuary is being determined by the Quantity Surveyors and the Contractors and this will be brought back to Committee when this is known.

5.3. The funding gap of £516k is proposed to be met by the following:

- (a) £60k Growth Area Funding (GAF III) towards the landscaping (bereavement garden).
- (b) £206k GAF III funding from non ring fenced bids.
- (c) £250k from projected revenue / capital underspends.

6. Other options considered

6.1. No other options have been considered as practicable. As costs increased during construction, only those additional works deemed to be necessary for proper completion were agreed . These included matters related to the complex underground construction and extensive electrical and mechanical systems , planning or building regulation compliance , and additional compliance requirements for licensing by the human Tissues Authority such as the storage temperature monitoring.

6.2. It was necessary to complete construction in order to vacate the present mortuary premises and allow unaffected redevelopment of the Hornsey Central Depot site . In addition we had a funding contract with the Department of Communities and Local Government (CLG) under the Growth Area Funding initiative which had contributed £1.5m to this project . This required both spend full spend of the funding by 31st March 2008 , and completion of the facility . The spend was achieved by that date and any consequent failure to complete the whole project would have required the repayment to CLG of this funding.

7. Summary

7.1 The construction of the new mortuary is a unique and high profile project that will provide an excellent mortuary facility into the future . The current site in Hornsey will be vacated to provide an unaffected redevelopment of the Hornsey Central

Depot site and an increase in the asset value of the site. The new mortuary will provide a modern 'state of the art' facility to the highest standards and achieve compliant with the relevant Government criteria for forensic pathology work.

7.2 Original agreed budget . The mortuary construction has been financed from a successful bid to The Department of Communities and Local Government for £1.5m , prudential borrowing of £500k repaid with increased fee income from Enfield , and monies from within the Urban Environment Directorate .The report to Procurement Committee in December 2007 highlighted the challenges that this project faced in two main areas . Firstly that we were entering into construction with very little contingency money for unexpected items . As the construction was underground, this was a high risk. Secondly, the cost savings exercise undertaken to reduce costs was highlighted as high risk as many of these reductions were still to be fully evaluated .

7.3The original quotation from the successful company in the tendering process for the main mortuary construction was for £2,917,672 . The value engineering and cost savings exercise then undertaken reduced costs by £425k to give a cost of £2.493 m . The total projects costs were therefore agreed as follows;

- Phase 1 (Securing site & refurbishing the Lodge)	£120k
- Professional & Statutory Fees	£531k
- Phase 2 (Main construction works)	£2.493m
Total	£3.144m

7.4 Construction and increased costs Construction progress was good , and received very good comments at the 'Topping Out ' ceremony in August 2007. It is a complex and detailed construction and the contractors have performed well. However , it became clear during construction that a number of the cost saving items that had been removed would need to be reinstated and once all the items had been investigated with certainty , this amounted to £135k of the £425k original savings achieved.

7.5It was also clear that constructing underground , and with such detailed work , there would be a considerable number of unforeseen items and variations in construction that would be needed . This has totalled £267k . In addition to this , these variations have also included adjustments to the provisional sums in the original contract specification totalling £5k.

7.6In total therefore, additional construction costs implemented are £407k .

7.7Professional fees have increased since the start of the project , mainly associated with the architects fee. The cost savings exercise although saving a net figure of £290k (£425k less £135k) did require a considerable amount of revision to the plans by the architects . Fees are calculated as a percentage of construction

costs and as these increased , so did the fees. All fees are to agreed percentages within the Council's Framework Agreement with contractors. The total professional fees have increased by £96k.

7.8 Security on the site has been an issue during this project and it was necessary to provide additional security prior to the main construction works beginning , a total of six months. Additionally the site was not properly fenced and the external window protection and alarm systems to the Lodge building itself were maintained throughout construction. The additional costs of these measures has been £34k over the period.

7.9 To balance this additional expenditure, the final costs for the works to the Lodge building itself undertaken in Phase One during 2007 to prepare for the main works were lower than originally expected by £21k.

7.10 Overall therefore the costs have increased as follows:

Construction costs (Para 7.4,7.5 & 7.6)	£407k
Professional fees (Para 7.7)	£96k
Security on site (Para 7.8)	£34k
	£537k
Savings on the Lodge (Para 7.9)	£21k
Net increased costs	£516k

The final account for the new mortuary is being determined by the quantity surveyors and the contractors . This will be brought back to Committee when known.

7.11 Reporting the variations .

The risks highlighted in the original Procurement Committee Report of December 2007 have been highlighted in each monthly report through to both the GAF board and Regeneration board. As the cost savings and value engineering items were investigated and became clear (original target for this was by August 2008) , these risks became ' issues ' and these increased construction costs were also detailed. The increase in professional fees of £96k was only reported at the beginning of October following the review in early September by Construction Procurement. This increased the funding gap to the figure of £516k.

7.12. Bridging the funding gap This funding gap of £516k is proposed to be met by the following:

- (a) £60k Growth Area Funding (GAF III) towards the landscaping (bereavement garden).
- (b) £206k GAF III funding from non ring fenced bids.
- (c) £250k from projected revenue / capital underspends

8. Chief Financial Officer Comments

8.1 This report confirms the overspend on the mortuary project previously reported through the budget management process of £516k, and sets out the proposed funding. The Procurement Committee was advised on 20th December 2007 that there was no contingency cover for any unforeseen items of expenditure that may arise, and that there was a risk of costs exceeding the budget.

8.2 Funding for the additional costs has been identified from Growth Area Funding (£266k) and projected revenue and capital underspends (£250k) with no impact on front line service delivery.

9. Head of Legal Services Comments

9.1. The Director of Urban Environment (the Director) is to advise on the increased costs involved in the construction of the new mortuary for the Borough and to seek Cabinet approval for the additional spending.

9.2. The Council has in place a Framework Agreement under Regulation 19 of Public Contracts Regulation 2006 (the Regulation).

9.3. It is noted that the report to Procurement Committee dated 20 December 2007 agreed the costs for the works and authorised construction.

9.4. As the report indicates, during construction the cost of the project increased by £516,000 above the agreed funding. The Director now wishes to seek Cabinet Procurement Committee approval for the overspend. This can be done by way of a variation to the contract which the Cabinet Procurement has power to approve under CSO 13.02.

9.5. The Head of Legal Services confirms that there are no legal reasons preventing members from approving the recommendations of paragraph 4 of this report.

10. Head of Procurement Comments

10.1 The project has utilised a two stage tender process to appoint the most suitable contractor enabling the Council to engage the contractor early in the design.

10.2 A value engineering exercise was carried out at the design stage and during the early stages of the construction period.

10.3 The consultant's fees are based on the construction cost of the building. The additional fees relate to the anticipated final account and the redesign of the building following value engineering.

10.4 The increased costs are due to unforeseen works, because of the works below ground and that a number of the value engineered items have since been reinstated.

Security has also been an issue.

10.5 The completed building has delivered a quality unique outcome with a unique construction process that will provide an excellent mortuary facility into the future.

11. Equalities &Community Cohesion Comments

11.1. The new mortuary will support the Coroner in providing good service to various faith communities where postmortems may need to be undertaken immediately.

11.2. The premises are fully Disability Discrimination Act (DDA) compliant throughout ; for the bereaved in the public and viewing areas , for pathologists , police and other visitors in the clinical and office areas and for our own pathology technicians .

12. Use of appendices /Tables and photographs

12.1. Single appendix providing greater details of the increased construction costs referred to in paragraphs 7.4 to 7.10.

13. Local Government (Access to Information) Act 1985

13.1. Procurement Committee Report 20th December 2007.
Procurement Committee Report 4th September 2007

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Agenda item:

[No.]

Procurement Committee

On 19 February 2009

Report Title: The award of the Nuisance Vehicle contract

Report authorised by Niall Bolger, Director of Urban Environment

Niall Bolger - 9th February 2009

Contact Officer : Ann Cunningham, Head of Parking Services 020 8489 1355

Wards(s) affected: All

Report for: Non – Key decision

1. Purpose of the report

1.1 To report back to Procurement Committee on the restrictions to change the core period (5 years) of the proposed contract for the removal and disposal of Nuisance Vehicles.

2. Introduction by Cabinet Member (if necessary)

Having revisited Legal and Procurement advice, we believe the contract is now a more robust and workable. Awarding the contract for 5 years with strengthened contract conditions now strengthens this contract.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Not applicable

4. Recommendations

4. 1 That Members agree to confirm the award of the contract to Ontime, for five years and with strengthened contract conditions.

4.2 That Members agree to the extension of the existing contract for two months until the end of

May to allow adequate lead time for the new contract.

5. Reason for recommendation(s)

5.1 A report was presented to Cabinet Procurement Committee on 25th November 2008 seeking approval to award a 5 year contract for the removal and disposal of nuisance vehicles, [including the provision of a vehicle pound, pound management service and supply of operators and drivers for the Mobile CCTV Smart cars].

5.2 Procurement Committee Resolution was

1. That in accordance with Contract Standing orders 11.03 approval be granted to the award of a contract to Ontime for the removal and disposal of nuisance vehicles, including the provision of a vehicle pound, pound management services and the supply of operators and drivers for the Mobile CCTV Smart cars on the terms and conditions set out in the Appendix to the interleaved report.

2. That with regards to the duration of the contract and having regard to the concerns expressed, officers negotiate with Ontime on the basis of a three year contract with an extension for a further two years with strengthened break clauses relating to satisfactory performance and the continuing availability of an appropriate site'.

3. That Members of the Committee be advised of the outcome of the contract drafting/ agreement referred to in 2 above.

5.3 Subsequent to the meeting, Legal and Corporate Procurement services reviewed the tender documentation and agreed that such a fundamental change of contract would be in breach of EC Directives and liable to legal challenge by the successful bidder and potentially by unsuccessful bidders.

5.4 The contract documents already contain clauses to deal with performance issues, and termination. There is a break clause that allows for termination on 6 months' notice. However, in view of Members concerns it is proposed to add a strengthened break provision as detailed in Appendix 1 to this report.

6. Other options considered

6.5 The alternative would be to run the procurement competition again. It is doubtful that this would produce a different winning bidder and would very likely result in a higher priced contract due to the shortened duration. Rerunning the procurement would also incur a further cost to the Council and would present an additional difficulty that the current contracts expire at the end of March 2009.

6.6 The £420,000 savings from the new contract budgeted for 2009/10 depends on this contract being implemented from April 2009. Should a decision be made to re- run the procurement and advertise a contract for a shorter period, it must be noted that those savings will not be achieved in 2009/10.

7. Summary

- 7.1 The main reason that Committee were minded to award a 3 +2 year contract was in relation to the lease on the Vehicle Pound, which is in the Heartlands redevelopment area and may be due for renewal after 3 years. The tender submitted by Ontime suggested that they could secure a lease of this site for the 5 year period, and they had an additional site in the borough that they would relocate to should the redevelopment commence earlier.
- 7.2 Another lesser reason was in relation to the performance of the contract. This contract already contains express provisions allowing termination of the contract for persistent defaults in performance. (Defined as 3 defaults of which notice is given.)
- 7.3 A requirement of the proposed Nuisance Vehicle contract is that a Vehicle Pound must be provided within the borough by the contractor.
- 7.4 In the light of the legal implications set out in Appendix 1 of changing the core period of the contract (e.g. from 5 years to 3 years), it is proposed to strengthen the contract conditions to emphasise that failure by Ontime to demonstrate well in advance of the expiry of its current 3 year lease of vehicle pound premises that it has continuing rights to use a Vehicle Pound within the Borough for the remainder of the contract term would be a ground allowing the Council to terminate the contract with immediate effect.
- 7.5 The recent procurement process generated very little interest from the market and only one supplier actually submitted a bid for the contract. It is felt that a possible reason for this lack of interest was the need for bidders to have access to a suitable Vehicle Pound within the borough.
- 7.6 Given the poor return to the recent procurement, it may be appropriate to look at shaping the market during the next 4-5 years. However, it is difficult to predict what the council's requirements will be at that stage, as the parking industry is rapidly changing [recent changes to legislation limited clamping and removal powers].
- 7.7 One way that competition could be increased would be for the Council to consider acquiring a suitable site and to develop this into a Council owned facility that, as a condition of any future contract, would be leased to winning bidders from which they would then operate.
- 7.8 This would have the effect of opening up the market and generate more competition.
- 7.9 The alternative would be to allow bidders to use Vehicle Pounds outside of the borough; but clearly the council would need to consider the overall distance that motorists would need to travel in order to recover their vehicle, to avoid criticism.
- 7.10 There is no provision in the Council capital programme for acquiring a site for a pound and this would be subject to a Cabinet decision in the next budget round.
- 7.11 Due to the lead in time for implementation of this contract, it is likely that the existing contract would need to be extended to enable the service to implement this contract. The existing contract may have to be extended by at least two months as the service has a duty

to remove and dispose of abandoned vehicles.

8. Chief Financial Officer Comments

8.1 The base cost of the lowest (and only tender) is £1.033m per annum. However, the potential total cost of the contract is £1.136m if performance on key indicators is exceeded and a 10% bonus is payable. The current budget provision for this service is £1.370m, giving a saving of £0.234m, if the recommendation of this report is approved. This is a pre-agreed saving from the budget setting process for 2008/09 to 2010/11 to be achieved in 2009/10.

8.2 The report refers to an option for the Council to consider the acquisition of a suitable site for development into a Council owned vehicle pound. There is currently no provision for this in the Council's proposed capital programme for 2009/10 to 2011/12.

9. Head of Legal Services Comments

9.1 This report is recommending that Members vary an aspect of their earlier decision to award the nuisance vehicles contract by confirming the 5 year contract duration advertised in the tender process instead of a reduced contract period.

9.2 The legal implications of reducing the contract period are set out in Appendix 1, paragraph 3.

9.3 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendation in paragraph 4.1.

10. Head of Procurement Comments

10.1 The Head of Procurement agrees the content of this report and confirms that for the Council to seek a change of the core contract period from 5 years to 3 years would constitute a breach of Public Contract Regulations.

10.2 The proposed contract has been further strengthened to emphasis that failure to provide a suitable vehicle pound within the Borough would constitute a material breach of contract and thus liable to termination by the Council.

10.3 The current landscape has proved difficult in attracting a reasonable number of bidders (that being a minimum of 3), largely due to the need for bidders to have access to a vehicle pound in the Borough.

11. Equalities & Community Cohesion Comments

11.1 There are no equality & community cohesion issues arising from this report.

12. Consultation

12.1 Not applicable

13. Service Financial Comments

13.1 The full potential cost of the contract is £1.136m, which represents a saving of £234k against the identified budget. In addition the service expects to generate additional income of £185k, representing total annual saving of £420k. Those savings are built into the parking budget for 2009/10.

13.2 Should members chose to re-run the procurement, it should be noted that the savings of £420k will not be achieved in 2009/10 leaving a budget shortfall. There will also be additional costs associated with the re-tendering exercise.

14. Use of appendices /Tables and photograph.

Appendix 1

15. Local Government (Access to Information) Act 1985

15.1 Report to Cabinet Procurement Committee on 25th November 2008 'award of nuisance vehicle contract'.

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