

## **North Somerset Council Decision**

**DECISION OF: DIRECTOR OF CHILDREN'S SERVICES  
WITH ADVICE FROM: S151 OFFICER  
AND: HEAD OF STRATEGIC PROCUREMENT  
AND: HEAD OF STRATEGIC PLANNING AND GOVERNANCE  
DIRECTORATE: CHILDREN'S SERVICES**



---

### **Decision No: CS09 (2021/22 Scheme)**

**SUBJECT: RAVENSWOOD SPECIAL SCHOOL – AWARD OF CONTRACT TO UNDERTAKE A SCHEME OF WORKS TO RECONFIGURE PART OF THE RAVENSWOOD SCHOOL SITE TO MEET RECENT EXPANSION REQUIREMENTS**

#### **Key Decision: Yes**

#### **Reason:**

Children from across North Somerset access Ravenswood Special School.

#### **Background:**

Further to Decision Sheet CS31 (2021/22) that secured budget approval, works to progress the internal changes at Ravenswood School to facilitate the school's expansion, to be in place from 1 September 2021, have now reached the award of contract stage.

Ravenswood Special School (Ravenswood) is located in Nailsea and supports pupils across North Somerset with Education, Health and Care Plans (EHCPs) who have additional needs in relation to Autistic Spectrum Disorder (ASD); Speech, Language and Communication (SLC); Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD), Visual Impairment needs (VI) and Social, Emotional and Mental Health (SEMH).

Approval of CY31 secured a capital budget of £125,000 and the provisional appointment of Mears Facilities Management to undertake this project in accordance with the previously awarded contract for Reactive and Planned Maintenance, Compliance Testing and Minor Works (CSD 97) and the procurement route agreed for minor works up to the value of £500,000.

The need to carry out a wider number of school schemes to all be in place for 1 September 2021 has meant that, to ensure programme delivery, an addition contactor for this scheme has been sought.

To date, the scheme has been priced independently by Mears Ltd (NSC Term Maintenance Contractor) and John Perkins Construction Ltd. The rationale behind the change in delivery partner is because unfortunately Mears are currently only able to obtain prices from one Supply Chain Partner and may not have the resource capacity to complete the works in the required timescales. As such there is a risk they would not be meeting the requirements of their framework.

The contract award for this value would normally require the production of a procurement plan and a tender exercise carried out. As per section 6.3.4 of the Exceptions to the Contract Standing Orders, there can be an exception when 'only one supplier is objectively able to provide the works, services or goods in question including, but not limited to, where the provision is specialist. In such circumstance only that one supplier may be asked to quote / tender, however the quote / tender must be evaluated for capability and suitability.' It was agreed that John Perkins Construction Ltd is the best placed supplier to provide the services required due to their past experience and knowledge of providing similar works for North Somerset in the past. There is limited time available to procure and tender the works as the project needs to be completed in time for pupil placements in September 2021. In order to meet the time constraints of the programme, an urgent appointment is required.

### **Decision:**

To appoint John Perkins Construction Ltd, Unit 22 Dragon Ct, Crofts End Rd, Bristol BS5 7XX, to carry out the required internal modifications and minor entrance extensions at Ravenswood Special School associated with the school's expansion as a contract cost of £102,633.76. The remaining budget covers fees and internal charges.

### **Reasons:**

- To enable pupils with moderate learning difficulties who otherwise may need to be educated outside of the district to access special school places at this North Somerset school
- To ensure that the school's summer works capital programme can be delivered via a range of contractors to safeguard the delivery of schemes within immovable time-constraints

### **Options Considered:**

To not proceed with the capital changes to the site or the expansion proposals and continue to educate pupils at schools in and outside of North Somerset that may not be as appropriate when meeting a pupil's special educational needs.

To undertake a full procurement process for the scheme that would not be capable of delivery by September 2021, thereby delaying the expansion by a school year.

To continue with the use of a single contractor and risk the non-delivery of the overall programme due to over-dependence on one contractor.

### **Financial Implications:**

A budget of £125,000, funded by the High Needs Provision Capital Allocations Grant 2021/22, developer contribution funding and the Capital Maintenance Grant 2020/21 is made up as follows:

### **Costs:**

<b>Organisation</b>	<b>Works</b>	<b>Costs to date</b>	<b>Commitments</b>	<b>Committed Spend</b>
CGA Architects	Architectural Design/ Principal Designer (CDM)	£3,600.00	£1,625.00	£5,225.00
R Perkins	Construction (Budget)		102,633.76	102,633.76
Surveys	Asbestos	£320.00	£420.00	£750.00
NSC	Project Management/CYPS/Building Control Fees		£6,200.00	£6,200.00
	Contingency		£10,191.24	£10,191.24
	<b>Total</b>	<b>£4,520.00</b>	<b>£120,480.00</b>	<b>£125,000.00</b>

### **Funding:**

The Council has been allocated £1.152m from April 2021 of a High Needs Provision Capital Allocations Grant 2021/22. This project fulfils the requirements of this grant in securing new places for pupils with SEND.

Ravenswood Special School is a Local Authority School. The Council was allocated £370,543 of Capital Maintenance Grant in 2020/21 to upgrade its school buildings. The capital upgrades to the site can be delivered from this grant.

### **Legal Powers and Implications:**

As noted above, the preferred procurement route would be through Mears and the North Somerset Council Term Maintenance Contract. Unfortunately, the supply chain servicing the framework contractor has not been sufficiently developed since the framework was awarded to provide multiple scheme support and as such, an alternative quote was sought from John Perkins Construction Ltd. The limited time available to procure and undertake the work in time for pupil placements by September 2021 has resulted in the need to award the contract whilst only having two prices. We are looking to award this contract utilising an exception to Contract Standing Orders as per section 6.3.4.

The Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 requires Local authorities to consider and respond appropriately to parental representations about school provision in relation to local authorities' functions under Section 14 of the Education Act 1996. Local Authorities

must reasonably consider parental representations regarding the provision of schools and respond accordingly, including outlining any proposed action or, where it is considered action is not needed, to explain the reasons for this.

The School Standards and Framework Act 1998 sets out how Local Authorities should exercise their statutory duties to secure primary and secondary education to meet the needs of the population in their area. The Education and Inspection Act 2006 enhanced the role of Local Authorities, making them strategic commissioners of services with a mandate to promote high standards for all and greater choice and diversity.

The Education Act 2011 maintains the role of Local Authorities as the strategic commissioner of services but provides greater autonomy of education provision by the encouragement of the establishment of academies, free schools, studio schools and Enterprise Colleges that are independent of the Local Authority. The Act gives Local Authorities 'a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, co-ordinating fair admissions, promoting social justice by supporting vulnerable children, and challenging schools which fail to improve.'

### **Climate Change and Environmental Implications:**

The provision of extra local capacity should mitigate the need for pupils to be placed in schools outside the district that may be further away and require additional travelling to and from school. In addition, the re-use of parts of an existing vacant site will allow for the utilisation of an existing otherwise redundant asset.

### **Consultation:**

The school has been consulted. The location of the school site is such that these mainly internal works should not affect the visual aspect of any neighbouring properties.

### **Risk Management:**

If the Council is unable to provide extra places locally it may need to secure placements outside this district. Not having a local quality placement may result in additional placement and transport costs to non-local provisions.

As noted above, only two quotes have been received but both are within £12,417 (12%)

John Perkins Construction	£102,633.76
Mears Ltd	£115,050.00

The risk remains that in the works, unforeseen issues may be found, as the project involves the refurbishment of a building that contains Asbestos.

### **Equality Implications:**

No EIA for this award of contract decision has been undertaken.

### **Corporate Implications:**

This use of funding supports the Council's key outcomes that are laid out in North Somerset's Corporate Plan in relation to:

- A Thriving and Sustainable Place – having local places will assist the Council to become a carbon neutral area by 2030
- A Council which Empowers and Cares about People – the project provides places for some of our most vulnerable pupils and allows them to access a local educational provision that will support them leading in the future as independent a life as they can. The school supports its pupils to fulfil their full potential
- An Open and Enabling Organisation – the reuse of part of a redundant site ensures the Council manages its resources wisely

### **Appendices:**

None

### **Background Papers:**

Children & Young People Policy & Scrutiny Panel - <https://apps.n-somerset.gov.uk/Meetings/ByCommittee/11/2020/88>

### **Signatories:**

#### **Decision Maker(s):**

Signed:

A handwritten signature in blue ink, appearing to read 'Sheila Smith', with a horizontal line underneath.

Title: **Director of Children's Services**

Date: 30 June 2021

**With Advice From:**

Signed:




Title: **S151 Officer**

Date: 30 June 2021

**With Advice From:**

Signed:

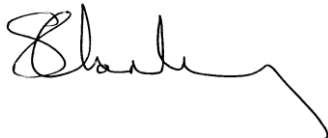


Title: **Head of Strategic Procurement**

Date: 30 June 2021

**With Advice From:**

Signed:



Title: **Head of Strategic Planning and Governance**

Date: 30 June 2021

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**