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**Meeting:** Executive  
**Date:** 8 December, 2009  
**Subject:** All Saints' Academy, Dunstable – Procurement of New Buildings  
**Report of:** Cllr Mrs Anita Lewis, Portfolio Holder for Children's Services  
**Summary:** The report proposes the inclusion of the scheme to rebuild All Saints' Academy, Dunstable within the Council's Capital Programme

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**Advising Officer:** Edwina Grant, Deputy Chief Executive and Director of Children Families and Learning  
**Contact Officer:** Roy Waterfield, Assistant Director for Libraries, Leisure, Culture, Adult and Community Learning  
**Public/Exempt:** Public  
**Wards Affected:** All Dunstable and Houghton Regis Wards  
**Function of:** Executive  
**Key Decision** Yes  
**Reason for urgency / exemption from call-in (if appropriate)** Not applicable

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

The establishment of the Academy and the creation of a modern learning environment is intended to contribute towards educating, protecting and promoting opportunities for children and young people. It contributes to our transforming learning change programme and the priorities of the Children and Young People's Plan. It also contributes towards creating safer communities and promoting healthier lifestyles. A further priority, managing growth effectively, features in the agreed approach towards the 'future-proofed' design of the initial scheme, referred to at paragraph 8 of the main report, below

### **Financial:**

The capital funding for the Academy project is allocated to the Council, using a formulaic model, by Partnerships for Schools, acting for the Department for Children, Schools and Families. At this stage of project development detailed dialogue regarding site- and scheme-specific abnormal funding is being undertaken. This could ultimately result in a further financial allocation to augment the initial £15.6m. The budget includes the cost for the main construction project, including ICT infrastructure, hard- and soft-ware and loose and fixed furniture, site surveys and the engagement of the Technical Adviser. No other Central Bedfordshire costs are covered.

As set out in the accompanying Project Initiation Document, the budget allocation also includes the £300,000 'capped sum' to cover project overhead costs. These include the employment of a Technical Adviser firm and the cost of warranted site surveys.

However, it is a statutory requirement to employ a Construction, Design and Management (CDM) consultant on a scheme of this size and recommended good practice to ensure compliance by employing a Clerk of Works. Whilst these costs will exceed the capped budget they are necessary to effectively manage the Council's risks and responsibilities. Additional external consultant support has also been engaged to manage the process on the Council's behalf and these overall costs are recommended for inclusion in the future capital programme at a level of an additional £300,000 over the life-time of the scheme on the basis that the scheme is now scheduled for implementation. To avoid further growth in the Council's capital programme this additional request of £300,000 can be met from the redirection of resources currently targeted to Children, Families and Learning within the capital programme for Feasibility Studies, at £100k per annum 09/10 to 11/12. Academies are revenue funded to meet normal running costs directly from DCSF through the General Annual Grant and not via the LA.

**Legal:**

Legal Services have been involved in the legal work associated with the formal establishment of the Academy, approving the contracts and warranties for the site surveys and are currently considering the Design and Build Framework contract. The latter is a national model for schemes of this nature and is European Union compliant.

**Risk Management:**

The Academy Design User Group maintains a comprehensive risk register for the scheme, which is being regularly monitored within the Council. The development of new risks and any movements in serious and significant identified risks will be reported to Members for their information in the Members' Steering Group for transforming learning. Furthermore, a set of 11 detailed risk assessments in relation to the site surveys and the insurance levels required by the contractors have been undertaken, and the results reflected in the eventual survey contracts.

**Staffing (including Trades Unions):**

There are no direct staffing implications arising from this report, staff involved are externally contracted.

**Equalities/Human Rights:**

No direct issues arise from this report.

**Community Safety:**

The business case for the Academy requires safety features appropriate to the role of the building and its context to be included. The building and site will need to be a 'safe' environment for young people and the adults working with them and the Academy's wider community. The scheme will aim to design-out crime in and create space both within and outside the building that is safe for young people and helps reduce the potential for anti social behaviour.

**Sustainability:**

Sustainability is a key principle of design of the new Academy and it is a national requirement for the scheme to be able to achieve at least 'very good' categorisation, using the Building Research Establishment Environmental Assessment Model. The Academy Design User Group has the ambition to achieve an 'Excellent' grade for the scheme and this will be explored during the next phase of the project. During the development of the Final Business Case stage of the project, an externally-facilitated design quality workshop is required, which must examine sustainability issues within the overall design.

**Summary of Overview and Scrutiny Comments:**

This report has not been subject to consideration by overview and Scrutiny

**RECOMMENDATIONS:**

- 1. that the Deputy Chief Executive/ Director of Children, Families and Learning be authorised to commence the scheme, subject to consultation, as appropriate, with the Director of Corporate Resources, including the approval of the Final Business Case for the Academy project on the Council's behalf**
- 2. that the additional requirement for project funding beyond that provided by external grant of £300,000 as set out in the financial comments section be agreed and included within the planning of the capital programme in the relevant financial years.**
- 3. that the Project Initiation Document for the All Saints' Academy, Dunstable project which forms Appendix A to this report be approved and the scheme for rebuilding the Academy be implemented within the budget provided by Partnerships for Schools**

*Reason for Recommendations:*

- (1) So that the scheme can commence and be formally included in the capital programme.*
- (2) So that sufficient and appropriate resources are available to ensure that the Council's risks are effectively managed and its responsibilities are discharged fully, including maintaining the oversight of the scheme and the maintenance of agreed design standards.*
- (3) So that the scheme is managed appropriately, which will require considerable technical input from the Council's corporate officers, in order to maintain the scheduled build programme, as set out in the Project Initiation Document, within the budget allocated by Partnerships for Schools*

## **Introduction**

1. Following decisions of the former County Council, Central Bedfordshire Council is responsible for the arrangements for procuring new/refurbished premises for All Saints' Academy, Dunstable, which was formally established on 1<sup>st</sup> September, 2009 on the site of the former Northfields Technology College. The decision was made at the County Council Executive meeting on 10<sup>th</sup> March, 2009.
2. The procurement arrangements for single Academies of this nature involve the use of a European Union compliant Framework Design and Build Contract, organised by the national body, Partnerships for Schools. Council officers have been working with the Academy management and Sponsors to agree an approach towards the design and its procurement, in accordance with Partnerships for Schools' and the Department for Children, Schools and Families' requirements.
3. A preliminary outline of the arrangements was reported to Executive at their meeting on 15<sup>th</sup> September, 2009. The Executive is asked to consider the formal inclusion of the scheme into the Council's capital programme and to agree an appropriate arrangement for the Council to approve the Final Business Case, during 2010.

## **The Project Initiation Document**

4. A report to Executive on 15<sup>th</sup> September, 2009 set out arrangements for the Learning Transformation Board to include oversight of the Academy Project within the Board's responsibilities. A Project Initiation Document (PID) has been developed consistent with the Council's agreed internal project management and governance arrangements (Appendix A). The Council's Asset Management Group has considered this project and recommends support. They have also considered and agreed the Council-level Risk Register which forms Appendix B to this report.
5. Following the development of the Outline Business Case, pre-approved contractors on the Partnerships for Schools 'Academies Framework are invited to apply to deliver the Academy project. Two firms will be selected who then work separately on the scheme, as set out in the Outline Business Case. At that stage one of the two contractors will be selected to finalise and construct the chosen scheme, within the agreed budget allocation.

## **Relationship to Council/Children, Families and Learning priorities**

6. Whilst this report is predominantly about the funding and procuring of the new premises, Members are asked to note that there has been a significant degree of interaction between the Council and the developing Academy since April, 2009. Particularly, officers were anxious to explore the possibility of considering an alternative, new site for the Academy. Building at a new location obviates the need to introduce potentially complex phased construction arrangements on the current 'live' site and might create some

wider opportunities for future development. Alternatives were explored during April and May using a systematic options appraisal but ultimately a suitably-located site of an appropriate size was not found to be available within the planned timeframe for the new build.

7. Conscious of the inherited school provision context in the wider Dunstable and Houghton Regis area, and the potential for substantial new local housing growth in the medium-term future, it has been agreed that the eventual new buildings for the Academy will be designed so that they can be added to in future, in order to accommodate further pupil capacity. This includes growth in sixth-form numbers as the local 14-19 offer matures, influencing the range of courses of study on offer and student retention rates as the statutory requirements for participation post-16 are implemented.
8. The Sponsors are supportive of this 'future proofed' approach and have placed on record a willingness to collaborate with the Council in its planning of the future delivery of local provision, and linked services, in collaboration with other schools and local providers. Negotiations will need to continue regarding any possible federation with Dunstable schools as the original aspiration of the sponsors was to take a broader age range of children. The Academy is also a 'sports hub' for its local community and is anxious to build community links and extended service provision as it develops.
9. The Deputy Chief Executive, Director of Children, Families and Learning has agreed to serve as one of the initial Academy governors, for one year only, providing a direct communications link between the Academy and the Council. Thereafter it is expected that the place will be offered to an elected Member of the Council, this place is entirely at the discretion of the sponsors.

## **Appendices:**

**Appendix A** – Project Initiation Document for the Procurement of new buildings for All Saints' Academy, Dunstable

**Appendix B** – Council Focused Risk Register for All Saints' Academy Scheme

## **Background Papers:**

Partnerships for Schools' documentation on Academy procurement, including Funding Allocation Model

Outline Business Case for All Saints' Academy rebuilding

Risk Assessment documentation included in Learning Transformation Board papers and/or held on file at Chicksands.

Reports and minutes of the former Bedfordshire County Council Executive regarding the closure of Northfields Technology College and the establishment of All Saints' Academy

**Location of papers:** Priory House, Chicksands