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To: Children Families and Education Policy Overview Committee
January 16th 2009

Subject: The Building Schools for the Future and Academies Programmes

Classification: Unrestricted

Summary: To update the Committee on the current position with regard to both of these programmes.

Introduction

1. (1) The Committee asked at its last meeting for an update on these two programmes. As the report was requested from the author of this report it has been assumed that the focus of the request was on the property position and has been written from this perspective.

(2) The report has been split into two sections, with each covering the position of the two programmes.

Building Schools for the Future

2. (1) The BSF Programme put simply is a government programme aimed at improving both the fabric of the countries secondary age estate by way of either re-provision or refurbishment (including refresh) and the schools technology infrastructure and use of computers to improve the quality of teaching and learning.

(2) As you will recall Kent entered the programme in Wave 3, which included secondary schools in the Thanet and Gravesham areas and was subsequently approved for entry into the further Waves 4, 5 and 6.

(3) Since being included in the above Waves, of which Kent originally had nine, the DCSF have consulted on changing the basis and size of the Waves – with the aim of reducing the size of each Wave and hence hopefully to attract additional providers into the market.

3. (1) In December 2007 Kent appointed Land Securities Trillium as its “preferred bidder” for its first Local Education Partnership (LEP) that was going to deliver Waves 3, 4 and 6.

(2) The contract, after some challenging negotiations, was eventually signed on the 24 October 2008 and Kent LEP1 Ltd (a joint venture company in which the Authority has a 10% share) was established.

(3) The four building sub-contractors are now on site at the 10 schools being re-provided or refurbished as part of Wave 3 and are making good progress. Feedback from the schools is good so far and we have already had handed over the first part of one of the schools (albeit a relatively small element).

(4) Of the ten schools in Wave 3, three schools are being re-provided as PFI schools, with the other seven being design and build schools that are conventionally funded through capital grant.

(5) The three PFI schools, which are all new build, are scheduled for completion in July 2010. The seven Design and Build schools, which are a mixture of new build and refurbishment, will be handed over in stages, as each phase is completed. Handover of the final phase at the last school is scheduled for September 2011.

(6) In addition to the 10 schools referred to above, Wave 3 also includes Ifield Special School, which was re-provided initially as part of the Special School Review. It was subsequently agreed that this School would be included in the BSF programme and the capital construction costs incurred by the Authority have already been reimbursed by PFS.

(7) All 11 schools, including Ifield Special School, have been allocated BSF capital funding for ICT infrastructure and equipment. In addition, these schools will also be party to the BSF ICT Managed Service which is to be provided by Northgate Information Solutions Ltd (Northgate) in accordance with the ICT Contract.

(8) Northgate is currently providing an interim ICT Service at 10 of the 11 schools in Wave 3 prior to the start of the full ICT Managed Service. The full ICT Service will commence at each school as each phase of the building is handed over (or in the case of 100% new build when the new school is handed over).

4. (1) Alongside Wave 3, work has been progressing on the development of the 15 schools that are to be included within Wave 4. This will complete the investment in the Gravesham and Thanet areas and includes the Portal Special School that was slipped from Wave 3 as a result of objections from Thanet DC about the proposed location of the school.

(2) Wave 4 also includes the adaptations/extension required to the Ellington School for Girls to accommodate the Hereson School under the proposed merger. Although funded through the BSF programme, the adaptations/extension will be dealt with as a variation to the existing Six School PFI Contract (which was responsible for the re-build of the current Ellington school as a PFI school).

(3) It is intended that a report be presented to Cabinet in early 2009 authorising us to release the proposed schools to LST for development. Appendix 1 sets out the process which needs to be followed.

5. (1) We are also developing our proposals in respect of securing the second of our Local Education Partnerships (LEP2). It is anticipated that LEP2 will cover the rest of the county with a view, subject to the necessary authorisation, to going out to the market during the first quarter of 2009.

Academies

6. (1) In 2007 national responsibility for managing the development and delivery of Academy schemes was transferred from the DCSF to Partnerships for Schools (PfS). This was to better align the delivery of Academies with the BSF programme. The main consequence of this move was a consequent transfer of responsibility for the development and procurement of Academy buildings away from the DCSF directly to Local Authorities.

KCC currently has two batches of Academies. The first has already been tendered and includes:

- New Line Learning Academy (formerly Oldborough Manor School)
- Cornwallis Academy (formerly Cornwallis School)
- The Longfield Academy (formerly Axton Chase school)
- The Marsh Academy (formerly Southlands School) and
- The Spires Academy (formerly Montgomery School).

All five schools were tendered as a single batch through the PfS National Framework: a supplier agreement established and managed by Central Government that allows local authorities to purchase design and construction services for Academies projects at pre-agreed construction rates, terms and conditions.

The tender was awarded to Carillion PLC following an open competition that also included Balfour Beatty. KCC's Corporate Projects Approvals Group (PAG) endorsed the Officer recommendation to appoint Carillion as the Preferred Bidder on 17 June 2008. This endorsement was subsequently followed by a formal Cabinet Member Decision on 17 July 2008. The scheme is due to complete contractually on 17 December 2008, with construction on the first scheme (New Line Learning) commencing as soon as is practically possible thereafter. The subsequent schemes will be developed and delivered by separate contracts on a rolling basis over 2009/10.

All Academies projects follow a rigorous local and national approvals process to ensure good governance and decision making around the following issues:

- public consultation
- closure of the predecessor school
- establishment of the Academy Trust and Academy
- affordability of the construction programme; and
- permission to procure a construction partner via the PfS National Framework.

All necessary approvals have been secured for the five schemes in batch one.

Kent also has one Academy which is due to be delivered via its BSF LEP1 Programme. This is the Sheppey Academy. This is being delivered via BSF because it sits within the LEP1 geographical area (Gravesham, Thanet and Swale).

There are also a further four Academy projects that are currently in either feasibility by KCC or the subject of negotiation with DCSF. These are:

- Tonbridge Wells High (currently in development with KCC)
- Bradbourne & Wilderness Schools (currently in negotiation with DCSF)
- Astor of Hever (currently in negotiation with DCSF) and
- Christ Church School, Ashford (currently in negotiation with DCSF).

Assuming that these projects pass through the feasibility stage, it is likely that they would be tendered as a new batch through the PfS National Framework in late 2009.

Recommendations

Members of the Children Families and Education Policy Overview Committee are asked to note the contents of this report.

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Background Documents:

None

Other Useful Information:

None

LEP New Projects Development And Approvals Process		
Stage	Outcomes / Deliverables	Proposed Timetable
Stage 0 – Invitation to Submit Outline Proposals	<p>KCC issues formal “Invitation to Submit Outline Proposals” for all projects in the wave.</p> <p>KCC invitation proposes budget, financing route and other basic parameters, e.g. site.</p> <p>LEP has 20 business days to confirm that they can undertake the project within the parameters provided.</p>	Jan 2009
Stage 1 – Outline Business Case (OBC)	<p>LEP develops designs for all projects in wave to RIBA stage C.</p> <p>LEP develops costing for all designs.</p> <p>KCC + Governing Bodies approve designs and costs.</p> <p>OBC is submitted to PfS / DCSF for approval.</p>	Feb – June 2009
Stage 2A – Detailed Design and Planning	<p>LEP continues to develop designs for all projects up to stage D/E with a view to submitting formal detailed planning application.</p> <p>LEP continues to develop costs for all designs.</p> <p>KCC + Governing Bodies approve designs and costs.</p> <p>LEP submits applications for detailed planning.</p>	July - Nov 2009
Stage 2B – Final Business Case and Contract Close	<p>LEP continues to develop designs for all projects.</p> <p>Planning Consent obtained.</p> <p>KCC & Governing Bodies enter into Governing Body Agreement.</p> <p>KCC enters into D&B / PFI contracts with the LEP to deliver W4 schemes.</p>	Dec - July 2010 (Financial Close 2010)