

<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 13 December 2023
<b>Subject:</b>	Relocation of Spring Lane School to the New Kershaw Centre	
<b>Report of</b>	Deputy Leader and Cabinet Member for Children and Young People	

## Summary

1. A key element of the Council’s Strategic Regeneration Framework for Radcliffe is the construction of the new secondary school, to be sited on land off Spring Lane, Radcliffe.
2. Planning permission for the new school has recently been granted, and construction site is due to commence in March 2024.
3. To enable construction, the Council is committed to relocating Spring Lane School by that date.
4. The Council has developed plans and secured planning permission to adapt premises at Spurr House, Unsworth to accommodate Spring Lane School. However, those adaptations cannot be completed in time to enable Spring Lane School to relocate directly from its current site, and hence an interim solution needs to be identified.
5. A number of options have been considered in order to accommodate the needs of Spring Lane School. It currently operates out of four buildings at Spring Lane, Park House, Milltown House and Whitefield hub.
6. Working with the leadership team of Spring Lane School, and Oak Learning Partnership, the Council initially identified a number of interim solutions, including the provision of modular accommodation, and the use of Council owned premises.
7. The issues relating to the use of Reinforced Autoclaved Aerated Concrete (RAAC) nationally has impacted significantly on the availability and cost of modular accommodation and this is no longer a viable solution.
8. Focus therefore has been on the use of Council owned premises that have the potential to meet the needs of the Pupil Referral Unit in terms of size, configuration and location of building. This has resulted in the identification of the New Kershaw Centre (NKC) as a viable proposition.

9. The NKC currently accommodates a number of Children's Services teams, including a number of social care services, a base for care leavers, and the youth service.
10. The Children's Services longer term strategy was to examine ways in which those services could be delivered from different locations in order to improve the quality of provision. It is now proposed to accelerate these plans in order to vacate NKC, carry out adaptations to the building, and enabling Spring Lane School to relocate into the building.
11. Technical capacity in the form of a Project Manager has been commissioned, located within Business, Growth and Investment (BGI), to support the delivery of the Children's Services capital programme, which will include the project to decant existing services from NKC to alternative premises; the delivery of adaptations to the NKC building; and the relocation of Spring Lane School in February 2024.
12. It is anticipated that existing services will be relocated on w/c 8<sup>th</sup> of January 2024, to other Council owned premises, with the majority of those services being accommodated in 6 Knowsley Place and the Town Hall.
13. The Project Manager is now working with a project team to implement the various aspects of the project. Alongside this, the leadership team of Spring Lane school are developing plans for how the different functions of the PRU can be accommodated whilst using the interim accommodation.
14. One of the four buildings currently used by the school, Milltown House has recently suffered some structural damage and is currently out of use, with pupils having been moved to the other three buildings available to the school. The interim plans for the School when it vacates the Spring Lane site will therefore also need to consider how pupils across all four sites can be accommodated in the continued absence of Milltown House.
15. This will necessitate some work to the Park House and Whitefield Hub buildings to ensure that the required pupil capacity is available across those two buildings and NKC.
16. Detailed design work is on-going in respect of the necessary adaptations to the NKC and Park House to facilitate movement of the PRU early next year. This design activity is progressing alongside required planning/design of adaptations to 6 Knowsley Place and the Bury Town Hall to facilitate the move of staff from the Children and Young People's directorate currently operating from NKC.

BGI officers have made use of pre-procured framework arrangements to appoint consultant resources to facilitate delivery of the project. This includes Project Management, Architectural and Cost Consultancy resources. The Constellia Framework has been utilised for this activity.

The construction works must be delivered in a very constrained timescale, with mobilisation required in January 2024. Design development for the first phase of construction works must also be carried out with detailed reference to the material/labour supply chain, to ensure it is deliverable. It is particularly important that materials with a long procurement lead time are not specified as this will cause unacceptable delay. The requirement to secure labour availability in January is also an important factor.

Use of Early Contractor Involvement (ECI) is required in the first phase of the project and there will be a significant requirement for joint working between a contractor and the scheme designer. It is for this reason that officers have requested permission for exemption from the Council's Contract Procedure Rules to facilitate a direct award of a construction and ECI tender package to H Smith Limited. The use of the Exemption will be limited to the first phase of construction works which at present is forecast to cost approximately £600k (subject to design development).

The remaining construction works (phase 2) will be procured utilising an open tender or relevant construction procurement framework and will be aligned with the Council's Contract Procedure Rules.

17. A high-level cost plan has been developed for delivery of the NKC/Park House project and this also includes provisional (estimated) sums for associated construction and design activity for adaptations to 6KP and the Bury Town Hall. The cost plan will evolve as the design is developed. At present the total cost of project activity is estimated at £1,758,000 which covers the initial phase of works. Further phases of work will be subject to a separate report.

The project will be overseen by BGI officers and will report to the Council's Regeneration Board for project assurance/oversight.

18. Given the need to invest in this interim solution, and the inability to deliver the scheme at Spurr House on time, it is no longer proposed to proceed with the adaptations to Spurr House and this project is now closed. Instead, an options appraisal exercise will be commissioned through BGI, to consider the future accommodation needs of the Pupil Referral Unit, and how they might be met.
19. Managers within Children's Services are working with the services affected to support the plans to decant those services. Formal consultation with staff affected is underway. This will extend to encompass staff employed in the Pupil referral Unit.
20. The relocation of the Pupil Referral Unit is not subject to any statutory change as would be required by School Organisation Regulations, and as such does not require formal consultation in respect of its change of location. However, it is proposed that informal consultation take place with key stakeholders including pupils and their families.

## **Recommendation(s)**

To approve the plans to develop the New Kershaw Centre to accommodate the needs of Spring Lane School

To approve expenditure of £1,758,000 from the Children's Services Capital Programme to meet initial costs of adaptations to the New Kershaw Centre, Park House and associated adaptations to facilitate transfer of Children's staff currently operating in NKC.

To note plans to relocate a number of Children's Services teams from the New Kershaw Centre, Park House and associated adaptations to facilitate transfer of Children's Services staff currently operating in NKC to the Town Hall and 6 Knowsley Place.

## **Reasons for recommendation(s)**

The use of the New Kershaw Centre by Spring Lane School will enable vacant possession of the Spring Lane site to be provided to the DfE. This will negate the need for the payment of a financial penalty by the Council and enable construction of the new secondary school to proceed.

## **Alternative options considered and rejected**

The Council looked at a number of options to provide an interim solution to accommodate Spring Lane School. This included use of other Council owned property, and the use of modular accommodation.

No other Council owned property could meet the needs of the school within the available timescale. Availability and cost of modular accommodations has been impacted by supply pressures nationally, linked to RAAC, meaning that use of modulars is no longer a viable option.

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## **Background**

21. Vacant possession of the Spring Lane site is required by March 1st 2024 to enable work to begin on the construction of the new secondary school.
22. To meet this requirement, Spring Lane School will need to vacate their current building during February half term 2024. Any delay in vacating the Spring Lane site will result in a financial penalty payable by the Council to the Department for Education of £2.4m, and delay delivery of the new secondary school.
23. Whilst the Council has secured planning permission for the adaptation of the former adult care home, Spurr House, those adaptations cannot be completed in time to enable Spring Lane School to relocate directly from its current site, and hence an interim solution needs to be identified.
24. The local authority is working with the leadership team of Spring Lane school, and the Oak Leaning Partnership which is the proposed sponsor of Spring Lane School, on the development of plans to provide an interim solution to meet the schools needs when it vacates the Spring Lane site.
25. This has resulted in the identification of the New Kershaw Centre (NKC) as a viable proposition.
26. The NKC currently accommodates a number of Children's Services teams, including a number of social care services, a base for care leavers, and the youth service. It is expected that these will initially be accommodated utilising 6 Knowsley Place and the Town Hall.
27. It is anticipated that existing services will be relocated by the 2<sup>nd</sup> January 2024, at which point adaptations to the NKC building will be carried out.
28. Work to the NKC will be phased to enable immediate works to be completed enabling relocation of the School over February half-term 2024, with further works implemented thereafter on a phased basis.
29. Spring Lane School currently delivers its functions from four buildings: Spring Lane, Milltown House, Park House, and Whitefield Hub.
30. Milltown House has recently suffered some structural damage and is currently out of use, with pupils having been moved to the other three buildings. The interim plans for Spring Lane School when it vacates the Spring Lane site will therefore also need to consider how pupils across all four sites can be accommodated in the absence of Milltown House, and will necessitate works to two of the other Spring Lane School buildings, Park House and Whitefield Hub, in order to ensure the required pupil capacity continues to be available.
31. The leadership team of Spring Lane school are developing plans for how the different functions of the PRU can be accommodated whilst using the interim accommodation, given the continued closure of Milltown House.

32. Oak Learning Partnership, as well as the proposed sponsor of Spring Lane School, will also be the sponsor of the new SEMH Special Free School to be constructed in Redvales.
33. The local authority is working with the Oak Learning Partnership to develop a long-term estates strategy encompassing all of the current sites, and exploring how these might align with the new Special School.

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### **Links with the Corporate Priorities:**

The proposal will support key ambitions of the Let's do it strategy:

- A better future for the children of the borough
- A better quality of life
- A chance to feel more part of the borough
- Building a fairer society that leaves no-one behind

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### **Equality Impact and Considerations:**

An Equality Impact Assessment has been completed and is attached at Appendix 1

The outcomes of the initial equality analysis is positive. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

An equality impact assessment has been undertaken and identified no areas of negative impact in relation to protected characteristics.

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## Environmental Impact and Considerations:

Environmental impacts and concerns will be considered as part of the pre-construction services and will be in-line with existing Council policies.

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## Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Significant risks in ensuring the decant of existing services from the New Kershaw Centre within a short timescale.	Appointment of Project Manager Establishment of project team
Significant risks in delivering the required adaptations to the New Kershaw Centre to enable relocation of Spring Lane School by February 2024.	Approval to proceed utilising procurement exemptions Project and risk plan prepared by programme manager
Financial risk in relation to adaptations to the NKC until detailed cost plans are produced.	
Financial risk on not achieving the relocation of Spring Lane School by 1 <sup>st</sup> March and the resultant financial penalty.	
Resultant impact on the delivery of the new secondary school if vacant possession of the Spring Lane site is not achieved by 1 <sup>st</sup> March 2024.	

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## Legal Implications:

The proposed direct award of part of the initial works to a local contractor in the light of the extremely tight timescales will require an exemption to be granted under the Council's Contract Procedure Rules. All further phases will be subject to open tendering or mini competitions under appropriate frameworks to ensure that the Council's statutory best value obligations properly met.

The proposals outlined do not trigger the School Organisation Code (The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013).

Once proposals are agreed, consultation with parents must be undertaken.

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## **Financial Implications**

This will be funded through DFE grant and the budget has been included within the capital programme.

The proposals seek to mitigate the risk of financial penalty payable to the DFE.

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## **Appendices:**

*Please list any appended documents.*

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## **Background papers:**

*Please list any background documents to this report and include a hyperlink where possible.*

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning