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| Classification: Open | Decision Type: Non-Key |
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| Report to: | Cabinet | Date: 12 February 2025 |
| Subject: | Millwood Primary Special School – Update & Request for approval to go to tender – Part A | |
| Report of | Deputy Leader and Cabinet Member for Children and Young People | |

Summary

This report is presented to Cabinet with a full explanation of the latest position, details of the provisional programme including estimated budget costs and is seeking approval to go out to tender for the construction of the new wing extension, roofing remedial and other outstanding defects scheme.

This report is issued without finalised figures as these will not be available until after the tenders have been returned. They will then be reviewed internally and validated by independent Quantity Surveyors. Provided that the tender figures can be recommended, an updated report will then be issued for approval.

Cabinet approval to proceed to tender is required at the February Cabinet meeting to ensure a start on site to complete the outstanding roofing remedial/other outstanding defects that have been an issue for a considerable length of time.

Recommendation(s)

Cabinet is requested as follows:

- (a) To approve the indicative budget and provisional works programme with an anticipated 12 month build scheme and targeted completion of September 2026.
- (b) To approve the seeking of competitive tenders for the works, subject to a further report being brought back to a future Cabinet meeting for approval of the tender sum and contract award to the preferred contractor.

Reasons for recommendation(s)

Approval to proceed to tender is required for the Millwood scheme to progress. The scheme will include a new build extension it will also address the roofing remedial works/other defects that are unfinished due to the original contractors going into Administration in September 2024.

Development of additional capacity at Millwood Primary Special School, as set out in the Project Safety Valve agreement between the Council and the Department for Education, is a key element of the specialist place sufficiency strategy. Taken together, the Agreement and strategy set out the business case for the development of new provision and expansion of existing specialist provision to meet increasing demand within Bury and reduce the reliance on placements in Independent Non-Maintained

Special Schools (INMSS). The extension scheme at Millwood Primary Special School is a priority within this strategy.

Alternative options considered and rejected

Do nothing. If we don't proceed with the extension this would mean pupils being sent to out of borough provisions which would be at a large cost to the council

We must address the roofing remedial works/other defects as a priority as the original contractors only re-roofed approximately half of the school roofs. The roof is deteriorating and needs to be replaced as soon as practically possible.

Report Author and Contact Details:

Name: Samantha Horrocks

Position: Asset Manager (Education Operations)

Department: CYP

E-mail: s.j.horrocks@bury.gov.uk

Background

Cabinet have received a suite of reports regarding progress and approvals in relation to this scheme.

Below are the dates of the cabinet reports/Urgent Decision Form: -

- [14 December 2022](#)
- [12 July 2023](#)
- [6 September 2023](#)
- [5 June 2024](#)
- [26 June 2024](#) – Urgent Decision Form

At the June Cabinet meeting the following was approved:

1. Approved in principle the fully costed bid from the original contractors to validation by external quantity surveyors (QS) and any necessary modification required being made, together with the costs of the professional/consultant/client FFE costs fees for the construction of the new wing in the sum. All costs to be covered by Children's Services capital funding.
2. Subject to such validation being obtained from the external quantity surveyors (QS) to note that authorisation will be sought under the urgent Decision route under the Constitution to be followed for final approval.

On the 11 June 2024 the external QS submitted their Value For Money report. They were satisfied that the proposed contract sum submitted by the contractors was a bona fide offer. It is within tolerances and comparable to market rates for a high specification project of this nature.

There was an urgency to gain approval at this time as the QS validation report was received. To enable the construction work to begin on the new extension at Millwood

Primary school during the school summer holidays. We needed to ensure most of the noisy work took place during the school summer holidays to reduce impact on the school staff/pupils. Additionally, we required the extension to be completed prior to September 2025 to enable the increased pupil intake to occupy the new building.

In order to enable an early start on site in July 2024 a time and cost limited Letter of Intent was issued to the contractor on 12th July 2024. This is normal practice and had no additional cost implications.

On Thursday 19 September 2024, Officers became aware that the contractors who were working on the Millwood expansion and remediation projects had been placed in Administration.

During Friday 20 September, meetings took place with the schools Senior Leadership team, and the Council's internal Millwood Steering Group, which comprises officers from CYP, BGI & Legal Services.

The Council ensured the school site was both secure and safe for its continued use by staff and pupils. Security staff from the Council were also making more regular patrols. The council paid for extra CCTV cameras to be installed around the former construction site. This provided the school with extra security and peace of mind that all areas of the school site were secure.

In addition, additional support was requested from the external consultants that had been engaged on the roof works and new wing project. This gave time to explore all our options going forward with regards completion of the new wing, roofing remedial works and outstanding defects.

There are several different work streams outstanding at the school that the original contractors had been undertaking.

These can be summarised as follows:

- Expansion project – new 4th wing
- Outstanding roof remedial work: - includes the Rebound Room; Phase 5 (premises team areas/corridors/plant rooms); 3 wings re-roof work
- Historical defects-damp walls; high cold-water issues; drainage issues; internal doors

The original contractors have re-roofed approximately half of the school building over the past couple of years.

Support was also requested from external consultants/contractors to undertake regular roofing inspections on parts of the school roof that are still to be replaced. This provided the school and the Council with reassurance of the ongoing safety of the roof. The monthly roof inspections and temporary prop inspections started in October 2024. Prior to the original contractors going into Administration they were responsible for undertaking the roof and temporary prop inspections.

Officers are supporting the school leadership team throughout this process and provide regular updates both to the school and with the internal steering group. This will continue whilst we work through the options available.

The DfE have also been in contact with CYP and they have been apprised of the current status.

The original contractors going into administration has impacted costs/timescales to deliver the extension scheme and resulted in the roofing remedial works/other defects being the responsibility of the council.

External structural consultants were commissioned to produce a report detailing what their expectations are on the costs and timescales to complete the remaining roofs at the school. The report was received in November 2024. The report concludes that the remaining roof work could be completed within 9 months and a budget cost was provided. The original contractors were delivering the roofing remedial works at no cost to the council. Therefore, the Council will need to find the funds to support this work. Provision will be made in Children Services capital funding to cover these costs.

Since the contractors went into Administration the responsibility to complete the re-roofing of the school has passed to the Council. Therefore, it is proposed to combine the 4th wing extension scheme with the roofing remedial work/other outstanding defects and deliver it as one scheme by the main contractor.

Due to the delays in progressing the expansion project this has inevitably resulted in the school not being able to accommodate additional pupils in September 2025. Therefore, the council has considered various options to provide additional space for the pupils. In discussions with Millwood Senior Leadership Team, they have identified space consisting of the Theatre and a meeting room which can be converted into two classrooms. The council have begun working on this option which will need to be complete by September 2025. Once costs/timescales are known an Operational Decision form will be submitted.

The temporary classroom arrangement will be in place until the expansion project is completed which is hoped by September 2026.

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
-

Assessment and Mitigation of Risk:

| Risk / opportunity | Mitigation |
|--|---|
| Tender costs come back higher than anticipated | Commissioning of an external Quantity Surveyor to provide assurances to the council that the tender represents value for money. |

Legal Implications:

The procurement route proposed in this report is compliant with both the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. Use of the Northwest Construction Hub framework is an efficient and cost-effective method of proceeding.

Financial Implications:

To be completed by the Council's Section 151 Officer.

The cost of the proposal will be met from existing funding available within the Children's capital programme.

Appendices:

None

Background papers:

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

Cabinet Report – 14 December 2022 – Millwood Primary Special School: Update on remediation Programme and expansion proposal. [Link](#)

Cabinet Report – 12 July 2023 – Children's Services Capital Programme [Link](#)

Cabinet Report – 6 September 2023 – Millwood Primary Special School [Link](#)

Cabinet Report – 5 June 2024 – Millwood Primary Special School - Programme Update & request for approval to appoint contractor [Link](#)

Urgent Decision Form - 26 June 2024 [Link](#)

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

| Term | Meaning |
|-------------|---------------------------------------|
| RIBA | Royal Institute of British Architects |