

Report to:	Cabinet	Date: 09 July 2025
Subject:	Millwood Primary Special School – Request for approval to proceed to appoint contractor – Part A	
Report of	Deputy Leader and Cabinet Member for Children and Young People	

Summary

1. This report is presented to Cabinet with a full explanation of the latest position, details of the programme and seeking approval of a costed bid from the contractors for the construction of the new wing; roofing remedial and other outstanding defects scheme. Authorisation is required to enter into a Design and Build Contract with the contractors. Along with an approval request for other client costs stated in Part B of the report.
2. The contractors have completed the Pre-Construction Services Agreement (PCSA) for the detailed design up to RIBA Stage 4. Their costed bid was received on the 23 June 2025. The bid costs are shown in Part B of the report.
3. Cabinet approval is needed at the July meeting to ensure a start on site can be made on 4 August 2025 to meet the tight project deadlines. Initial works will be commenced under an agreed time and cost limited Letter of Intent if it is not possible to agree and execute the required JCT Contract by that date.

Recommendation(s)

Cabinet is asked as follows:

- 1.To approve the costed bid from the contractor together with the costs of the professional & consultant fees/ additional surveys/client FFE costs for the construction of the new wing; roofing remedial works and other outstanding defects scheme. All costs are to be covered by Children's Services capital funding.
- 2.To authorise the Director of Law and Democratic Services in consultation with the Cabinet Member for Children and Young People to finalise the terms of the Design and Build Contract to be entered into with the contractor.

Reasons for recommendation(s)

Cabinet approval to appoint a contractor is needed at the July 2025 Cabinet meeting to ensure a timely start on site to achieve the tight deadlines for the 4th wing extension and completion of the roofing remedial/outstanding defects work.

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.

Urgent completion of the roofing remedial works/other outstanding defects is required. This has already been delayed due to the previous contractors going into Administration.

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.

Whilst it is possible to re-procure the scheme, this would result in significant delay to delivery of the project with no certainty that costs will be reduced. The option to re-procure will remain, to be pursued in the event that the costed bid is rejected. In that event all the work carried out to date will be utilised to form an integral part of the tender documents to be issued.

Report Author and Contact Details:

Name: Samantha Horrocks

Position: Asset Manager (Education Operations)

Department: C & YP

E-mail: S.J.Horrocks@bury.gov.uk

Background

1.1 Cabinet have received a suite of reports regarding progress/approvals in relation to this scheme. (See below for links to the reports).

- 14 December 2022
- 12 July 2023
- 6 September 2023
- 5 June 2024
- 26 June 2024 – Urgent Decision Form
- 12 February 2025
- 16 April 2025

1.2 At the April 2025 Cabinet meeting the following was approved:

- (a) Approve entering into a Pre-Construction Services Agreement stage (PCSA) with the contractor selected
- (b) Delegate finalisation of the terms of the Agreement to the Director of Law and Democratic Services in consultation with the Executive Director for Children and Young People

1.3 The original contractors had developed the scheme to RIBA stage 4 before going into Administration in September 2024. Therefore, it was necessary to allow a new contractor time to develop their scheme per the North West Construction Hub (NWCH) milestone stages.

1.4 Below are the dates the Council are working towards as agreed with NWCH. The Council are working in partnership with the NWCH framework based at Manchester City Council as it is an efficient and cost-effective method of proceeding. At this stage the dates are only indicative: -

Milestone	Date
Soft Marketing Event at the school for interested contractors	Monday 17.02.2025
Expression of Interest documents (EOI) issued by NWCH	Thursday 19.02.2025 to Friday 28.02.25
Issue Mini-Competition document	Monday 3.03.2025
Mini-Competition briefing meeting	Friday 7.03.2025
Mini-Competition return	Monday 31.03.2025
Clarification interview	Friday 4.04.2025 (if deemed necessary)
Constructor Partner selection / notification (including notification & feedback to unsuccessful partners) stated to be subject to Cabinet approval	Friday 11.04.2025
Bury Council Cabinet Meeting – approval to proceed to PCSA	Wednesday 16.04.2025
Pre-Construction activity	Thursday 17.04.2025 to Monday 23.06.2025
July Cabinet-to request approval to enter into a legal Contract.	Wednesday 9.7.2025
Agree Contract	Thursday 10.07.2025

Contract period commences	Monday 4.08.2025 (57weeks contract period)
Contract period completion	Monday 07.09.2026

1.5 In order to progress the scheme to extend Millwood Special School; address roofing remedial works/other outstanding defects, Cabinet is asked for approval to appoint the contractor. Authorisation is required to enter into a Design and Build Contract with the contractors, now their costed bid has been received.

1.6 The Children's Services capital programme includes a provisional sum in respect of the extension project, but also a further allocation for potential roof remediation/other defects works which is a legacy of the long-standing uncertainty about how the roof defects would be funded. Sufficient provision has been made in the CYP Capital Programme.

1.7 Since the original 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.

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

Equality Impact and Considerations:

A full EIA was completed in May 2024 and has been revised due to the requirement to seek a new contractor. Overall impacts are not affected by this change. The scheme continues to have an overall neutral impact.

Environmental Impact and Considerations:

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

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The bid is higher than anticipated	Commissioned an external Quantity Surveyor company to provide assurances to the council that the bid represents value for money. The Council has put robust client-side contract management arrangements in place to mitigate risk and ensure effective delivery of the project

Legal Implications:

The process being followed under the NWCH High Value Construction Framework is compliant with the new procurement legislation which came into force on 24th February 2025 as it utilises a continuing valid framework under the Procurement Act 2023. The form of call off contract will be determined by the Framework.

The proposals will support the sufficiency of educational places in the borough which is a statutory duty under section 14 Education Act 1996.

Financial Implications:

There is financial provision for the works required within the approved capital programme.

Appendices:

Appendix 1 - Equality Impact Assessment

Background papers:

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 -request to approve additional expenditure -[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](#)

Cabinet Report – 12 February 2025 - Millwood Primary Special School – Update & Request for approval to go to tender - [Link](#)

Cabinet Report – 16 April 2025 - Millwood Primary Special School – Update & Request for approval to proceed to Pre-Construction Services Agreement stage (PCSA) with a contractor- [Link](#)

Term	Meaning
RIBA	Royal Institute of British Architects
JCT	Joint Contracts Tribunal