

**Forward Plan reference number:** not applicable

<b>Report title:</b> Appointment of a Building Contractor for Works at West Hatch High School, Chigwell.	
<b>Report to:</b> Councillor Ray Gooding - Cabinet Member for Education and Skills	
<b>Report author:</b> Clare Kershaw, Director, Education	
<b>Date:</b>	<b>For:</b> Decision
<b>Enquiries to:</b> Bryony Dick – Senior Project Sponsor, email: <a href="mailto:bryony.dick@essex.gov.uk">bryony.dick@essex.gov.uk</a>	
<b>County Divisions affected:</b> Chigwell/ Loughton, Essex	

### **Confidential Appendix**

This report has a confidential appendix which is not for publication as it includes exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

## **1. Purpose of report**

- 1.1. To seek approval to award a contract for works at the West Hatch High School Chigwell following a mini competition under the Essex Construction Framework and for the additional capital investment required to continue and complete the works.

## **2. Recommendations**

- 2.1. To agree to award a contract for building Works at the West Hatch High School Chigwell.
- 2.2. To delegate authority to the Head of Infrastructure Delivery to enter into the call off Contract.
- 2.3. To approve the updated capital budget for construction and associated project fees for the project, as set out the profile contained in the confidential financial appendix.

## **3. Summary of Issue**

- 3.1. Cabinet approval was given in 2016 for the expansion of West Hatch High School, Chigwell (The School) and for the building works associated with the expansion to be procured by way of mini competition under the Essex Construction Framework.

## Expansion of West Hatch High School, Chigwell

- 3.2. In 2017 the design and build contract was awarded to Lakehouse Contracts Ltd ("Lakehouse") and Lakehouse commenced the building work at the School. In March 2019, Lakehouse went into administration and the works at the School including the remodelling of existing school buildings and new build construction of a new sports hall and teaching block to enable the school to increase to 9 forms of entry(the Project) ceased.
- 3.3. The Project needs to be completed to meet the identified need for secondary school places and to finalise the approved expansion.
- 3.4. The outstanding works unfinished by Lakehouse were reviewed and the most urgent prioritised. Works to remodel the existing school buildings, including extensions to dining, science, music and other associated areas were completed in the summer of 2019 by ECC and MITIE to ensure that the School had sufficient capacity to meet the need for additional secondary school places in September 2019.
- 3.5. In order to minimise further delay to the Project, it was decided to use the Essex Construction Framework to procure a contractor to complete the outstanding new build elements of the project.
- 3.6. ECC undertook a mini competition for works including a standalone four court sports hall with changing rooms, dance studio and gym room as well as a new English block delivering 9 classrooms and associated external hard and soft landscaping. The programme for works requires key elements will be completed by September 2020.
- 3.7. Delivery Timescales are as follows:

Milestone	Date
Complete English Block	September 2020
Complete school sports hall	November 2020
Completion of external works	December 2020

- 3.8. Following evaluation of the tender submissions for the mini competition, Barnes Construction were identified as the winning bidder.
- 3.9. The cost of the project has increased and therefore the reprofiling of the updated capital budget is required. This is due to unforeseen works to the project caused by the Lakehouse administration.

## 4. Options

- 4.1. Option 1 – Do Nothing

This option is not viable due to the significant growing deficit of secondary school places in Chigwell/ Loughton area. The school are operating within a site that is partially a construction site following the liquidation of Lakehouse.

#### 4.2. Option 2 – To Complete the Project

To proceed and complete the Project with minimal delay and disruption to the school. To award the contract to complete the Project to Barnes Construction to minimise further delays to the school.

This is the recommended option as it completes the works that are required for the school to admit additional pupils.

### 5. Issues for consideration

#### 5.1. Financial Implications

- 5.1.1. Due to a temporary cessation in the development of the scheme and a change in the contractor for the reasons set out above, additional costs have been/ will be incurred and further capital investment is required to complete the project. Please see the confidential financial appendix for capital financial information.

#### 5.2. Legal Implications

- 5.2.1. ECC have a statutory duty under section 14 of the Education Act 1996 to plan for and secure sufficient schools and places for their area.
- 5.2.2. The premises to be provided will need to meet the statutory requirements of the Education (School Premises) Regulations 1999 and the feasibility studies and the final programme will ensure that this happens.
- 5.2.3 ECC is a contracting authority for the purposes of the Public Contract Regulations 2015. The procurement of the replacement contractor will need to comply with domestic and European Public Contracts legislation and ECC's procurement rules.

### 6. Equality and Diversity implications

- 6.1. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil

## Expansion of West Hatch High School, Chigwell

partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 6.3. The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## 7. List of Appendices

- 7.1. Appendix 1 – Equality Impact Assessment  
7.2. Confidential Appendix

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Ray Gooding, Cabinet Member for Education and Skills</b>	17.02.20

In consultation with:

<b>Role</b>	<b>Date</b>
<b>Councillor Ray Gooding, Cabinet Member for Education and Executive Director for Finance and Technology (S151 Officer)</b>	
<b>Stephanie Mitchener</b>	16.02.20
<b>Director, Legal and Assurance (Monitoring Officer)</b>	
<b>Laura Edwards on behalf of Paul Turner</b>	23.1.2020