

Policy and Finance Committee

2 July 2015

Urgent Action taken under Standing Order 32 (ref: 01/15-16) : Temporary Learning Village – North Kingston Centre

Information item by the Head of Corporate Governance

Key Points

1. Under Standing Order 32, the procedure for urgent action to be taken in between committee meetings, it is required that an information item to the relevant committee is provided at the next meeting of the relevant committee. The urgent action below relates to three committees to which it will be reported as an information item.
2. Set out below are details of urgent action which the Director of Children's Services, the Director of Finance and the Capability Lead, Commissioning, are proposing to take, in consultation with Councillors Andrea Craig, Eric Humphrey and Richard Hudson (respectively Chairs of the Children, Youth & Leisure Committee, Policy & Finance Committee and Infrastructure, Projects and Contracts Committee) under the Standing Order 32 procedure
3. The action to be taken is as follows:
 - i. The procurement of temporary accommodation through the Crown Commercial Service Framework to enable the opening of the proposed Academy on the North Kingston Centre site for Year 7 Pupils from September 2015;
 - ii. The waiver of Contract Standing Orders 3 and 11 in order to facilitate 1)
 - iii. The utilisation of either unallocated Section 106 contributions for education projects, resources already earmarked within the capital programme for school expansion or other capital funding sources in order to meet the cost of the expenditure, estimated at £600,000; and
 - iv. In the event that it proves necessary to meet the costs from within the capital programme for school expansion, any consequential changes as may be required to the financing of projects within the programme
4. The reason for urgency is that a decision is required prior to the next relevant Committee meetings because of the need to place orders with the relevant suppliers as soon as possible in order to meet the requirement for the accommodation to be fully operational by September 2015.
5. Further detailed background information is provided below/ overleaf.

Background

6. An Academy, sponsored by the Kingston Education Trust (KET), is due to open on the North Kingston Centre site in September 2015.

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7. Due to factors entirely beyond the Council's control, neither the Education Funding Agency (EFA), nor the KET, has been able to procure works packages, either to refurbish the existing buildings on site, or to develop new accommodation, in order to ensure the opening of the Academy for Year 7 Pupils, from September 2015.
8. The Local Authority has a duty under Section 14 (1) of the Education Act 1996 to ensure that there are sufficient primary and secondary school places available within the Borough to meet local demand. Because of this, the Council intends to procure temporary accommodation to ensure that the Academy is able to open for Year 7 pupils in September 2015 as planned.

Urgency

9. As at the week commencing 1 June 2015, there are approximately 12 weeks available to the Council to undertake the necessary procurement, delivery and fit out of the accommodation. We also know that the market for supplying temporary accommodation to schools also tends to peak at this time of year to coincide with the school summer holidays. On this basis, it is deemed essential to place orders, either in week commencing 1st June or early in week commencing 8 June.

Procurement

10. The procurement of the temporary accommodation will be undertaken via the Crown Commercial Service (CCS) Framework. This Framework is hosted by the CCS, which is an executive agency of the Cabinet Office, and is available to all Local Authorities. The Framework is fully compliant with both the EU Procurement Directives and the Council's Contract Standing Orders. The Council has also used the CCS Framework successfully on several previous occasions.

Costs / Funding

11. A draft budget and schedule of expected costs has been reported to the relevant Chairs of Committees.
12. The revenue funding for the procurement of the temporary accommodation and all other associated fees and costs will be met by the Council. It has been agreed by the Director of Finance that these costs will be met either from unallocated Section 106 contributions for education projects, or by utilising resources already earmarked within the capital programme for school expansion. The latter option would require some changes to financing of capital projects within the wider programme to reflect that this commitment will be a revenue rather than a capital expense. This project would be alternatively resourced from other capital funding sources. The former is the preferred method but subject to further scrutiny of conditions attached to the S106 funding.

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Standing Order 32 form