

To: **Executive Board**

Professor Steven Broomhead
Chief Executive
Town Hall
Sankey Street
Warrington
WA1 1UH

Councillors:

**T O'Neill (Chair), M Hannon (Deputy Chair)
R Bowden, J Carter, J Guthrie, K Hannon,
M McLaughlin, H Mundry, H Patel, P Wright**

Executive Board

Date: Monday, 13 July 2015

Time: 18:30

Venue: Council Chamber, Town Hall, Sankey Street, Warrington, WA1 1UH

Contact Christine Oliver, Democratic & Member Services, Tel: 01925 442104,
Email: coliver@warrington.gov.uk

AGENDA

Part 1

Items during the consideration of which the meeting is expected to be open to members of the public (including the press) subject to any statutory right of exclusion.

1 Code of Conduct - Declarations of Interest

**Relevant Authorities (Disclosable Pecuniary Interests)
Regulation 2012**

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.

2 Minutes

5 - 8

Minutes of the meeting of the Executive Board held on 15 June 2015.

3 Executive Decisions - Forward Plan Report

9 - 18

Report of Solicitor to the Council and Assistant Director, Corporate Governance.

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|---|--|---------|
| 4 | <p><u>Capital Programme 2014/15 Outturn (Forward Plan N0 059/14)</u></p> <p>Report of Councillor R Bowden, Executive Board Member, Corporate Finance.</p> | 19 - 22 |
| 5 | <p><u>2015/16 - Walton Lea Employment Support, Training and Life Long Learning (Forward Plan No 007/15)</u></p> <p>Report of Councillor P Wright, Executive Board Member, Statutory Health and Social Care.</p> | 23 - 28 |
| 6 | <p><u>Contract for the Provision of a Community and Prison Drug and Alcohol Service and Approval of Section 75 Partnership Agreement between Warrington Borough Council and NHS England (Forward Plan No 001/15)</u></p> <p>Report of Councillor P Wright Executive Board Member, Statutory Health and Social Care.</p> | 29 - 34 |
| 7 | <p><u>Tender for the provision of Support and Care Services at Ryfields Village (Forward Plan No 003/15)</u></p> <p>Report of Councillor P Wright, Executive Board Member, Statutory Health and Social Care.</p> | 35 - 38 |
| 8 | <p><u>Relocation of Barrow Hall Primary School: Acquisition of Site and Contract Award for Design and Construction of New Facilities (Forward Plan No 075/14)</u></p> <p>Report of Councillor J Carter, Executive Board Member, Children's Services.</p> | 39 - 50 |
| 9 | <p><u>Approval to award contracts for the provision of Special Educational Needs Home to School Transport (Forward Plan No 010/15)</u></p> <p>Report of Councillor H Mundry, Executive Board Member, Highways, Transportation and Public Realm.</p> | 51 - 54 |

Please note agenda item 9 is to be made under the General Exception Procedure Rule 13 - Access to Information Procedure Rules under Regulation 10 of the (Meetings and Access to Information) Regulations 2012.

Part 2

Items of a “confidential or other special nature” during which it is likely that the meeting will not be open to the public and press as there would be a disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.

The following information comprises the formal notice under Paragraph 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that a decision has been taken to hold this part of the meeting in private. Information is also provided against each item heading about the reasons for holding this part of the meeting in private, any representations received and the response to those representations.

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|----|--|---------|
| 10 | <p><u>Contract for the Provision of a Community and Prison Drug and Alcohol Service and approval of Section 75 Partnership Agreement between Warrington Borough Council and NHS England (Forward Plan 001/15)</u></p> <p>Report of Councillor P Wright, Executive Board Member, Statutory Health and Social Care.</p> | 55 - 58 |
| 11 | <p><u>Tender for the provision of support and care services at Ryfields Village (Forward Plan No 003/15)</u></p> <p>Report of Councillor P Wright, Executive Board Member, Statutory Health and Social Care.</p> | 59 - 64 |
| 12 | <p><u>Barrow Hall Primary School: Acquisition of site and contract award for Design and Construction of New Facilities (Forward Plan No 074/14)</u></p> <p>Report of Councillor J Carter, Executive Board Member, Children's Services.</p> | 65 - 68 |
| 13 | <p><u>Approval to award contracts for the provision of Special Educational Needs Home to School Transport (Forward Plan No 010/15)</u></p> <p>Report of Councillor H Mundry, Executive Board Member, Highways, Transportation and Public Realm.</p> | 69 - 76 |

Please note agenda item 13 is to be made under the General Exception Procedure Rule 13 - Access to Information Procedure Rules under Regulation 10 of the (Meetings and

Access to Information) Regulations 2012 and under the urgency provisions for private meetings in the access to information rules, under Regulations 5(6) of the (Meetings and Access to Information) Regulations 2012.

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|-----------|--|------------------|
| 14 | <u>Investment in Warrington Collegiate (Forward Plan No 005/15)</u> | 77 - 108 |
| | Report of Councillor R Bowden, Executive Board Member, Corporate Finance. | |
| 15 | <u>Bond Issue Update (Forward Plan No 006/15)</u> | 109 - 114 |
| | Report of Councillor R Bowden, Executive Board Member, Corporate Finance. | |

If you would like this information provided in another language or format, including large print, Braille, audio or British Sign Language, please call 01925 443322 or ask at the reception desk in Contact Warrington, Horsemarket Street, Warrington

EXECUTIVE BOARD – 15 June 2015

Present:

Executive Board Members

Councillors:

Leader

Deputy Leader

Corporate Finance

Children's Services

Environment and Public Protection (including Climate Change)

Leisure, Community and Culture

Public Health and Well-being

Highways, Transportation and Public Realm

Personnel and Communications

Statutory Health and Adult Social Care

T O'Neill

M Hannon

R Bowden

J Carter

J Guthrie

K Hannon

M McLaughlin

H Mundry

H Patel

P Wright

EB 11 Apologies

Nil

EB 12 Code of Conduct – Declaration of Interest

Nil.

EB 13 Minutes

Decision – That the Minutes of the meeting of the Executive Board held on 26 May 2015 be signed by the Leader as a correct record.

EB 14 Executive Decisions - Forward Plan

The Executive Board considered a report of the Solicitor to the Council and Assistant Director, Corporate Governance on the contents of the Executive Decisions - Forward Plan for the period 1 July – 30 November 2015. The Board further noted the amendments circulated at the meeting.

Decision – That the report be noted.

EB 15 Performance Report – Quarter 4 – 2014 - 2015

The Executive Board considered a report of Councillor H Patel, Executive Board Member, Personnel and Communications which provided an overview of the Council's performance for Quarter 4 of 2014-15 (January to March 2015). The report provided updates on progress made towards the pledges contained in the Corporate Strategy 2012-2015. It also provided an overview of progress against the corporate health measures relating to finance, staff and customer service.

Minutes Issued on Thursday, 18 June 2015. Call In expires midnight on Monday, 22 June 2015.
Decisions can be implemented from Tuesday, 23 June 2015

Decision – That the Executive Board agreed to note –

- (1) the quarter 4 2015-15 performance position; and
- (2) that the relevant Executive Board Members would liaise with their Executive Directors to discuss specific performance issues.

Reason for Decision: To ensure that Executive Board members were aware of the Council's quarter 4 2014-15 performance position in relation to both the Corporate Plan and corporate health and could see the areas of good performance and those where improvements were required.

EB 16 Strategic Risk Report Quarter 4 – 2014/15

The Executive Board considered a report of Councillor H Patel, Executive Board Member, Personnel and Communications which provided a high level summary of the Council's strategic risk environment as at the end of quarter 4, 2014/15. The report outlined activity undertaken during the period to manage strategic risks and detailed amendments to the register. The report provided an opportunity to review and comment on the Council's current evaluation of its strategic risks and to suggest new risks to be considered for the inclusion in the register.

Decision – That the Executive Board reviewed and commented on the Council's Strategic Risk Register Q4 (2014/15) monitoring report as part of its monitoring role.

Reason for Decision: To ensure that the Council maintained an effective framework of internal control and managed its key risks and to ensure the continued review of the Council's strategic risks.

EB 17 Budget Monitoring 2014/15 – Quarter 4 Update and Provisional Outturn

The Executive Board considered a report of Councillor R Bowden, Executive Board Member, Corporate Finance which provided information on the forecast financial position for the 2014/15 financial year as at the end of March 2015. The report also highlighted the progress on delivering the 2014/15 Medium Term Financial Plan (MTFP) savings targets.

The report also provided the most up to date outturn position for the Council for 2014/15. The final figure was subject to change until the draft statement of accounts was signed off by the Director of Finance and Information Services on 30 June 2015. Following this, there may be further changes up to 30 September 2015 as a result of changes agreed with Grant Thornton, as part of their external audit review of the financial statements. Any material change would be reported to Members at the September 2015 meeting of the Executive Board.

Decision – That the Executive Board agreed to –

Minutes Issued on Thursday, 18 June 2015. Call In expires midnight on Monday, 22 June 2015.
Decisions can be implemented from Tuesday, 23 June 2015

- (1) draw-down MTFP reserves in the sum of £0.910m for non-achievement of savings in Economic Regeneration, Growth and Environment Directorate, as agreed in principle at Quarter 2;
- (2) note the draft forecast outturn after use of reserves as at Quarter 4 of £0.195m underspend; and
- (3) note the progress on delivery of MTFP savings targets as at Quarter 4.

Reasons for Decision:

- (1) The Council was currently forecasting an underspend of £0.195m after taking into account the MTFP drawdown previously agreed by the Executive Board for 2014/15;
- (2) This was still a provisional outturn as the accounts would be open until 30 June for transactions to go through. Once the draft statement of accounts was signed by the Director of Finance and Information Services on 30 June, there may be additional transactions to change the accounts with agreement with External Audit until 30 September 2015.
- (3) It was important that Members had a full understanding of the Council's current budget position and pressures to enable Members to play a full part in the decision making process to ensure that the Council continued to deliver a balanced budget.

EB 18 Warrington East Phase 1 (Birchwood Pinchpoint) Project (Forward Plan Decision No. 073/14)

The Executive Board considered a report of Councillor H Mundry, Executive Board Member, Highways, Transportation and Public Realm. The report provided an update on the progress in delivering the Warrington East Phase 1 (Birchwood Pinchpoint) project and informed members of the procurement route proposed to be adopted to ensure the success of the Warrington East Phase 1 (Birchwood Pinchpoint) project.

The report also sought approval to accept the cost of the component elements of the scheme contained within the Pricing Document produced by Balfour Beatty.

Decision – That the Executive Board agreed to –

- (1) approve the appointment of Balfour Beatty as the delivery partner to deliver the Warrington East Phase 1 project as outlined in Section 7;
- (2) approve the phased delivery of the project as follows:
 - (a) July 2015 – Moss Gate and Dog Bone junctions at combined total project cost of £4.56m; (as detailed in Table 1 of the report)
 - (b) October 2015 – Faraday Street Bus Link at a total project cost of £0.67m (as detailed in Table 1 of the report) subject to additional

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Decisions can be implemented from Tuesday, 23 June 2015

Agenda Item 2

funding being secured as outlined in paragraphs 8.3 and 8.6c of the report.

- (3) approve the reallocation and re-profiling of the Transport Capital Programme to complete the funding package for the revised scheme;
- (4) accept the construction price of £3.97m from Balfour Beatty to deliver the Moss Gate and Dog Bone junctions as outlined in paragraph 8.9; and
- (5) grant delegated powers for delivery of the Faraday Street Bus Link to the Executive Director, Economic Regeneration, Growth and Environment, following consultation with the Executive Board Member, Highways, Transportation and Public Realm, on the basis of the pre-construction cost estimate of £0.585m outlined at paragraph 8.10 of the report, subject to both the agreement of a construction price from Balfour Beatty and the receipt of 3rd party funding being secured as outlined at paragraphs 8.3 and 8.6c of the report.

Reason for Decision: Contract Procedure Rule CR60 requires the Executive Board to approve tenders greater than £250,000. The value of the Warrington East Phase 1 scheme exceeds that amount.

Signed.....

Dated.....

Minutes Issued on Thursday, 18 June 2015. Call In expires midnight on Monday, 22 June 2015.
Decisions can be implemented from Tuesday, 23 June 2015

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of The Solicitor to the Council and Assistant Director, Corporate Governance

Executive Director: Steven Broomhead, Chief Executive

Senior Responsible Officer: Bryan Magan, Head of Democratic and Member Services

Contact Details: **Email Address:** **Telephone:**
bmagan@warrington.gov.uk 01925 442120

Key Decision No. N/A

Ward Members: All

TITLE OF REPORT: EXECUTIVE DECISIONS - FORWARD PLAN

1. PURPOSE

1.1 To consider the current Executive Decisions Forward Plan covering the period 1 September to 31 December 2015.

2. CONFIDENTIAL OR EXEMPT

2.1 The report is not confidential or exempt.

3. INTRODUCTION AND BACKGROUND

3.1 Key Decisions are Executive decisions of the authority which are decisions of the Executive Board or an Officer under delegated powers which are likely to –

- Result in Warrington Borough Council incurring expenditure, making savings or vireing £250,000 or more having regard to the Local Authority budget for the service or functions to which the decision relates, or
- Be significant in terms of its effects on communities living or working within Warrington Borough Council's area comprising two or more Wards.

3.2 To comply with the legislation 'Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012', the Council is required –

- (1) to give 28 days' notice of key decisions.

- (2) to publish a notice of its intention to discuss confidential or exempt items at least 28 days in advance of the meeting; and
- (3) to publish a further notice at least 5 clear days' before a private meeting which must include a statement of the reasons for the meeting to be held in private, details of any representations received and a statement of its response to any such representations.

4. THE REPORT

- 4.1 The current Executive Decisions - Forward Plan is attached at Appendix A.
- 4.2 The following amendments/changes to the Forward Plan are reported for information:

	New item – 13 July
010/15	Approval to award Contracts for the Provision of Special Educational Needs Home to School Transport Added under General Exception Rule 13
	New Items – 14 September
008/15	Solar Photovoltaic Installation to a commercial building – Invest to Save
009/15	Vacant Homes Strategy 2015 - 2018
NKD 011/15	Sutton Trust Social Mobility Report 2015
012/15	Community Infrastructure Levy – Approval of preliminary draft charging schedule for statutory consultation
015/15	Community based specialist support for people with severe mental health problems/complex needs
	New Item – 14 December 2015
014/15	Maintenance of Lifts and Hoists in residential properties

5. FINANCIAL CONSIDERATIONS

- 5.1 None.

6. RISK ASSESSMENT

- 6.1 N/A.

7. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 7.1 Democratic and Member Services has an up to date Equalities Impact Assessment in place for its functions and policies and has produced an Action Plan to deal with key matters arising. There are no specific equalities issues in relation to the content of this report.

8. CONSULTATION

- 8.1 N/A.

9. REASONS FOR RECOMMENDATION

9.1 The report is submitted for information and comment.

10. RECOMMENDATION

10.1 That the Executive Board receives the contents of the Forward Plan and make comments as appropriate.

11. BACKGROUND PAPERS

Papers held within Democratic and Member Services about items for inclusion and changes to the Forward Plan.

Contact for Background Papers:

Name	E-mail	Telephone
Julie Ramskill	jramskill@warrington.gov.uk	01925 442114



Updated: 30 June 2015

EXECUTIVE DECISIONS – FORWARD PLAN

1 September – 31 December 2015

Report of the Solicitor to the Council and Assistant Director, Corporate Governance

This is formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of Key Decisions due to be taken by the Authority and that those parts of the Executive Board meeting identified in this Forward Plan will be held in private because the agenda and reports for the meeting will contain confidential or exempt information as defined in the Regulations.

Contact Information:
Democratic & Member Services
Town Hall
Warrington
WA1 1UH
Email: jramskill@warrington.gov.uk
Tel: 01925 442114/01925 442104

What is the Forward Plan?

The Forward Plan contains all the key decisions the Council expects to take over the next four months. It will be refreshed regularly and will give at least 28 days' notice of any Key Decisions and, if applicable, the Executive Board's intention to discuss an item in private and the reason for this.

What is a Key Decision?

Key Decisions are Executive decisions of the authority which are decisions of the Executive Board or an Officer under delegated powers which are likely to –

- Result in Warrington Borough Council incurring expenditure or the making of savings of £250,000 or more, having regard to the Local Authority budget for the service or function to which the decision relates, or
- Be significant in terms of its effects on communities living or working within Warrington Borough Council's area comprising two or more Wards.

For information, the Forward Plan also includes some other matters expected to come before the Executive Board or that the Executive Board is likely to recommend to full Council whether or not they may give rise to Key Decisions.

What does the Forward Plan tell me?

The Plan gives information about:

- what key decisions are to be made in the next four months;
- the matter in respect of which the decision is to be made;
- who will make the key decisions;
- when those key decisions are likely to be made;
- what documents will be considered;
- who you can contact for further information.

Who takes Key Decisions?

Under the Authority's Constitution, Key Decisions are taken by the Executive Board or individual officers acting under delegated powers.

Most Key Decisions are taken at public meetings of the Executive Board. Executive Board meets once a month on a Monday at 6.30 pm (except August) at the Town Hall, Warrington.

Further Information and Representations about items proposed to be heard in Private

Names of contact officers are included in the Plan and can be reached via (01925) 442114. If you are unsure, please contact Democratic & Member Services on the same number and staff there will be able to assist you. If you wish to make representations about an item proposed to be heard in private, you should contact Democratic and Member Services by no later than six clear working days before the meeting.

The 10 members of the Executive Board and their areas of responsibility are:

Councillor T O'Neill	Leader
Councillor M Hannon	Deputy Leader
Councillor R Bowden	Corporate Finance
Councillor J Carter	Children's Services
Councillor J Guthrie	Environment and Public Protection (including Climate Change)
Councillor K Hannon	Leisure, Community and Culture
Councillor M McLaughlin	Public Health and Well-being
Councillor H Mundry	Highways, Transportation and Public Realm
Councillor H Patel	Personnel and Communications
Councillor P Wright	Statutory Health and Adult Social Care

Agenda Item 3

Last forward plan entry No. 014/15 If you have any questions about any of the items listed please contact Julie Ramskill on 01925 442114.									
Decision Reference Number	Date added to the Forward Plan	Item	£s to be spent/saved /vired	Statement of Reason why the item of business is private	Wards Affected	Lead Executive Board Member	List of Policy/Reference Documents	Directorate and Contact for Further Information	Key Decision (Y/N)
NO MEETING IN AUGUST									
Key Decisions – 14 September 2015									
002/15	20/5/15	2015/16 Capital Programme Monitoring Report – Quarter 1 Update.		N/A	All	*Executive Board (see above) Councillor R Bowden Corporate Finance		Resources and Strategic Commissioning Danny Mather Tel 01925 442344 dmather@warrington.gov.uk	Yes
008/15	25/6/15	Solar Photovoltaic Installation to a commercial building – Invest to Save		N/A	Burtonwood & Winwick	*Executive Board (see above) Councillor R Bowden Corporate Finance		Resources and Strategic Commissioning Danny Mather Tel 01925 442344 dmather@warrington.gov.uk Rachel Waggett rwaggett@warrington.gov.uk	Yes
009/15	29/6/15	Vacant Homes Strategy 2015-2018		N/A	All	*Executive Board (see above) Councillor M McLaughlin, Public Health and Wellbeing		Families and Wellbeing Carolyn Haining Tel 01925 248480 Chaining@warrington.gov.uk	Yes
012/15	30/6/15	Community Infrastructure Levy – Approval of Preliminary Draft Charging Schedule for statutory consultation.		N/A	All	*Executive Board (see above) Councillor J Guthrie Environment & Public Protection (including Climate Change)		Economic Regeneration, Growth & Environment Michael Bell mbell@warrington.gov.uk	Yes

Agenda Item 3

015/15	2/7/15	Community based specialist support for people with severe mental health problems/complex needs – report on completion of process and recommendation of preferred provider list.	Up to £6.8 m (1.7m x 4 yrs)	Part 2 confidential (see note below)	All	*Executive Board (see above) Councillor P Wright Statutory Health and Adult Social Care		Families and Wellbeing Ian Moreland Tel 01925 444057 imoreland@warrington.gov.uk	Yes
Non Key Decisions – 14 September 2015									
011/15	30/6/15	Sutton Trust Social Mobility Report 2015		N/A	All	*Executive Board (see above) Councillor T O'Neill, Leader		Resources & Strategic Commissioning Sharon Parker Tel 01925 442161 szparker@warrington.gov.uk	No
Information Items – 14 September 2015									
	20/5/15	Performance Report – Quarter 1 2015/16		N/A	All	*Executive Board (see above) Councillor H Patel, Personnel and Communications		Resources and Strategic Commissioning Kathryn Griffiths Tel 01925 442797 kgriffiths@warrington.gov.uk	No
	20/5/15	Budget Monitoring 2015/16 – Quarter 1 Update		N/A	All	*Executive Board (see above) Councillor R Bowden Corporate Finance		Resources and Strategic Commissioning Danny Mather Tel 01925 442344 dmather@warrington.gov.uk	No
Key Decisions – 12 October 2015									
Nil									
Non Key Decisions – 12 October 2015									
Nil									
Information Items – 12 October 2015									
Nil									
Key Decisions – 9 November 2015									
Nil									

Non Key Decisions – 9 November 2015									
Nil									
Information Items – 9 November 2015									
Nil									
Key Decisions – 14 December 2015									
014/15	2/7/15	Maintenance of Lifts and Hoists in residential properties	£100k pa	Part 2 confidential (see note below)	All	*Executive Board (see above) Councillor P Wright Statutory Health and Adult Social Care		Families & Wellbeing Adam Duerden Operational Contracts & Commissioning Tel 01925 444055 aduerden@warrington.gov.uk	Yes
Non Key Decisions –14 December 2015									
Nil									
Information Items – 14 December 2015									
Nil									

****Note: Part 2 confidential**

Exempt Information – Schedule 12A, Local Government Act 1972:

It is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD - 13 July 2015

Report of Executive Board Member:	Councillor R Bowden, Executive Board Member, Corporate Finance	
Executive Director:	Katherine Fairclough, Deputy Chief Executive	
Senior Responsible Officer:	Lynton Green, Director of Finance and Information Services	
Contact Details:	Email Address:	Telephone:
	lgreen@warrington.gov.uk	01925 443925
Key Decision No.	059/14	
Ward Members:	All	

TITLE OF REPORT: CAPITAL PROGRAMME 2014/15 OUTTURN

1. PURPOSE

- 1.1 To update the Executive Board on the 2014/15 outturn position for the Council's Capital Programme.

2. CONFIDENTIAL OR EXEMPT

- 2.1 The report is not confidential or exempt.

3. INTRODUCTION AND BACKGROUND

- 3.1 The original capital budget for 2014/15 was approved by the Council at £737.353m in March 2014. During the year the budget has been revised and re-phased with a quarter 3 capital budget of £117.428m being approved by the Executive Board in March 2015.
- 3.2 A number of improvements have been made to the financial and project monitoring systems surrounding the whole capital programme during 2014/15 and it is pleasing to note that this additional support has ensured no significant overspends have occurred on any projects during 2014/15. The close scrutiny by the officer Capital Investment Planning Group has ensured that issues have been addressed early and no unexpected issues have arisen. Re-profiling of

expenditure has been done across years to better match our current programme, and whilst it is ambitious it is very closely controlled and monitored to avoid incurring additional costs on revenue. The revised capital programme will be reported to members as part of Quarter 1 monitoring in September 2015.

3.3 Capital expenditure of £91.347m was incurred in 2014/15 on a number of key capital projects. An excellent delivery rate of 78% (22% 2013/14) against budget was achieved and this increases to 84% (78% 2013/14) for non Invest to Save schemes. Some of the main highlights included:

- **Primary Schools – Total Spend £3.3m**
Dallam Primary - £0.941m
- **Special Schools – Total Spend £5.953m**
New SEN School at Woolston - £5.038m
- **Social Care – Total Spend £0.415m**
Development of Specialist PMLD - £0.232m
- **ICT – Total Spend - £2.591m**
- **Transportation & Environment – Total Spend £21.760m**
Warrington Priority Infrastructure - £1.086m
Highways Maintenance Investment - £5.085m
Walton Hall & Estate Upgrading & Improvement - £1.337m
Victoria Park Regeneration Phase 2 - £1.099m
Vehicle & Plant Asset Replacement Programme - £0.721m
Building Maintenance Programme - £0.861m
- **Invest to Save - Total Spend £51.260m**
Loans to Housing Registered Providers - £29.742m
Warrington Limited Omega - £4.206
Bridge Street Quarter - £4.154m
New Town House & Quattro Purchase - £5.929m
Housing - £1.824m
Corporate Green Energy & Solar PV - £0.723m
Investment in LGA Municipal Bond - £0.200m
Street Lighting - £1.142m
Stadium Quarter - £3.340m

4. 2014/15 CAPITAL EXPENDITURE

4.1 The table below summarises the 2014/15 capital programme budget variances:

Capital Programme	2014/15 Quarter 3 Budget	2014/15 Capital Outturn	2014/15 Variance	% Spent
	£m	£m	£m	
Families & Wellbeing	16.218	14.311	- 1.907	88%
Resources & Strategic Commissioning	4.401	2.934	- 1.467	67%
Economic Regeneration, Growth & Environment	27.317	22.848	- 4.469	84%
2014/15 Capital Programme (excluding Invest to Save)	47.936	40.093	- 7.843	84%
Invest to Save Programme	69.492	51.254	- 18.238	74%
2014/15 Invest to Save Programme	69.492	51.254	- 18.238	74%
Total 2014/15 Capital Programme	117.428	91.347	- 26.081	78%

4.2 The variation of £26.081m between the approved capital programme and the final outturn position primarily relates to an underspend on the Invest to Save Programme. Due to the innovative and partnership nature of this programme it is difficult to forecast future expenditure with great accuracy. Schemes that underspent on the Invest to Save Programme were – Street Lighting (£1.9m), Strategic Property Investment (£5m), Stadium Quarter (£3.9m), Omega loan (£3.3m), Affordable Housing (£1m), Green Energy Programme (£1.4m). Other schemes that slipped in 2014/15 were – Victoria Park (£1.1m), Vehicle Plant Replacement (£1.5m), Capitalisation of Redundancy Costs (£1m).

5. FINANCING OF CAPITAL EXPENDITURE

5.1 The table below summarises the funding of the 2014/15 capital programme. The Council had a fully funded capital programme for 2014/15. There are no funding implications from the 2014/15 capital programme that will affect the 2015/16 – 2017/18 capital programme, which remains fully funded. All underspends in 2014/15 will be re-profiled into future years budgets these will be presented to the Executive Board for approval in September 2015 when the new quarter 1 revised budget is approved.

Capital Programme Funding	2014/15 Funding £m
Council Unsupported Borrowing	72.562
Capital Grants and Reserves	16.778
Capital Receipts	0.090
Revenue Funding	1.867
External Funding	0.050
2014/15 Capital Programme Funding	91.347

6. FINANCIAL CONSIDERATIONS

6.1 Dealt with in the body of the report.

7. RISK ASSESMENT

7.1 Risk assessments are undertaken as part of the evaluation of all capital schemes.

8. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

8.1 There are no equality or diversity issues associated with this report.

9. CONSULTATION

9.1 Consultation takes place on a scheme by scheme basis.

10. REASONS FOR RECOMMENDATION

10.1 To ensure that key information on the Capital Programme is noted by the Executive Board.

11. RECOMMENDATION

11.1 The Executive Board is recommended to note this report.

12. BACKGROUND PAPERS

Contacts for Background Papers:

Name	E-mail	Telephone
Danny Mather	dzmather@warrington.gov.uk	01925 44 2344

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of Executive Board Member: Councillor P Wright, Executive Board Member, Statutory Health and Adult Social Care

Executive Director: Steve Reddy, Executive Director Families and Wellbeing

Senior Responsible Officers: Ann McCormack Assistant Director, Quality Assurance
Simon Kenton Assistant Director, Integrated Commissioning Resources and Strategic Commissioning

Contact Details: **Email Address:** **Telephone:**
amccormack@warrington.gov.uk 01925 442 967

Key Decision No. 007/15

Ward Members: All

TITLE OF REPORT: 2015/16 – WALTON LEA EMPLOYMENT SUPPORT, TRAINING AND LIFE LONG LEARNING

1. PURPOSE

- 1.1 To set out the strategic and service imperatives of maintaining the current Walton Lea services – principally for adults with Learning Disabilities – in relation to education, employment support and training.
- 1.2 The report sets out the strategic rationale for a proposed waiver which is summarised below. The waiver will secure the maintenance of a key service for vulnerable adults and also enables the Council to commission future services which will deliver greater efficiencies and deliver better outcomes. Critically the waiver enables the Council to take full account of the need to respond to and integrate changing wider commissioning requirements around Lifelong learning, Special Educational Needs and Disability (SEND) reforms that increase accountability for services up to 25 and the acknowledgement of the need to improve and widen the supported employment offer.
- 1.3 The annual cost of the Walton Lea contract is circa £300k. The service is summarised below:
 - 1.3.1 Walton Lea Partnership ‘Employment Support Service’; provides around 125 sessions per week to 62 service users with Learning Disabilities. The cost of the placements is approximately £24k per month. There are some additional placements from other service user groups for example those with Acquired Brain Injury that are spot purchased.

1.4 Waivers of the Council's Contract regulations are proposed that require the invitation of competitive tenders with respect to the service above and to agree the recommended contract extension with respect to the named service.

1.5 If the Executive Board approves recommendations to waiver and thereby extends the contract it is still expected that there will be negotiation and efficiency discussions with the service at the point of contract variation.

2. CONFIDENTIAL OR EXEMPT

2.1 The report is not confidential or exempt.

3. INTRODUCTION AND BACKGROUND – STRATEGIC CONTEXT

3.1 The proposals to waiver the service and contract supporting vulnerable adults with Learning Disabilities is proposed with full consideration of the Council's strategic commitment to protect the most vulnerable and are in line with the development and maintenance of prevention focussed services and supporting the development of local services.

3.2 The proposed waiver will provide an opportunity to further investigate and develop integrated commissioning and investment with Warrington CCG for example, in relation to learning disability and carers. The Council is continuing to work closely with Warrington CCG to fully evaluate, develop and where appropriate implement a robust process of integrated commissioning for services that provide both health and social care, particularly in the context of learning disabilities.

3.3 The development of an action plan is based on feedback from the Warrington Learning Disabilities Self-Assessment Framework (LD SAF) peer review process which was undertaken by a regional panel. The LD SAF and action plan is monitored by the Warrington Learning Disabilities and Autism Partnership Board whom promote an integrated approach to service development and commissioning. The peer review highlighted the strength of Warrington's partnership working and the strengths of our strategic approach to commissioning. Developing a strategy to support people with LD in employment is a key concern within this action plan. A task and finish group has been commissioned by the LD and Autism Partnership Board to address this issue. This process is due to begin later this month.

3.4 Review and commissioning arrangements will be underpinned by a number of commissioning activities currently in development, including:

- The development of a market position statement for adults of a working age is scheduled for consultation by August 2015 which in addition to the existing older person's market position statement will be used to guide future commissioning for health and social care. The Living Well Market Position Statement (for adults of working age) will build on local and national data to advise potential providers about the direction of travel for Warrington; local and national trends; current market provision

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and commissioning arrangements; further market needs and commissioning intentions. Learning Disabilities services will form a major plank of the Living Well MPS.

- The development of a commissioning strategy for Learning Disability Services
- Assessing the requirements for post 16 Learning disability services and the new accountability in the SEND reforms that raises statutory responsibilities to 25.
- The corporate review of lifelong learning offer
- A bid to the National Lottery Heritage fund jointly with Walton Hall to conclude.

3.5 The waiver will ensure there is opportunity to undertake a strategic review to align the service with the Council’s strategic vision for service provision for service users with a learning disability. The development of the strategic documents which underpin this vision are ongoing and may affect the decisions for the way that the service (in this report) is tendered in future so it is prudent to request a short term waiver in these circumstances.

3.6 The proposal to waiver the services and contract set out in paragraph 1.2 enable the Council to meet its duties in line with the Public Services (Social Value) Act 2012. The Act requires the Council to consider how services through the procurement process, might improve the economic, social and environmental well-being of the area. The waiver proposals ensure that the Council continue to support local economic and social environment by ensuring continued provision by local Warrington service providers. As part of contract management process the services will be subject to further evaluation and analysis to continue to ensure value for money for the council.

4. CONTRACTS PROPOSED FOR WAIVER

4.1 The service recommended for waiver and therefore contract extension is commissioned/contracted by, and on behalf of, Warrington Borough Council. Table 4.1 provides a summary of the main terms of the existing contract.

Table 4.1: Service and Provider Information

Provider	Service	Statutory / Non Statutory Service	Est. Value	Contract Start Date	Contract End Date	Contract Extended to	Proposals
Walton Lea Partnership	Supported Employment and Training Service for People with Learning Difficulties	Non Statutory	£300,000.00	01/04/2009	31/03/2012	30/09/2015	A waiver is requested to extend the contract for a further year until 30 September 2016.

5. ALTERNATIVE OPTIONS CONSIDERED

Full Tender/Procurement

- 5.1. A full tender for the above service is not considered appropriate (at this time) for reasons including:
- (a) Any tender for these specific services would not fully reflect the findings from the Learning Disability Self-Assessment and SEND reforms.
 - (b) The market of current services is stable, and using price information from other procurement processes are considered to be good value for the outcomes achieved. The setting in which services are delivered also have an extended period for a peppercorn rent which supports the good value. A formal procurement exercise would not be expected at this time to either deliver significant cost efficiencies or outcome/service improvements.
 - (c) It would be imprudent to proceed to commissioning and procuring services before reference to the following commissioning activities:
 - a. Analysis of the results of the peer review of Learning Disability services
 - b. The development of the Living Well Market Position Statement which will embrace Learning Disability services.
 - c. Development of a Learning Disability Commissioning Strategy
 - d. Completion of a Market Test (pre procurement to identify options)
 - (d) The lease agreement with Walton Lea Partnership may provide challenges to conducting a procurement process if the service is intended to continue on the current site and further research will be needed to identify the potential impact on any future procurement exercise.
 - (e) To ensure continued sustainable provision for service users who access the services detailed in Table 4.1. The option to undertake an immediate full tender exercise is therefore considered to carry risks and unlikely to be economically advantageous at this time.

De-commissioning of services

- 5.2. The services detailed in Table 4.1 provides a key preventative service for the Families and Wellbeing Directorate which enables people with learning disabilities to maintain their independence and well-being, minimising the requirement for more intensive adult social care services. As a consequence it is essential that the services remain fully operational to continue to best meet the needs of this client group and any of the Council's strategic obligations in line with Health and Wellbeing Board aspirations.

6. FINANCIAL CONSIDERATIONS

- 6.1 A waiver will not place any additional financial responsibilities on the Local Authority other than those currently in place as budget has been allocated to fund the service.
- 6.2 The current annual cost of the above contracts is circa £300k.
- 6.3 If the Executive Board approve recommendations to waiver and thereby extend the contract it is expected that there will be negotiation and efficiency discussions with potentially some changes confirmed in the extension of the contract.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 The impact of securing this waiver has been reviewed in light of the Authority's equality responsibilities and no adverse impact has been identified in light of the intention to maintain the existing service, provider, funding level and operations.

8. REASONS FOR RECOMMENDATION

- 8.1 The contract extension will enable officers to:
 - (a) Clarify future commissioning requirements in light of the impact of the Care Act, the Learning Disability Self-Assessment Framework and the Autism Self-Assessment Framework.
 - (b) Assess results of the peer review of the Council's services for service users with a learning disability.
 - (c) Formulate an integrated commissioning strategy for Learning Disability Services.
 - (d) Develop a market position statement to engage with providers of services to help develop future service provision.
 - (e) Allow for the development of integrated commissioning approaches and to undertake all the necessary preparations to ensure a fair and equitable procurement and implementation process is undertaken for each individual service.
- 8.2 The contract award/waiver will:
 - (a) Ensure the Council is able to meet its strategic objectives through continuing to commission services for vulnerable people as the services support vulnerable client groups.

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(b) Enable the continued delivery of a sustainable service, providing value for money for the Council and positive outcomes for individuals who use the service

8.3 The contract waiver will allow officers to assess the impact of the lease agreement with Walton Lea Partnership on the proposed new services and any subsequent procurement exercise.

8.4 It is the intention of the Council to publish a Voluntary Ex-Ante Transparency Notice (VEAT) on OJEU. The VEAT Notice will reduce the risk of challenge as it shows the Council has complied with the transparency requirement of the EU Treaties by notifying the market place of a direct contract award.

9. RECOMMENDATION

9.1 The Executive Board is recommended to:

- (i) Agree a waiver of the Council's Contract Regulations requiring the invitation of competitive tenders for the named service in paragraph 1.2 of this report; and
- (ii) Agree to extend the current contracts beyond September 2015 for a further year until 30 September 2016, following consultation with the Executive Board Member, Statutory Health and Adult Social Care, as indicated in Table 4.1 above.

10. BACKGROUND PAPERS

None.

WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of Executive Board Member: Councillor P Wright, Executive Board Member, Statutory Health and Adult Social Care

Executive Director: Steve Reddy, Executive Director, Families and Wellbeing

Senior Responsible Officer: Cathy Fitzgerald, Head of Service, Public Health

Contact Details: Email Address: cfitzgerald1@warrington.gov.uk Telephone: 01925 443425

Key Decision No. 001/15

Ward Members: All

TITLE OF REPORT: CONTRACT FOR THE PROVISION OF A COMMUNITY AND PRISON DRUG AND ALCOHOL SERVICE AND APPROVAL OF SECTION 75 PARTNERSHIP AGREEMENT BETWEEN WARRINGTON BOROUGH COUNCIL AND NHS ENGLAND

1. PURPOSE

- 1.1 To advise the outcome of the tender evaluation process for the provision of an integrated Community and Prison Drug and Alcohol Service. Also, to seek the formal authorisation for the Council and NHSE to enter into a section 75 agreement to enable the council to procure and performance manage the substance misuse services within the two prison establishments in Warrington.
- 1.2 To recommend acceptance of the tender which it is believed offers best value and support the authorisation of the section 75 agreement.

2. CONFIDENTIAL OR EXEMPT

- 2.1 The report is not confidential or exempt however, contract award is subject to a Part 2 report (agenda item 10 on this agenda).

3. INTRODUCTION AND BACKGROUND

- 3.1 In September 2013, Warrington Borough Council's (WBC) Drug and Alcohol Action Team decided to incorporate three tenders into one in order to streamline the current service. The reasons for incorporating the separate contracts together include to:

- Enable the service specifications of the respective services to be refreshed, enhanced and aligned with a greater emphasis on delivering public health and NHS England outcomes and an improved integrated substance misuse prevention and treatment service across Warrington.
 - Expose the services to competition, ensuring that the Council and NHS England secure the best possible value for money.
 - Provide the potential for financial savings through the economies of scale of having a single service covering drug treatment, alcohol treatment, clinical and non-clinical services in the prisons via a single procurement process.
 - Provide greater certainty to the successful bidder by awarding a 5 year + 1 +1 year contract for services, thereby enabling service investment and development.
 - Accelerate the improvement in outcomes for service users in the community and prisons, children, young people and their families.
 - Ensure there is a single care pathway across prisons and community.
- 3.2 The three different contracts aligned to the substance misuse agenda have all proceeded through Executive Board approval and are as follows:
- Community drugs service and prison clinical prescribing services (known as Integrated Drug Treatment Service) – Executive Board - 18 May 2010 – decision number 048/09. Commenced October 2010 due to expire September 2015.
 - Prison non clinical substance misuse service – Executive Board - 15 October 2012 – decision number 024/12. Commenced January 2013 due to expire December 2015.
 - Community alcohol service – Executive Board 11 March 2013 – decision number 058/12. Commenced June 2013 due to expire May 2016.
- 3.3 In order to align these Contract end dates, WBC has mutually agreed with the provider to terminate two of the current contracts early because of streamlining the service and not on performance issues.
- 3.4 The current provider has agreed to keep providing the service until the mobilisation is completed.
- 3.5 The financial envelope for the services is £2.83M per annum. The two budget elements are £1.65M for the Community Drug and Alcohol element and £1.18M for the Prison element.
- 3.6 It is also noted that the funding streams for both elements (community and prisons) now come from two differing sources – the Public Health England grant to the Local Authority funds community substance misuse provision and the funding for prison substance misuse provision comes from NHS England (Offender Management).

4. SECTION 75 AGREEMENT

- 4.1 NHS England has developed in conjunction with WBC Legal Team, a Section 75 agreement, which will require the Council to commission and performance manage the prison substance misuse element of this contract on behalf of NHS England. The current NHS England allocation is around £1.2M for all elements of the substance misuse agenda – £1.18M of this funding is aligned to this contract.
- 4.2 Section 75 of the NHS Act 2006 gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions.
- 4.3 The purpose of a Section 75 agreement is to set out the terms on which the Partners have agreed to collaborate including the financial arrangements and to establish a framework for the provision of health and social care services through lead or joint commissioning arrangements.
- 4.4 Section 31 of the Health Act 1999 introduced ‘flexibilities’ which were aimed at promoting effective partnership working between NHS bodies and Local Authorities. Previously there had been legal barriers to NHS organisations entering formal partnership agreements with local government. The stated purposes of the legislation were:
- *To improve services for users, through pooled funds and the delegation of functions...thus fulfilling local and national objectives.*
 - *To give NHS bodies and Local Authorities the flexibility to be able to respond effectively to improve services, either by joining up existing services, or developing new, co-ordinated services, and to work with other organisations to fulfil this.*
- 4.5 Section 31 was repealed and replaced, in England, by Section 75 of the National Health Service Act 2006 (NHS Act 2006).

The flexibilities take different forms:

- ‘Lead Commissioning’ and ‘integrated provision’, under which powers are delegated to one co-ordinating organisation.
 - ‘Budget Pooling’ which creates a relationship of equals.
- 4.6 The proposal is that Warrington Borough Council will be entering into a legal agreement/contract with NHS England under Section 75 of the 2006 Act to formally establish the arrangements for the management of the NHS England Offender Management (substance misuse) budget. An important principle is that a pooled budget will be used on the services identified in the partnership agreement.

- 4.7 The Partnership Agreement setting out these arrangements have been developed with input from legal, finance, contracts and operational/clinical staff within both organisations.
- 4.8 The Agreement identifies high level outcomes which will be monitored via a clear performance framework managed by the Public Health team. During the term of the agreements the performance framework will be aligned to the revised outcomes frameworks for the NHS and Public Health and governance arrangements will be set in the terms and reference of the new Drug and Alcohol Action Team Strategic Group (whose first meeting was on 4 June 2015) who, in turn, will account to the Health and Wellbeing Board.

5. TENDER EVALUATION

- 5.1 An advertisement inviting expressions of interest was placed on the Council's e-tendering system (the 'Chest') on 10 February 2015 and in the Supplement to the Official Journal of the European Union on 12 February 2015.
- 5.2 13 organisations downloaded a pre-qualification questionnaire, nine of which were completed and returned.
- 5.3 An assessment of each pre qualification questionnaire was undertaken; four organisations were invited to submit tenders.
- 5.4 Four tenders were submitted and evaluated in terms of both price and quality as detailed in the Part 2 report.

6. FINANCIAL CONSIDERATIONS

- 6.1 The existing Council budget for 2015/2016 for the Community and Prison Drug and Alcohol Service provision was predicted as £2,923,516. The tendered prices are as specified in the Part 2 report.

7. RISK ASSESSMENT

- 7.1 Failure to appoint a provider will mean that service users will not be able to access both clinical/prescribing and psychosocial interventions in relation to their drug and alcohol treatment requirements both in the community and in prisons.
- 7.2 Lack of service provision will have an impact on the Public Health Outcomes Framework and the prisons Health and Justice Indicators of Performance.
- 7.3 Should any budgets be revised from Central Government, provision was made within the tender process in the OJEU Contract Notice (para II.1.5) and within tender documents that the contract will be awarded for up to seven years. The contract is subject to the availability of continued funding. There will be the relevant wording for termination/amendment as necessary to reflect Central Government funding.

- 7.4 Failure to appoint a provider would also mean that the NHS England and Public Health mandatory service provision would not be delivered.

8. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment has been completed, and found no adverse effect.

9. CONSULTATION

- 9.1 Consultation has occurred over the last year with a range of partners, service users, key stakeholders – gleaning information on views of service provisions, models of delivery, strengths and weaknesses of the service – these views have been reflected within the service specification. Information taken as part of the Joint Strategic Needs Assessment on drugs and alcohol was reflected in the specification, alongside issues highlighted in the Lifestyle survey. Further consultation was also considered with NHS England to enhance the prison element of the provision and the usage of their Health Needs Assessment for the two Warrington prisons was reflected in the specification.

10. REASONS FOR RECOMMENDATION

- 10.1 To ensure continued provision of a Community and Prison Drug and Alcohol Service that is seamlessly provided between prison and the community.
- 10.2 Tenderer B will provide an enhanced Community and Prison Drug and Alcohol Service at a 2015/2016 price which is lower than the current contract value and will add further enhancement to a range of delivery models currently on offer in Warrington and the prison establishments.
- 10.3 NHS England has the national responsibility for offender health in prisons and the Section 75 devolves the management of substance misuse provision to the local authority.

11. RECOMMENDATION

- 11.1 The Executive Board is recommended to:
- (i) award the contract for the provision of a Community and Prison Drug and Alcohol service to Tenderer B for the period 1 October 2015 to 30 September 2020, and subject to satisfactory performance to 30 September 2022.
 - (ii) agree to the authorisation of the Section 75 agreement as highlighted in Section 4 of this report. Such agreement enables the local authority to act as commissioners and contract managers on behalf of NHS England for the prison element of the contract.

12. BACKGROUND PAPERS

- Pre-qualification questionnaire;
- Pre-qualification questionnaire evaluation report;
- Invitation to tender;
- Tender evaluation report;
- Equality Impact Assessment;
- National Drugs Strategy 2010;
- National Alcohol Harm Reduction Strategy 2011;
- Warrington Alcohol Harm Reduction Strategy 2012;
- Local Joint Strategic Needs Assessments on drugs and alcohol;
- NHS England health needs assessment of Risley and Thorn Cross populations 2013;
- Section 75 agreement.

Contacts for Background Papers:

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WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of Executive Board Member: Councillor P Wright, Executive Board Member, Statutory Health and Social Care

Executive Director: Steve Reddy, Executive Director Families and Wellbeing

Senior Responsible Officers: Teresa Dawson, Head of Service, Older People Care Management Services
Frank Pacey, Service Manager, Operational Contracts and Commissioning Team

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Key Decision No. 003/15

Ward Members: All

TITLE OF REPORT: TENDER FOR THE PROVISION OF SUPPORT AND CARE SERVICES AT RYFIELDS VILLAGE

1. PURPOSE

- 1.1 To advise the outcome of the tender evaluation exercise for the award of the contract for the provision of support and care services at Ryfields Village.
- 1.2 To agree acceptance of the tender recommendation, which has been evaluated by the tender evaluation panel to offer best value.

2. CONFIDENTIAL OR EXEMPT

- 2.1 The report is not confidential or exempt however, contract award is subject to a Part 2 report (agenda item 11 on this agenda).

3. INTRODUCTION AND BACKGROUND

- 3.1 The provision of support and care services at Ryfields Village is currently carried out by one organisation.
- 3.2 Ryfields Village is a purpose built retirement village, made up of 243 apartments and bungalows, accommodating over 300 older people. The village was developed by Your Housing Group in 2002. Since the village opened care and support services have been provided by Extracare Charitable Trust.

- 3.3 The service was tendered using the restricted procedure of The Public Contract Regulations 2006 and in accordance with the Council's Contract Procedure Rules.

4. PRE-QUALIFICATION PROCESS

- 4.1 An advertisement inviting expressions of interest was placed in the Supplement to the Official Journal of the European Union on 16 December 2014 and on The Chest procurement portal on 16 December 2014.
- 4.2 The Council despatched 56 pre-qualification questionnaires and by the closing date of 20 January 2015, 16 completed questionnaires were returned.
- 4.3 An assessment of each pre-qualification questionnaire was undertaken by the Contract Officer from the Contracts and Commissioning team, ten organisations were invited to submit a tender.

5 TENDER EVALUATION

- 5.1 By the deadline of 9 April 2015 five organisations submitted a final tender.
- 5.2 Tenders were evaluated by senior members of WBC Families and Wellbeing and Resources and Strategic Commissioning Directorates.
- 5.3 Tenders were evaluated in terms of both price and quality as detailed in the Part 2 report.

6. FINANCIAL CONSIDERATIONS

- 6.1 Financial information is detailed in Part 2 of this report.
- 6.2 During the tender process all providers had full access to the staff information including costings and were explicitly requested to consider the application of TUPE within their tender pricing. Up to this point all providers agree that TUPE will be considered although this decision is dependent on the 'due diligence' test required, however we do not anticipate that there will any post award TUPE negotiations concerning contract price. TUPE transfers provide consistency for service users and partner agencies as current staff would transfer across to the new provider.

7. RISK ASSESSMENT

- 7.1 The Tender specification, evaluation and contract award identified and considered the Risk's associated with the commissioning and service delivery of Ryfields Retirement Village. The award of contract has considered and will:
- 7.2 Ensure continuity of Care and support for the current Residents at Ryfields Village.

- 7.3 Enable the Council to meet its statutory duties for individuals assessed as requiring care.
- 7.4 Enable the Council to meet its responsibilities under the Care Act 2015 in commissioning a preventative service for older people to maintain their independence and well-being.
- 7.5 Ensure 'value for money' by reducing the level of funding required by the Council to deliver the service
- 7.6 Ensure that no current residents at Ryfields are significantly disadvantaged by maintaining the current charging structure and costs for support and care.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment was conducted at the start of the tender procedure. No significant equality or diversity impacts were identified.

9. CONSULTATION

- 9.1 Prior to commencing the procurement exercise extensive consultation was undertaken with service users, current service provider and the landlord.
- 9.2 During the tender, service users had an active role in the process. There was also an interview and presentation given to a panel of Ryfields residents supported by Warrington Speak Up independent advocates. The interview and presentation was scored individually by all six members of the resident panel.
- 9.3 Throughout the procurement exercise council officers have attended staff and resident briefings at Ryfields Village to keep them informed.
- 9.4 Council officers have also met with Resident committees to ensure they are fully informed regarding possible changes to service user charges.

10. REASONS FOR RECOMMENDATION

- 10.1 To ensure continued provision of support and care services at Ryfields Village.
- 10.2 Provider B has been evaluated as being able to provide a quality care and support service at Ryfields, offering value for money as demonstrated in the outcome of the Tender.

11. RECOMMENDATION

- 11.1 The Executive Board is recommended to approve the award of the contract for the supply of support and care services to Provider B for the period 1 October 2015 to 30 September 2017 (two years). Subject to satisfactory delivery of the service, the contract also has an option to extend for a further two twelve month periods.

12. BACKGROUND PAPERS

Market Test Outcome Report
Pre Qualification Questionnaire;
Pre Qualification Questionnaire Evaluation;
Invitation to Tender;
Tender Evaluation Plan;
Tender Evaluation

Contacts for Background Papers:

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WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of Executive Board Member: Councillor J Carter, Executive Board Member, Children's Services

Executive Director: Steve Reddy, Executive Director, Families and Wellbeing

Senior Responsible Officer: Sarah Callaghan, Operation Director, Universal Services
Hilary Smith, Head of Service, Access ad Assets

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Key Decision No. 075/14

Ward Members: Cllr Keith Gleave; Cllr W Hughes; Cllr F Rashid

TITLE OF REPORT: RELOCATION OF BARROW HALL PRIMARY SCHOOL: ACQUISITION OF SITE AND CONTRACT AWARD FOR DESIGN AND CONSTRUCTION OF NEW FACILITIES

1. PURPOSE

- 1.1 The purpose of the report is to seek Executive Board approval to:
- i. The acquisition of land at Omega for a relocated, expanded Barrowhall Primary School;
 - ii. The expenditure on all pre-construction design services required for the new primary school ;
 - iii. The award of a contract for design and construction services to deliver the replacement facilities for the school.
- 1.2 The project involves relocating Barrowhall Community Primary School to a new site at Omega, Whittle Hall. The resultant building and outdoor facilities will provide pupils and staff with state of the art modern environments supporting highest quality teaching and opportunity for outstanding education.

2. CONFIDENTIAL OR EXEMPT

- 2.1 The report is not confidential or exempt, however the contract award is subject to a Part 2 report (agenda item 12 on this agenda).

3. INTRODUCTION AND BACKGROUND

Strategy For Creating Additional Primary Places – West Warrington

- 3.1 The Local Authority has a statutory duty to ensure that there are sufficient school places available to meet demand. As a consequence of approved and potential new housing developments in the West Warrington area, the annual review of school places completed in early 2014 identified a need to create additional primary places to meet projected demand in the future.
- 3.2 Therefore a strategy for planning and delivering the additional places was produced in collaboration with local diocesan authorities and the primary schools in the West Warrington area.
- 3.3 The strategy was underpinned by the following objectives/principles:
- Ensuring that school places continue to be in the right geographical locations to meet the needs of existing and future communities
 - Maintain an appropriate mix of places to meet parental preferences, (community, Church of England, Roman Catholic)
 - Include schools of an appropriate size (whole forms of entry, and, two or three forms of entry when possible)
 - Make most effective use of funding available to the Council to deliver new places **and**, when appropriate, improve the quality of environments for existing as well as future pupils
 - Support sustainability of the existing education system longer-term, that is, by achieving an appropriate balance between being able to access a school within a reasonable walking distance and having a system which makes best use of existing resources (capital and revenue) and does not seek to destabilise any existing school in implementation
 - Account to be taken of the quality and life span of existing assets and when funding permits, take the opportunity to replace existing poor quality environments of limited remaining life span with modern, energy efficient environments.
- 3.4 By adopting the principles and focussing on agreed objectives the resultant strategy is defined by the following characteristics:
- expansion of existing schools is preferred to creating additional new provisions;
 - creation of two and three form entry schools is favoured above new, one form entry small school(s);
 - consideration is given to relocating existing schools in order that they can meet the needs of existing and developing communities;
 - subject to relative parental preference, create additional places across community, Church of England and Catholic schools;
 - the timing of creating the additional capacity at the identified schools will be in line with overall increasing demand to minimise negative impact on existing schools; and

- children from existing communities will benefit from the investment, not just children from the communities of the new housing developments.

3.5 As stated previously, the factor having greatest impact on school place availability is new housing development. Therefore the strategy was developed to take account of the approved and potential developments included in the following table:

Name	Location	Estimated Homes
Chapelford – final phase	Whittle Hall	341
Bewsey Old Hall	Whittle Hall	55
Gemini 16	Westbrook	115
Tourney Green	Westbrook	99
Dawson House	Great Sankey North	135
Omega	Westbrook	1100
Lingley Mere	Westbrook	250
	Total:	2095

3.6 Virtually all of the developments are within the northern part of West Warrington and therefore it was agreed with the schools and the dioceses that, in the first instance, consideration would be given to expanding schools which are within one mile walking distance of the largest of the potential developments.

3.7 Consequently Chapelford Community Primary; St Phillips CE Primary; and Barrowhall Community Primary were identified initially as they are all within one mile of Omega. Consideration to expand these schools then took account of:

- parental preference for the school, i.e. should be a popular choice;
- performance of the school should be high, as the local authority can only increase schools which have been judged by Ofsted as good or outstanding;
- the governing body should be supportive of the expansion;
- site and planning constraints

3.8 All three schools perform well and all are rated at least ‘good’. They are all popular schools with the highest levels of parental preference for admission of all schools in the area. The governing bodies of all three schools were supportive of expansion to three forms of entry.

3.9 In the case of Chapelford and St Phillips CE, although there were no significant site constraints, Sport England did raise concerns over loss of playing field and suggested that they would be willing to support expansion if the strategy also included mitigation measures to compensate for reduction in playing field.

3.10 In the case of Barrowhall, there were a number of challenging site constraints identified including a site which is already below minimum standards for the size of school. There are also significant traffic and highways issues as a

consequence of limited access arrangements resulting in extreme traffic congestion at school drop off and pick up times. Further the quality and suitability of the existing building is poor with limited opportunity to address through refurbishment or remodelling.

- 3.11 Therefore, consistent with the agreed principles, the option to rebuild and relocate the school to a new site within walking distance of the existing site, was explored. Given Sport England's concerns about loss of playing field at the other schools in the area, any new site would ideally be of sufficient size to compensate for the loss.
- 3.12 The only land available for development that is also within walking distance of the majority of homes of pupils currently on roll at the school, is that at Omega, owned by the Homes and Communities Agency (HCA).
- 3.13 Consequently the feasibility of acquiring land at Omega was explored and it quickly became apparent that this was a possibility. It was then also determined that relocation had the support of local ward members, school governors, staff and parents.
- 3.14 Therefore the first phase of the strategy to deliver additional primary school places in West Warrington was agreed and included the following projects:
- Expansion of Chapelford Community Primary on its existing site from 420 places to 630 places with effect from September 2015
 - Expansion of St Phillips CE Primary on its existing site from 420 places to 630 places with effect from September 2015
 - Relocation of Barrowhall Primary from Barrowhall Lane to a new site at Omega involving expansion of the school from 525 places to 630 places with effect from September 2016.
- 3.15 At its meeting on 15 September 2014 and 13 April 2015 Executive Board gave approval to award contracts for construction services to deliver the expansion projects at Chapelford and St Phillips CE respectively. This report seeks the necessary Executive Board approval to deliver the third project at Barrowhall Primary School.

Land Acquisition

- 3.16 In accordance with DFE requirements a site of 7.1 acres is required to meet the necessary guidelines for the proposed new facility. Following an appraisal of 3 possible options, a suitable site has been identified which is easily accessible by existing school pupils and is also ideally positioned to meet the needs of new communities from Omega in the event that new residential development proceeds.
- 3.17 The land identified as the proposed site of the school is currently within the ownership of the Homes and Communities Agency (HCA) but is subject to a contractual joint venture partnership between the HCA, Miller Developments and The Royal Bank of Scotland known as Omega Warrington Limited. Any transaction will thus be undertaken with Omega Warrington Limited (OWL).

- 3.18 It was intended that the land would be developed for residential use, subject to the necessary permissions. Therefore discussions have been undertaken with representatives of OWL regarding the acquisition of the site and the provisionally agreed 'Heads of Terms' are detailed in 3.23 below.
- 3.19 In the 'Heads of Terms' consideration has been given to the relevant value of the land at the point of acquisition by the Council. The point of acquisition has been agreed at as the date at which the School has been constructed to 'Practical Completion.' This will effectively defer payment by the Council until summer 2016.
- 3.20 A figure of £400,000 per acre has been agreed as the value of employment land in this location and thus deemed to be the current value of the proposed school site. Should OWL have gained a planning permission for residential development on the Omega site prior to 'Practical Completion' then the value of residential land in this location, and potential value of the proposed school site has been agreed at £800,000 per acre.
- 3.21 To enable the new school to open in September 2016 it is necessary to commence construction of the new facilities by August 2015. To that end all approvals, consents and legal documentation must be in place and completed in a timely manner.
- 3.22 The Council will take occupation of the site to enable construction of the school via a Building Licence which will form a part of the conditional contract for the acquisition of the site.
- 3.23 Heads of Terms
- 3.23.1 That the Council enter into a conditional contract with Omega Warrington Ltd (OWL) and HCA for the acquisition of 7.1 acres/2.875 hectares of land at Omega South, Warrington.
- 3.23.2 Conditionality for legal completion of the acquisition being:
- the grant of planning permission for a primary school (now achieved and this element of conditionality is satisfied)
 - Practical Completion of the construction of the primary school
- 3.23.3 That the HCA will grant the Council a building licence to enable the Council to take initial occupation of the land prior to acquisition and construct a primary school in accordance with an agreed specification.
- 3.23.4 That upon Practical Completion of the primary school, the Council will pay OWL the purchase price for the freehold interest in the land and all necessary rights.
- 3.23.5 The purchase price will be either:
- £5,680,000 ([£800,000] per acre - being the value of Residential Land at Omega) in the event that OWL is granted an acceptable residential

outline planning permission on the remainder of Omega South (Zones 3-6) prior to Practical Completion of the primary school.

Or

- £2,840,000 (£400,000 per acre – being the value of Employment Land at Omega) in the event that OWL is not granted an acceptable residential outline planning permission on the remainder of Omega South (Zones 3-6) prior to Practical Completion of the primary school.

3.23.6 That the Council will commence the construction of the primary school by 1 September 2015.

3.23.7 The land will be subject to a claw-back arrangement in the event that OWL has not achieved an acceptable residential consent and the Council acquire the land at £2,840,000. In the event that the Council disposes of the land, it will be required to pay fifty percent of any additional value derived in excess of the current use value. The clawback arrangement is relevant for a period of 10 years.

3.23.8 That OWL will undertake agreed works including the construction of the access road, junctions and a cycle/pedestrian link to specified dates in advance of the occupation of the primary school.

3.23.9 That the land in question will be subject to the payment of an annual service charge by the Council. The charge will be a defined proportion of the reasonable costs for the maintenance and management of the common areas of the estate.

3.23.10 Each party will bear its own legal costs in relation to the transaction.

3.24 Miller Developments is seeking a loan from the Council in the region of £4 million for cash flow purposes to enable OWL to deliver the infrastructure works required as part of the school development. Consideration of whether to agree to the loan will need to take account of the essential requirement for the works in order for the school to be completed, and Miller Developments ability to deliver the works if the loan is not available.

3.25 However the Council's decision on the loan does not have to be taken at this point, as the works are only required to be completed by 1 April 2016 earliest.

Design Services

3.26 Once it became clear that it was feasible to relocate and rebuild the school, a multi-disciplinary design team was appointed through a competitive tender and selection interview process. This has enabled the design for the new facilities to progress to planning approval, which was granted with unanimous support of the Development Control Committee at the meeting on 14 May 2015.

3.27 The total cost of the design services to completion is £461,050. This will be delivered in two phases. Phase 1 will involve a contract between the Council and the lead architect, Ellis Williams, and include all design up to the

appointment of the contractor. Phase 2 will cover all services post appointment of the lead construction contractor and will be included in the contract between the Council and the successful contractor.

3.28 The Executive Director, Families and Wellbeing, has given approval to commit to expenditure on design services up to a value of £250,000 to cover all design work completed to date. However the total cost of design services required prior to commencement of construction is **£287,255**. Therefore Executive Board approval is required to commit to the additional expenditure of £37,255 on design services that will be incurred prior to award of a Design and Build Contract.

3.29 Following award of the contract, the existing design team will novate to the successful contractor and cost of design services to completion of the facilities will be included in the design and build contract.

Contract Award for Design and Construction Services

3.30 Procurement of a design and build contractor has been as follows:

- 9 February 2015: Project advertised as OJEU notice
- 18 March 2015: Pre-qualification questionnaire (PQQ) submission deadline
- 30 April 2015: PQQ assessment, shortlist of 6 highest scoring contractors
- Shortlisted contractors invited to submit tenders
- 17 June 2015: Tender return deadline
- 18 June – 7 July 2015 Tender evaluation (cost) and selection interview (quality)
- 13 July 2015: Executive Board approval to award contract
- 21 July 2015: Confirm contract award

3.31 Therefore, subject to Executive Board approval to award the contract, construction of the new school can commence in August with a planned completion date of July 2016. The new school would open on the new site in September 2016 as intended.

4. FINANCIAL CONSIDERATIONS

4.1 The local authority receives an allocation from the DfE, known as Basic Need, to contribute toward the cost of creating additional school places when it can be demonstrated that there will be a shortfall against demand.

4.2 Section 106 contributions have also been agreed for housing developments in the area that have been approved. Further contributions are expected as new developments come forward.

4.3 Additionally, disposal of the existing Barrowhall Primary School site, which could be declared surplus to requirements once the primary school has relocated, will also provide a capital receipt, estimated to be £930,000.

- 4.4 The majority of the funding available is being targeted at the replacement of Barrowhall Primary School, because of the condition and quality of the existing school buildings compared to those at Chapelford and St Phillips CE. Further, the relocation to Omega provides an opportunity to address the shortfall in site area and at the same time compensate for loss of playing field associated with expansions of Chapelford and St Phillips CE.
- 4.5 The total cost of delivering the primary school places as described in the strategy outlined in section 3 of the report above, and the total package of funding that is available is set out in the tables below:

(i) Costs

School/element	Total/£m Construction, fees, furniture, ICT
Chapelford Community	1.64
St Phillips CE	2.30
Barrowhall Community	7.00
Barrowhall site acquisition	5.68
Overall total:	£16.62m

(ii) Funding

Source	Amount/£m	Status
DfE: Basic Need Allocations 2014/15 – 2017/18*	14.690	Secured
Section 106 contributions	1.296	Secured
Section 106 contributions	7.144	Not secured
Potential capital receipt – Barrowhall site	0.930	Not secured
Total funding that might be available:	£24.060m	
of which amount currently secured:	£15.986m	

* amount available after deduction for commitment required to create additional places at Locking Stumps Community Primary, Birchwood

- 4.6 The section 106 contributions, which relate to the developments identified at 3.5 above as appropriate, have been calculated on the basis of the DfE recommended amount per additional primary and secondary school place (currently £12,257 and £18,469 respectively) required as a consequence of the developments.
- 4.7 It can be seen that the cost of the strategy so far can be met from the funding that has been secured plus an element of the capital receipt from the sale of the existing Barrowhall Primary school site. However there are sufficient financial resources available within the schools capital programme to cover this element in the meantime.
- 4.8 It should also be noted that delivery of the strategy also utilises the 2017/18 Basic Need allocation, which had been earmarked to contribute to the cost of

delivering additional secondary schools places that will be required for September 2018.

- 4.9 Although the Council can expect allocations from the DfE from 2018/19 it does mean that it will be necessary to continue to pursue Section 106 contributions from developers in the meantime to ensure that there are sufficient secondary places available when required.

5. RISK ASSESSMENT

- 5.1 The delivery of the strategy for creating the additional primary school places in the West Warrington area is well advanced and the first phase will be completed with the relocation and expansion of Barrowhall Primary School.
- 5.2 The proposal for Barrowhall includes acquisition of land at Omega, currently in the ownership of the HCA that the owner intends to develop for housing. Therefore the agreement between the Council and land owner reflect a range of values from industrial to residential use. The actual price paid will reflect the appropriate value at the time of purchase.
- 5.3 If planning approval is given to develop land at Omega for residential properties, the land acquired for the school will be at the higher value. However the council can also expect the developer to contribute via a Section 106 agreement to the provision of additional school places in the area. This will mean that the council has paid the appropriate amount for the land and also received the appropriate level of contribution to support additional school places.
- 5.4 It is intended that the construction of the school commences in August in order that the new facilities are available from the start of September 2016. This will require the HCA to grant a license to allow construction to commence prior to the council having ownership of the land. Therefore construction would only commence once the license is in place.
- 5.5 In the event that there is a shortfall in funding as a consequence of the Council not securing those amounts indicated from future sources, the Barrowhall Primary School project can still proceed because there is sufficient funding available within the schools capital programme to cover the shortfall. It would also be the case that alternative sources of funding would have to be identified to meet the cost of future phases of the strategy, for example, provision of additional secondary places.
- 5.6 If approval is not given to implement the Barrowhall project as described in this report there is a risk that the additional places required at this successful and popular school will not be available when required.
- 5.7 It is worth noting that the school could convert to academy status in the future. This would mean that the school would then operate outside local authority control and the assets would be subject to a lease to the academy, for the period that the school continues to operate.

6. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

- 6.1 Evidence suggests that growth in population in Warrington is also leading to an increase in diversity across Warrington schools. Therefore capital investment proposals to deliver additional school places and improved educational environments will have a positive impact on equality and diversity.

7. CONSULTATION

- 7.1 Consultation with key stakeholders including school staff, governors, parents, pupils, diocesan authorities, local ward members and the local community generally has been undertaken throughout the process from development of the strategy through to project implementation.

8. REASONS FOR RECOMMENDATION

- 8.1 There is an essential requirement to deliver additional primary school places in West Warrington. Expansion of existing successful and popular schools in the area is a sensible way forward given the level of choice already available in the area and the opportunity to contain school operating costs at current levels.
- 8.2 The relocation of Barrowhall Primary School involves additional expenditure to acquire a new site. This will be offset in part by a capital receipt from the sale of the existing site. However, the requirement to provide a site of sufficient size for a three form entry school and to address the shortfall in playing field area across West Warrington generally to meet Sport England requirements has introduced additional costs to the project.
- 8.3 Alternative options were considered, including rebuilding on the existing site, and rebuilding elsewhere in Omega. However a detailed option appraisal identified the relocation of Barrowhall as the most effective solution, in terms of: addressing issues with the existing buildings; improving physical access to the school for current pupils; and ensuring good access to the school for pupils from new developments in the future.
- 8.4 It can be seen that land acquisition and planning issues have been explored fully and arrangements put in place to manage risks. Further, the total cost of the project can be contained with the capital resources currently available.
- 8.5 Member approval to: acquisition of the land as described; continued investment in essential design services; and appointment of the successful contractor will enable the project to move forward without delay. It will also mean that construction can commence in August 2015 in order that the school can open in September 2016 as required.

9. RECOMMENDATION

9.1 The Executive Board is recommended to:

- (i) Delegate the responsibility for agreeing the detail of the Heads of Terms, summarised at 3.23 above, to the Executive Director, Families and Wellbeing and Executive Director, Economic Regeneration, Growth and Environment (ERGE) and authorise the Executive Director, ERGE to approve the acquisition of land at Omega for a relocated, expanded Barrowhall Primary School in consultation with the Deputy Leader (portfolio holder for Corporate Property).
- (ii) Agree that the provision of a loan to Miller Developments and the terms thereof, as described in paragraph 3.24 above be determined by the Executive Director, Economic Regeneration, Growth and Environment and the Director of Finance and Information Services, following consultation with the Executive Board Member, Corporate Finance.
- (iii) Approve expenditure on all pre-construction design services required for the new primary school as set out in paragraph 3.26 of the report; and
- (iv) Approve the award of a contract for design and construction services to deliver the replacement facilities for the school as follows:
 - (a) accept the contract tender recommended by officers in the tender evaluation report included in part 2 of the agenda
 - (b) approve to commit to funding the project also as detailed in the part 2 report; and
 - (c) authorise the Solicitor to the Council to enter into the contract and finalise any related documents for the building of the project.

10. BACKGROUND PAPERS

- (i) 3 July 2014: Briefing for local ward members. Summary of strategy for creating additional primary school places in West Warrington
- (ii) Option appraisal of potential sites
- (iii) 15 September 2014: Executive Board Report. Contract award for expansion of Chapelford Community Primary
- (iv) 13 April 2015: Executive Board Report. Contract award for expansion of St Phillip’s CE Primary.

Contact for Background Papers:

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WARRINGTON BOROUGH COUNCIL

EXECUTIVE BOARD – 13 July 2015

Report of Executive Board Member:	Councillor H Mundry, Executive Board Member, Highways, Transportation and Public Realm	
Executive Director:	Andy Farrall, Executive Director, Economic Regeneration, Growth and Environment)	
Senior Responsible Officer:	Alyn Jones, Specialist Transport Services Manager	
Contact Details:	Email Address: ajones5@warrington.gov.uk	Telephone: 01925 442620
Key Decision No.	010/15	
Ward Members:	All	
TITLE OF REPORT:	APPROVAL TO AWARD CONTRACTS FOR THE PROVISION OF SPECIAL EDUCATIONAL NEEDS HOME TO SCHOOL TRANSPORT	

1. PURPOSE

- 1.1 The purpose of this report is to seek Executive Board approval to award contracts to private sector taxi and minibus operators to facilitate the transportation of identified Special Educational Needs (SEN) students from home to school.

2. CONFIDENTIAL OR EXEMPT

- 2.1 The report is not confidential or exempt however, contract awards are subject to a Part 2 report (agenda item 13 on this agenda).

3. INTRODUCTION AND BACKGROUND

- 3.1 The Specialist Transport Service provides transport for identified students who are entitled to receive home to school transport, on behalf of the Families and Wellbeing directorate.
- 3.2 To adhere to Financial Regulations and satisfy European Tendering requirements this function requires all contracts to be periodically re-tendered. The exercise also offers the opportunity to rationalise the cost to the Council of providing this service by periodically grouping appropriate students into the most effective number of vehicles / contracts.

- 3.3 This specific tendering exercise involves approximately 15% of the total SEN network with a proposed commencement date of 1 September 2015.

4. CONTEXT

- 4.1 The Council provides free school transport to identified entitled students in line with policy and legislation. The Specialist Transport Service defines a network of services made up of individual contracts / tenders for the work that cannot be accommodated by the internal Passenger Fleet service and subjects them to a tender process.
- 4.2 The Council ensures that bidders are appropriately licensed and indemnified, in line with the General Conditions of Contract, via the Pre Qualification Questionnaire and a series of pre and post tender award checks.
- 4.3 The capacity of each tenderer is taken into account within the tender award process, which enables award of contracts to individual operators in line with their capabilities and capacities.
- 4.4 This process will result in the award of new contracts to operators with a commencement date of 1 September 2015. All students and their families will be offered an introduction to their new operators in advance of the start date, to ensure a seamless transfer, where changes are occurring.

5. TENDER PROCESS

- 5.1 The tender process, which was managed through The Chest eProcurement portal via the OJEU process, was of an open nature, meaning that any registered and qualified individual, partnership or company can submit a bid to the process.
- 5.2 All requirements of an OJEU tender process, for the purchase of services exceeding the financial threshold, have been met. This approval to award process will be followed by formal offers and an Alcatel (stand still) period prior to the commencement of specific contracts.
- 5.3 The process involved the re-tender of existing contracts within a rationalised environment based on the number of eligible students, also making maximum use of internal Passenger Transport Fleet, which also limited the overall number of contracts ensuring best value to Families and Wellbeing.
- 5.4 The Specialist Transport Service has tendered for particular routes, aligned to the specific students who are required to be transported, as well as a number of resource tenders which give the Council the opportunity to group present and future work. The Council will award a mixture of fixed route and resource contracts, to further enhance the introduction of the most economically advantageous transport solutions for present and future needs.

6. CONTRACTS TENDERED

- 6.1 Only those contracts which are either due to naturally expire or where there have been substantive changes in the students transported have been tendered, alongside a number of resource contracts to improve flexibility.
- 6.2 The contract durations range from 1 to 5 years, allied to the age of the student(s) and the likelihood of specific requirements being required going forward.
- 6.3 The General Conditions of Contract pertaining to all tenders provide for early termination of contracts at short notice in the event of major breach or with relatively short notice periods, specifically where substantial change in student numbers is realised. This enables the Council to realign the number and design of contracts in between the formal tender processes.
- 6.4 Members are reminded that not all contracts will be awarded, with a mixture of resource and fixed route solutions being introduced.

7. FINANCIAL CONSIDERATIONS

- 7.1 This proposed award process, as outlined in the Part 2 report, will enable the most effective utilisation of the Council's financial resources.
- 7.2 The net present cost of the contracts which transport the students who are the subject of this tender round is £145,000 per annum. It is estimated that this re-tender exercise will generate a saving of approximately £25K to the SEN Transport budget, based on contracts that were last tendered between 3 and 5 years ago.
- 7.3 There remains the potential for tenderers to refuse the offer of a contract or contracts within the formal Award Process, potentially due to a change in their circumstances. In such instances the Specialist Transport Service will offer each contract to the next lowest tenderer until each contract has been accepted. The estimated saving in 7.2 above accounts for such a scenario.

8. RISK ASSESSMENT

- 8.1 The tender process is aligned to the Taxi Licensing and PCV Red Badge scheme within the Council. All operators, vehicles, drivers and passenger assistants which are the subject of each contract awarded will have been approved prior to commencement.

9. EQUALITY AND DIVERSITY / EQUALITY IMPACT ASSESSMENT

9.1 Appropriate information pertaining to the needs of students transported on each contract will be shared with the operator prior to contract commencement. Ongoing qualitative monitoring of each operation will be ensured throughout the contract.

10. CONSULTATION

10.1 This process has been the subject of consultation with internal colleagues, including the Families and Wellbeing Directorate, as well as existing operators and prospective tenderers.

11. REASONS FOR RECOMMENDATION

11.1 To ensure timely allocation of new contracts, in line with the Councils Financial Regulations and OJEU requirements, ensuring the continuity of services for the identified students at the most economically advantageous cost to the Council.

12. RECOMMENDATION

12.1 The Executive Board is recommended to approve the award of contracts to the contractors as identified in the Part 2 report.

13. BACKGROUND PAPERS

Tender documentation.

Contacts for Background Papers:

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