



Leicester  
City Council

Minutes of the Meeting of the  
CABINET

Held: MONDAY, 31 JULY 2006 at 5.00pm

P R E S E N T :

Councillor R Blackmore - Chair

Councillor Coley  
Councillor Grant  
Councillor Gill

Councillor Mugglestone  
Councillor Sandringham  
Councillor Suleman

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**53. DECLARATIONS OF INTEREST**

Members were asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Act applied to them.

No declarations were made.

**54. PRIVATE SESSION**

RESOLVED:

That the press and public be excluded during consideration of the following report in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraph detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Under the provision of Access to Information Procedure Rule 19, with the permission of the Cabinet, Councillor Johnson was allowed to remain in the meeting for the discussion of the item, as a spokesperson on the Children and

Young People Scrutiny Committee.

## **55. BUILDING SCHOOLS FOR THE FUTURE 2008-12 - APPOINTMENT OF PREFERRED BIDDER**

Councillor Suleman submitted a report explaining the process to date for the purposes of procuring a private sector partner to participate in the formation of a Local Education Partnership and to develop the first four schools as part of the Building Schools for the Future (BSF) 2008-12 project, a major development programme for the transformation of Secondary School provision in the City.

Councillor Suleman outlined the significance of the project both in terms of its impact on education and its major contribution to regeneration of the City.

It was noted that the evaluation process for the procurement exercise to date was conducted under strict pre-determined criteria within which a series of detailed analysis of sub categories such as legal, financial, design and employment and pensions was undertaken. The criteria were set out in the Invitation to Negotiate (ITN) for bidders to see. Bidders were set the task of presenting their proposals against these criteria to a given and equal timescale.

The final evaluation scores were very close between Bidder X and Bidder Z. However Bidder X had the highest score (and the highest weighted score) across the whole evaluation process and was therefore the Cabinet's preferred bidder.

Bidder Z scored highly across the partnering sections and very soundly on its ICT solution. Bidder X was more consistent in its overall scoring with only one area of concern which covered integration issues (between Buildings, Facilities Management and ICT). Bidder Z was far less consistent and there were scoring concerns in a number of areas including Employment and Pensions.

Whilst both bidders were affordable when compared to the funding available, Bidder X offered better financial value than Bidder Z. Bidder X was offering to deliver phase one of the project for less than Bidder Z and offering a lower price on ICT (as further detailed in the report). In addition, even though the price was lower, Bidder X was offering more building space across the four schools than the other bidder. It was also providing better design solutions at Judgemeanow and Soar Valley and, in a particular respect as described in the report, a better solution at Beaumont Leys School

Councillor Suleman also referred to the Education and Inspections Bill currently passing through Parliament and the additional risk it placed on the Building Schools for the Future project by highlighting to schools the potential for them to acquire trust status. It was noted that despite repeated requests from both Members and officers from the Council, Ministers had been unable to provide any answers to these concerns. Whilst the City Council were progressing with measures to mitigate the risk associated with the transfer of control from Community school to trust status the Cabinet were very disappointed with the

lack of response from Ministers and agreed to continue to press for central government recognition of the incompatibility of their policy of BSF on the one hand and trust schools on the other.

Councillor Suleman also thanked Councillor Johnson for his contribution to the project, all members of the Building Schools for the Future Project Board, the Corporate Director of Children and Young People's Services and the BSF Project Director and team.

**RESOLVED:**

- (1) that the Corporate Director of Children and Young People's Services be authorised and taking into account the views expressed by the Cabinet, to negotiate the terms of and to approve the appointment of a preferred bidder for the Building Schools for the Future (BSF) programme in accordance with their offer set out in their Invitation to Negotiate, Final Limited Bid Submission and Contract Update Bid Submission documentation and in line with clarifications thereto;
- (2) that the Corporate Director of Children and Young People's Services be authorised to enter into negotiations with the preferred bidder seeking the agreement of contract terms and conditions for the formation of the Local Education Partnership (LEP) and implementation of phase 1 of the BSF programme as outlined in the Outline Business Case;
- (3) that a further report be brought to the Cabinet seeking approval to the signing of the strategic partnering agreement, the shareholders agreement in respect of the LEP and the Council's participation in the LEP and the phase 1 contracts and any ancillary agreements or documents;
- (4) that the Cabinet expresses its disappointment and concern that the Government has so far failed to provide a satisfactory response to repeated requests for assurances that the additional risks arising from the Education and Inspections Bill currently before Parliament will be mitigated and that future liabilities arising from a school gaining trust status will be underwritten; and
- (4) that, in accordance with Cabinet Procedure Rule 12(d), there be no call-in of these decisions, the ground for urgency being that delay is likely to increase the programme costs.

**56. CLOSE OF MEETING**

The meeting ended at 5.20 pm.

