

RECORD OF EXECUTIVE DECISION

Monday, 17 January 2011

Decision No: (CAB 10/11 5268)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING
SUBJECT:	FINANCIAL CLOSE ON THE LORD'S HILL ACADEMY
AUTHOR:	KARL LIMBERT, DIRECTOR OF CHILDREN'S SERVICES AND LEARNING INFRASTRUCTURE

THE DECISION

- (i) To delegate authority to the Executive Director of Resources, following consultation with the Cabinet Member for Resources and Workforce Planning, to agree the final affordability position and to take any action necessary to complete financial close of the Lord's Hill Academy project, or as otherwise required by Partnerships for Schools in this regard.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Executive Director of Resources, Solicitor to the Council and Cabinet Member for Children's Services and Learning, to submit a Final Business Case for the Lord's Hill Academy Project.
- (iii) To delegate authority to the Solicitor to the Council, following consultation with the Executive Director of Resources and the Executive Director of Children's Services and Learning, to complete commercial and contractual close and to enter into all necessary contracts/agreements and other legal documentation, including (but not limited to) the Development Agreement and Design and Build Contract, to construct the Lord's Hill Academy.
- (iv) To delegate authority to the Solicitor to the Council, following consultation with the Executive Director of Children's Services and Learning and the Head of Property Services to grant and execute a 125 year lease to the Academy provider of the Lord's Hill Academy site at 5 Acres, Southampton.
- (v) To add, in accordance with Financial Procedure Rules, a sum of £15,856,400 to the Children's Services and Learning Capital Programme, to carry out works at the Lord's Hill Academy.
- (vi) To approve, in accordance with Financial Procedure Rules, capital expenditure in the sum of £15,856,400 (including fees) from the Children's Services and Learning Capital Programme, to carry out works at the Lord's Hill Academy.

REASONS FOR THE DECISION

The matter requires a decision because planning permission has now been granted (21 December) and the design completed, meaning that the project is, to all intents and purposes, ready to be closed financially and contractually. Any delay in securing the delegated authorities required in order to execute the contract would have a consequent impact on the project programme and could potentially delay delivery of new buildings. The recommendations are necessary in order to implement previous Cabinet and council decisions to support and enable the construction of the City's new academies, using the National Framework for Academies Procurement.

DETAILS OF ANY ALTERNATIVE OPTIONS

The option of not reaching financial and contractual close with the preferred bidder on this scheme would result in a substantial delay to the project and would expose the Council to the risk of losing the £16 million worth of funding allocated to it by Government. As such, this option has been rejected.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 17th January 2011

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on
Date of Call-in <i>(if applicable) (this suspends implementation)</i>
Call-in Procedure completed <i>(if applicable)</i>
Call-in heard by <i>(if applicable)</i>
Results of Call-in <i>(if applicable)</i>