

**Appeal Reference: APP/W2275/Q/23/3333923 & APP/E2205/Q/23/3334094**

**Land at Chilmington Green, Ashford Road, Great Chart, Ashford, Kent -  
Hodson Developments and Kent County Council**

**Without Prejudice Statement of Common Ground between Experts Mr Howson and Mr Cato**

### **Background Summary**

1. This statement has been jointly prepared by the Cost Experts Mr Howson of Brookbanks (acting for the Appellant) and Mr Cato of McComb Partnerships (acting for KCC)
2. It is specific to the Primary School Cost Reports from Mr Howson and Mr Cato and should be read in conjunction with those reports.
3. The current S106 cost allowance for the building of Primary School 2 (PS2) at Chilmington is £8.86m based on indexation starting from 2014.
4. The Appellant is seeking to modify the current S106 cost allowance for the building of Primary School 2 (PS2) at Chilmington to £7.92m as at 2025 prices, based on indexation starting from 2018. This equates to £3,146/m<sup>2</sup> for Mr Howson and Mr Cato's cost purposes.
5. This document has been set out as follows:
  - a) Table 1 - provides a summary of the observations from each expert on the key areas of differences.
  - b) Table 2A - provides a summary of the positions of Mr Howson in regards to the Cost Benchmarking
  - c) Table 2B - provides a summary of the position of Mr Cato in regards to the Cost Benchmarking
  - d) Summary of Findings

**Table 1 Items: Summary of Agreed / Not Agreed on items raised by Mr Cato:**

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
1	External Cost Benchmarking Data Sources Proposed by the Cost Experts as follows below in items 1a to 1c.	<p>That consideration should be given to comment upon these benchmarks and recognise their relevance.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Cato does not “rely” upon nationally recognised Benchmarking Data but invites comment as to why their applicability. Mr Cato observes they have limitation but obviously are indicative of likely out turn costs.</p> <p>Mr Howson dismisses nationally recognised benchmarks as “unreliable” and points to HDL’s estimate as the only reliable estimate.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>After discussion Mr Howson does not recognise the nationally recognised benchmarks as reliable or comment upon why they might all be more than double Mr Howson’s BCE.</p>	<p>For benchmark data to be used as a guide for costs it must be demonstrated as both comparable and current. This is not the case here (see below) and Mr Cato should not be relying on it. My evidence primarily relies on actual current costs incurred by either Brookbanks or Hodson Developments (HD) and the Inspector is asked to please refer to Brookbanks Primary School Cost Reports (February 2025 <b>(CD2/25 Appendix 5)</b> and March 2025 <b>(CD14/16)</b> where I have confirmed that the HD Building Cost of £5.257m is reasonable for the construction of a 420 pupil Primary School at Chilmington.</p> <p>This figure of £5.257m is below the £7.92m figure (moving indexation from 2014 to 2018) and equates to £2,171m<sup>2</sup>, which is within the proposed maximum m<sup>2</sup> cost of £3,146/m<sup>2</sup> (see above).</p> <p>In addition, Brookbanks have experience of several developments across the UK involving the construction of schools under s106</p>	<b>Not Agreed.</b>

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			<p>agreements. I have reviewed the costs of recently completed comparable Primary School projects Brookbanks has been involved with. These projects are discussed in my Brookbanks Primary School Chilmington Cost Review Expert Report dated February 2025 (<b>CD2/25 Appendix 5</b>) paragraph 3.6 (Comparable Projects). These examples range in m2 cost from £2,563/m2 to £2,777/m2 (an average of £2,670/m2) which again are within the proposed maximum cost of £3,146/m2.</p> <p>My position is very simply that the above costs evidence provided by HD and Brookbanks should carry most weight because they are based on current costs and delivered Primary School projects.</p> <p>In reply to Mr Cato's latest round of comments referred to as '<b><u>Added Following Mr Howson Observation of 6/5/25.</u></b>' which I received on 8/5/25, so have had very limited time to reply, I would just say that I disagree with Mr Cato's summary of my Cost Reports or my comments within this statement.</p>	

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1a	DfE Cost per pupil benchmark.	<p>DfE benchmark is largely an allocation of cost per pupil which has been derived from a statistical model and sample data in order to provide a budget allocation cost for a local authority provider and a benchmark of what DfE consider to be value for money.</p> <p>That said they have limitations.</p> <p>The DfE rate is adjusted for 1Q2025.</p> <p>Benchmark of Value for Money which aligns far more with EBD OG benchmark below than it does to HDL's BCE and MBC.</p> <p>It would indicate that DfE would not consider the BCE / MBC to be realistic / reflective of projected out turn cost.</p> <p>Mr Cato believes it is more representative of an out turn cost.</p> <p>Mr Cato largely agrees with Mr Howson's observations on the limitation of DfE cost per pupil but <b>DOES NOT</b> agree that limitations would lead to an estimate 220% greater than a HDL's BCE. If it were the case that the DfE benchmarks were 220% above a reliable out turn then the DfE benchmarks would not be used to</p>	<p>The cost data upon which the DfE benchmark rate is based is on expansion, temporary and new build projects carried out between 2015 and 2018, with no new projects added in the last 7 years to the sample date.</p> <p>Further to this, the DfE rate is based on data in which it includes <u>only 4% new build projects</u>, such as Chilmington.</p> <p>Given the above, it is not reasonable to compare this benchmark rate against a new build project on a large strategic serviced site such as Chilmington.</p> <p>Again I stress that, in my opinion, the best evidence of build costs are the actual current costs incurred by either Brookbanks or HD which should supersede any estimated costs.</p>	<b>Not agreed.</b>

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		<p>calculate likely out turn costs for primary schools. Clearly the Government does use the figures.</p> <p><b>DfE benchmark is £11,588,000.</b>  <b>Mr Cato's Estimate £9,462,762.00</b>  <b>Mr Howson's Estimate £5,257,000.00</b></p>		
1b	EBDOG National School Delivery Cost Benchmarking November 2023	<p>Mr Cato pointed out that the EBD OG (Education Building Development Officers Group) rates are generally well respected within the UK public sector, particularly for school and education-related building projects. They are authoritative, region specific and reflective of early feasibility stage estimate reflecting value for money.</p> <p>That said they have limitations.</p> <p>It is to be noted that EBD OG rate is adjusted for 1Q2025.</p> <p>The reliability and relevance of applying EBD OG rates to out turn build cost has limitations. Mr Cato agreed with the observations concerning sample data and accuracy however, had reservations that such limitations would actually</p>	<p>The EBD OG report relied upon by Mr Cato is out of date as it was published 2 years ago in 2023. It's sample data is based on project costs from 2012 to 2021. Only 18% of the cost data is based on new build school projects such as Chilmington and the 2021 data being only 3 number projects.</p> <p>The inflated cost to Q1 2025 Mr Cato states cannot be taken as accurate.</p> <p>Again I stress that, in my opinion, the best evidence of build costs are the actual current costs incurred by either Brookbanks or HD which should supersede any estimated costs.</p>	<b>Not Agreed.</b>

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		<p>equate to the EBD OG assessment being over 200% the HDL BCE and 46% above the MBC.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p><b>EBDOG benchmark is £10,750,000.00. This is between the DfE benchmark and Mr Cato's estimate.</b></p> <p>It is 204% above HDL's BCE. It is my opinion that such limitations would <b>NOT</b> lead to an over estimate of 204% above a reliable out turn cost. EBD OG benchmarks remain in common use in central Government. No explanation was forthcoming from Mr Howson as to why it was why they might all be more than double Mr Howson's BCE.</p>		
1c	BCIS Average Prices – Various from Lowest to Upper Quartile	<p>Mr Cato observes the BCIS Average Prices are applicable for the construction cost of Primary Schools.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>I disagree with the category used by Mr Howson as inappropriate.</p>	<p>I observe that the BCIS Average Prices are applicable for estimating the construction cost of Primary Schools.</p> <p>However, whilst I acknowledge that BCIS is the UK's leading cost data service, it does have its limitations and should be used carefully regarding estimating primary schools.</p>	<b>Not agreed.</b>

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>Mr Howson makes reference to BCIS data comparisons in his reports of February and March which can now be disregarded as a benchmark comparison because Mr Howson did not adjust the comparison data for items not included in the BCIS estimate. This has been corrected below.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Both experts agree that BCIS has been used as a guide but disagree as to the categorisation being used. Both have looked at the data behind the BCIS benchmark estimate. Mr Cato has used the category which in his opinion best describes the project at Primary School over 2000m2 and Mr Howson has used a generic Mixed Facilities description.</p>	<p>It tends to be a more limited data set and is focused on those QS practises which submit information. It can also be quite unresponsive to things like the drive to standardise/simplify the design of schools, which means it can overstate prices.</p> <p>Accordingly, I stress that the BCIS Average Prices should be used as a guide and should not, in this instance, supersede actual current costs incurred by either Brookbanks or HD which have been demonstrated in my February and March costs reports. Both these costs come below £7.92m.</p> <p>The Appellant proposed to modify the current s106 costs allowance for the building of the Primary School to no more than £7.92m which equates to £3,146/m2</p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>I have used BCIS category "Primary Schools – mixed facilities", which is a perfectly appropriate BCIS category to</li> </ul>	

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			<p>use. I do not see why Mr Cato states that it is not appropriate.</p> <ul style="list-style-type: none"> <li>Mr Cato claims that I changed my BCIS categories and Mr Cato refers to paragraphs 2.3 and 3.18 of my March 2025 cost report as evidence. However, I can confirm that this is not correct, and I have not changed my BCIS categories. If one reads the paragraphs Mr Cato refers to, I was referring to MCP's February Cost report and critiquing Mr Cato's position within his report, comparing his selected BCIS category against the HD approved costs to demonstrate that the HD costs are within Mr Cato's selected BCIS category range. For example, please see below the underlined section from paragraph 2.3 of my March 2025 cost report, where I clearly reference MCP's position:  <u>"MCP's report item 4.3.1.2</u> has determined that building function 712. Primary Schools Over 2000m2 is the "appropriate and closest" match to the build function which would equate to cost range of £1,922/m2 to £5,604/m2 with and an average cost</li> </ul>	



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			<p><i>of £3,217/m2. Therefore, the HDL's proposed maximum cost of £7,920,000 which is £3,148/m2 which is within the BCIS average cost range as previously stated."</i></p> <p>In reply to Mr Cato's latest round of comments referred to as '<b><u>Added Following Mr Howson Observation of 6/5/25.</u></b>' which I received on the morning of 8/5/25, so have had very limited time to reply, I would repeat that I have used BCIS category "Primary Schools – mixed facilities" (I note Mr Cato has not included the words "Primary Schools" in his description) which is a perfectly appropriate BCIS category to use. It is not 'generic' at all.</p>	
2	BCIS Average Prices exclude certain cost items necessary for the construction of a Primary School.	<p>BCIS rates do not include for the following: -</p> <ul style="list-style-type: none"> <li>• Site Specific Abnormal Costs</li> <li>• Professional Fees</li> <li>• Internal KCC / Enabling Fees</li> <li>• Furniture, Fixtures and Equipment</li> <li>• Contingencies and Risk Allowance.</li> <li>• Off Site Costs (utilities planning contributions CIL etc)</li> <li>• External Works</li> </ul>	<p>Agreed in part and see comments below 2a to 2g.</p> <p>Furthermore it is agreed that some items on this list are not relevant.</p> <p>Nevertheless, I stress that the BCIS Average Prices should not, in this instance, supersede actual current costs incurred by either Brookbanks or HD which have been</p>	<b>Agreed.</b>

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	Therefore, the BCIS estimate would require adjustment.	<p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Howson has re-emphasised his primary finding that: -</p> <p><i>“Building Cost Information Service (BCIS) provides the UK’s leading cost data service for construction costs offering an Average Prices service that provides cost data on a variety building functions constructed in the UK”<sup>1</sup></i></p> <p>and should not supersede HDL or Brookbanks estimate.</p> <p>BCIS data comparisons in Brookbanks reports of February and March can now be disregarded as a benchmark comparison because Mr Howson did not adjust the comparison data for items not included in the BCIS estimate. This has been corrected below.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>I do not agree with Mr Howson’s statement. The original reports issued</p>	<p>demonstrated in my February and March costs reports.</p> <p>Both these costs come below the £7.92m, which equates to £3,146/m2.</p> <p>In reply to Mr Cato’s observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>The BCIS observations I made in my February and March report are entirely correct and it is completely wrong to claim that they should be disregarded. I respectfully invite the Inspector to refer to paragraph 3.18 of my March 2025 cost report <b>(CD14/16)</b> which summarises that the HD approved costs are <b><i>“within the BCIS average costs range as previously stated”</i></b>.</li> </ul>	

<sup>1</sup> Paragraph 3.18 HDL Brookbanks Report March 2025

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		<p>by Mr Howson did require adjustment in order to provide a like for like comparison with the BCE with the BCIS estimates.</p> <p>The reports issued in February and March by Mr Howson <b>cannot be read without making the adjustments set out below.</b></p>		
2a	Site Specific Abnormal Costs	<p>Neither BCIS nor the BCE allow for site abnormalities and therefore we would not need to adjust the BCIS estimate.</p> <p>An allowance would have to be made for this within the contingency cost allocation but no BCIS adjustment would specifically needed against this heading.</p>	<p>No cost adjustment is required for site specific abnormal costs to BCIS average prices.</p> <p>In addition, the proposed site is a agricultural site which has undergone site investigations by HD which has confirmed the ground conditions are good. The land has to be transferred by HD to KCC in good order. There are no abnormal items to attract additional costs in the proposed design of the primary school and no cost adjustment is required</p> <p><b><u>£0 extra cost</u></b></p>	<b>Agreed</b>

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2b	Professional Fees	<p>Fees are not included within the BCIS estimate.</p> <p>Mr Cato estimates fees in line with the KCC framework at £846k and Mr Howson at £65,000. An ADD of between £65k and £846k would need to be made to the BCIS estimate.</p> <p><b><u>HDL Estimate £65k the BCIS Add £26.85/m2</u></b></p> <p><b><u>Mr Cato Estimate £846k the BCIS Add £349.48/m2</u></b></p> <p>Mr Cato illustrated a rate change to BCIS based upon the £65k figure provided by HDL but considers that this is a significant under valuation of fees required to build the project because: -</p> <ol style="list-style-type: none"> <li>1) HDL assume they will use the same design as PS1 but they do not have the designs for PS1.</li> <li>2) HDL have not provided ANY quotations for the fees required so unreliable.</li> <li>3) Fees are based upon the assumption that PS2 can be built</li> </ol>	<p>BCIS average prices £/m2 exclude professional fees.</p> <p>HD's costs includes for £65,000 or 1.2% of total costs against Professional Fees which is reasonable and inline with the BCIS benchmarked projects referred to in my February Cost Report, under section 3.4. Southwark professional fees being 1% of total costs.</p> <p>It is noticeable that Mr Cato's Primary School Cost Assessment included in his Cost Report under Appendix B states design fees of £338,212.65 which is 4% of the building cost.</p> <p>His new proposal of £846,081 or 9% due to the KCC Framework is a gross overestimate, even compared with his own original estimate.</p> <p>In reply to Mr Cato's points 1 – 4:</p> <ol style="list-style-type: none"> <li>1) HD attained the Primary School 1 drawings by downloading them from Ashford Borough Councils Planning Portal, and their</li> </ol>	<b>Not agreed.</b>

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		<p>exactly the same as PS1. This is clearly not the case as standards have changed in the past 6 years and PS1 would not meet DfE output specifications or building regulations so Mr Cato fails to see how a design can be reused.</p> <p>4) Mr Cato has used a design cost from the existing KCC Framework Agreement which indicates that £846,080.68 is more representative (100% of all fees due to be paid through the Framework) but this has not taken into account that some concept design may be re-used from PS1 but that HDL do not own any such design.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Cato was a designer and design manager for 3 years and speaks from experience.</p> <p>Mr Howson does not understand that a building on one site cannot simply be transposed as a duplicate to another. Each aspect still has to be validated and accepted by the new designer. By his own admission Mr Howson has not seen</p>	<p>quantity surveying team then measured off the construction drawings to determine the quantities of materials and labour needed for the project, as is standard. I can confirm the measures and costs are correct. The very fact that a Primary School 1 has been built at Chilmington in 2021 means that less time and costs will be required to design Primary School 2.</p> <p>2) This is not correct, they have been provided within my March Report. I have also provided HD's full Bill of Quantities showing the measure and the rate for every building item (at Appendix A). I have verified and approved those rates.</p> <p>3) I have reviewed the area and location of Primary School 2 against Primary School 1. Its generally the same in area and gradient. There is no reason to believe that Primary School 2 will not be the same or similar in design to Primary</p>	

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		<p>any design drawings for PS1 so is in no position to judge what may or may not be applicable to PS2.</p> <p>For example, structural engineering will be completely different. Foundation designs are likely to be unique. Space needs will be different for the proposed users.</p> <p>Mr Howson fails to recognise that the design for PS1 would no longer be able to be built to current regulatory standards. Therefore, the design for items such as space needs using BB103, updated Building Regulations and sustainability cannot simply be duplicated.</p> <p>Mr Howson was provided the opportunity to support the basis of his calculations and has failed to do so.</p> <p>Mr Cato's calculations have been based upon a tendered set of contractor rates for design both Pre Construction and Post Construction and have been competitively tendered. They cannot be argued against because they were obtained and considered to be market rates using Mr Howson's logic.</p> <p>Mr Howson states the preferred method of calculation is "actual current costs</p>	<p>School 1. The description is the same in the s106. Changes in building regulations have been considered in HDs and my Brookbanks costs.</p> <p>4) a) KCC's Framework Design Fees are completely excessive, b) the very fact that a Primary School 1 has been built at Chilmington in 2021 means that less time and costs will be required to design Primary School 2, c) I do not follow the point in regards to who owns the designs.</p> <p>My adjustment to the BCIS average cost would be to add £65,000. I believe the professional fees are reasonable in this context as the design has already been undertaken at Primary School 1.</p> <p><b><u>Brookbanks adjustment is to add £65,000 to BCIS average costs.</u></b></p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p>	

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		<p>incurred by either Brookbanks or HDL” Mr Howson has not provided any evidence of any exercise to obtain a quotation for said fees.</p> <p>Mr Cato has obtained an opinion directly from Clague Architects (Stuart Bonnage 01227 762060) for the scenario that Mr Howson portrays.</p> <p>He states: - As discussed, with this type of project without having a thorough review of the existing design it is very difficult to be able to confirm fee levels. We would however need to undertake a thorough review and potential redesign exercise to validate what has gone before, and to bring it up to current regularity standards.</p> <p>“We would anticipate that the changing requirements of Part L are likely to have the greatest design impact at Stages 1-3 with the often conflicting requirement to achieve adequate daylighting whilst reducing overheating having an impact on the facade design.</p> <p>We would suggest that you allow the following percentage fees based upon a £7 - £9m project RIBA Stages</p> <p>Stage 0 = 0.06%</p>	<ul style="list-style-type: none"> <li>The cost of £65,000 or 1.2% of total costs against Professional Fees which is reasonable and in line with the BCIS benchmarked projects referred to in my February Cost Report, under section 3.4. Southwark professional fees being 1% of total costs.</li> </ul>	

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		<p>Stage 1 = 0.06%</p> <p>Stage 2 = 0.28%</p> <p>Stage 3 = 0.35%</p> <p>Stage 4 = 0.94%</p> <p>We would suggest that Stage 0 is not required because the brief has been set, however this would assume that there is not an academy sponsor / end user that needs to input into the brief.</p> <p>Subject to the extent of the required redesign it may prove possible to reduce the Stage 2 fee by approximately a third."</p> <p>By my calculations this results in: -</p> <p>Stage 0 = 0%</p> <p>Stage 1 = 0.06%</p> <p>Stage 2 = 0.18%</p> <p>Stage 3 = 0.35%</p> <p>Stage 4 = 0.94%</p> <p>Total Pre Construction = 1.53%</p> <p>Therefore, the allowance recommended by Clague Architects <b>FOR ARCHITECTURE ALONE</b> exceeds the 1.2% allowance made by Mr Howson for all design fees. An allowance would need to be made for Structural Engineering, Foundations, Landscaping, Planning, Mechanical and Electrical, Highways, to name a few.</p>		



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		<p>By simple demonstration of the architectural fee it is my conclusion that Mr Howson's allowance is misinformed and wholly inadequate.</p> <p>The basis of calculation using the KCC framework includes for all design, design management, pre construction support, surveys, investigations, reports, planning, ecology, pre contract design, post contract design from inception through to completion. Mr Howson does not provide any convincing alternative scenario or identify with any precision where such an estimate may be reduced.</p> <p><b><u>Mr Cato Estimate £846k the BCIS Add £349.48/m2.</u></b></p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Howson stated that the fee element of the HDL BCE is only an allowance and has not procured a quotation.</p> <p>Mr Cato has procured quotations for architectural alone which is far in excess of the allowances Mr Howson has made.</p>		

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2c	Internal KCC costs	Neither BCIS nor the BCE allow for site KCC costs and whilst they will be expended we would not need to adjust the BCIS estimate.	Not to be included in BCIS costs.  <b><u>£0 extra cost</u></b>	Agreed.  <b><u>£0 extra cost</u></b>
2d	Furniture, Fittings and Equipment (FFE) (Loose)	<p>HDL's estimate of £945,000 includes allowances for loose FFE within the scope of the works as confirmed in their estimate.</p> <p>Mr Cato's estimate using formulaic allowances common at this stage of development for loose FFE as priced within the HDL estimate is £772,110.85.</p> <p><b><u>Mr Cato Estimate Add £318.92/m2</u></b></p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Howson presents new figures and now seeks to differentiate the allowances made by HDL between fixed and loose. HDL's allowance clearly states: -</p> <p>"Allowance of £750 per pupil for IT &amp; £1,500 per pupil for furniture, fittings &amp;</p>	<p>The BCIS average cost £/m2 <u>includes for all fixed</u> FFE items. This is not disputed by Mr Cato.</p> <p>The BCIS average prices do not include for some loose items of FFE and this requires an adjustment.</p> <p>HD's total FFE cost is £945,000 and this equates to 22% of the construction cost. HD confirms that this cost includes £63,000 for loose items equating to 1.2% of total build cost. This cost is reasonable.</p> <p>Mr Cato's total FFE cost is £772,110.85 for <u>ALL</u> FFE fixed and loose items which is 10% of the construction cost. Mr Cato cannot therefore say that 100% of that cost is for loose fit out items only, which Mr Cato appears to be saying to inflate costs. This is not reasonable.</p>	<b>Not Agreed.</b>

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		<p>equipment (including school kitchen). Based on 420 pupils"</p> <p>By definition this is excluded from any BCIS estimate.</p> <p>Mr Howson proposes that loose furniture allowance of £150 per pupil (£63,000) presents no calculation, no basis of price or what loose furniture is to be provided in this arbitrary figure or indeed what the new interpretation of HDL's figure is supposed to include. The allocation of £150 barely provides one table £69 and one chair £35 per pupil let alone. Mr Howson would lead us to believe that after one table and chair is allocated to a pupil £19,000 would be sufficient to provide an entire Primary School with the following: -</p> <ul style="list-style-type: none"> <li>i) Teachers desks</li> <li>ii) Book cases</li> <li>iii) Storage</li> <li>iv) Soft seating.</li> <li>v) Whiteboards</li> <li>vi) Flip charts</li> <li>vii) ICT room computer desks chairs and printers stations.</li> <li>viii) Science room lab tables stools, shelving.</li> <li>ix) Music room.</li> </ul>	<p>The adjustment for loose FFE items to the BCIS average cost would be £63,000</p> <p><b><u>Mr Howsons adjustment is to add £63,000 to BCIS average costs.</u></b></p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <p>Mr Cato has ignored the fact that BCIS average prices includes all <u>standard</u> Primary School Furniture, Fittings and Equipment items on his list such as storage, book cases, soft seating, whiteboards (basic and interactive), flip charts, computer room fit out and printer stations, science lab tables/stools/shelving, music room fit out, library fit out, administration office fit out including reception desks, etc., dining rooms, hall and gym equipment and locker and coat racks.</p> <p>Mr Cato and I have a fundamental difference of opinion as to what is included in BCIS average costs for Furniture, Fittings and Equipment.</p> <p>Consequently, I believe my position of £63,000 allowance for additional 'loose' items, such as an additional</p>	

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		<p>x) Library media.</p> <p>xi) Administration / offices, desks chairs storage filing cabinets, reception desks waiting areas.</p> <p>xii) Dining rooms and assembly areas.</p> <p>xiii) Wast bins, recycling areas</p> <p>xiv) Hall and gym equipment.</p> <p>xv) Portable paly equipment.</p> <p>xvi) Sports trolleys.</p> <p>xvii) Lockers coat racks</p> <p>xviii) Projectors sound systems and interactive whiteboards.</p> <p>Again Mr Howsons new estimate is wholly unsubstantiated and clearly inadequate in my opinion.</p> <p>Mr Cato's estimate is less that HDL's estimate and therefore retains the estimate of £772,110.85 based upon experience in over XX primary schools</p> <p><b><u>Mr Cato Estimate Add £318.92/m2</u></b></p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>The experts remain in agreement that an</p>	<p>primary school child's chair (less than £10 per chair, for example) which may fall outside the BCIS scope of works is a reasonable extra over cost.</p> <p>In reply to Mr Cato's latest round of comments referred to as '<b><u>Added Following Mr Howson Observation of 6/5/25.</u></b>' which I received on the morning of 8/5/25, so have had very limited time to reply, I would repeat that Mr Cato and I have a fundamental difference of opinion as to what is included in BCIS average costs for Furniture, Fittings and Equipment. We are therefore not in agreement unfortunately and I do stand by my position.</p>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>adjustment for loose FFE would be required.</p> <p>KCC informed Mr Cato on 6/5/2025 that the allocation of budget to a primary school made is £6,000 per teaching space. This email is available but was not transmitted to Mr Howson nor is it a quotation. Based upon 14 Teaching Spaces, not include administration, offices, circulation etc, or SRP, Nursery library, or Nurture Room equating to £84,000 for teaching spaces alone.</p> <p>Mr Howson cannot determine what HDL's allowances have been made for FFE because there is no further breakdown or separation. No quotations have been provided.</p> <p>Mr Cato has simply used HDL's own figures to make the adjustment because they are close to the allowances that I have made in my estimate.</p> <p>In my opinion Mr Howson's adjustment of £63,000 or £150 per pupil is clearly inadequate. Mr Cato disagrees with Mr Howson's allocation of cost.</p>		

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
2e	Contingencies and Risk Allowance	<p>Contingencies are not included within the BCIS estimate.</p> <p>HDL identify a 2% contingency.</p> <p>Whilst a 2% contingency is in the opinion of Mr Cato not representative of a realistic contingency at this stage of design of a project or at this stage of development. Whilst Mr Howson states that it is anticipated that the project is on an uncontaminated greenfield site Mr Cato points out that 2% would barely cover estimating methodology let alone significant items such as design development and unforeseen conditions. 5-10% is far more appropriate as a level of contingency. Mr Cato has never worked on a project in 30 years which has retained as low a contingency as 2% at this stage of development.</p> <p>That said for illustration purposes Mr Cato will make an adjustment to the BCIS estimate with an HDL addition £103,544.03.</p> <p><b><u>HDL Estimate at 2% Add £45.64/m2</u></b></p> <p><b><u>M Cato Estimate at 5% Add £114.10/m2</u></b></p>	<p>The BCIS average prices £/m2 do not include contingency for site abnormalities.</p> <p>Mr Cato and I have agreed to HDL's contingency cost of £103,544.03.</p> <p><b><u>Mr Howsons adjustment is to add £103,544.03 to BCIS average costs.</u></b></p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>I note Mr Cato's changed position from what I understood to be agreed and have read his additional comments. However, I stand by my prior position and re-confirm a contingency cost of £103,544.03 as being very reasonable.</li> </ul> <p>In reply to Mr Cato's latest round of comments referred to as '<b><u>Added Following Mr Howson Observation of 6/5/25.</u></b>' which I received on the morning of 8/5/25, so have had very limited time to reply, I would repeat that I the proposed site is a agricultural site which has undergone</p>	<b>Not Agreed.</b>

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Howson has not provided any supporting information which would illustrate how 2% risk contingency has been generated.</p> <p>Given that omission Mr Cato does not agree with Mr Howson and relies upon notes previously submitted: -</p> <p>“Mr Cato states that the level of contingency should be between 5-10% subject to more detailed analysis but uses 2% for illustration purposes.”</p> <p>Mr Howson make no adjustment to take into account abnormals in 2a above and therefore it is not credible to retain a 2% contingency.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Cato has not changed his opinion but was open to considering why Mr Howson considered 2% sufficient contingency.</p> <p>Contrary to statements made in his March report paragraph 3.15 concerning</p>	<p>site investigations by HD which has confirmed the ground conditions are good. The land must be transferred by HD to KCC in good order. There are no abnormal items to attract additional costs in the proposed design of the primary school and no additional contingency cost adjustment is required.</p>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>“numerous investigations” Mr Howson confirmed in the meeting that he <b>has not</b> received, seen or studied ANY surveys, site investigations or reports about the site and therefore cannot make any informed decision on what may or may not be found on site.</p> <p>Mr Howson presents no grounds for a 2% contingency which Mr Cato finds to be wholly inadequate.</p>		
2f	Off Site Costs (utilities planning contributions CIL etc)	<p>Neither BCIS nor the BCE allow for site off site costs and therefore we would not need to adjust the BCIS estimate.</p> <p>Mr Cato assumes these are all fulfilled by the terms of the s106 agreement.</p>	<p>It is agreed that there is not a need to adjust the BCIS estimate for this item.</p> <p><b><u>£0 extra cost</u></b></p>	<p><b>Agreed</b></p> <p><b><u>£0 extra cost</u></b></p>
2g	External Works	<p>Mr Cato identifies an external works cost of £738,674 but for illustrative purposes will use HDL’s cost to avoid unnecessary complication. The quantum of adjustment required to the BCIS rates.</p> <p><b><u>Mr Cato Estimate at £661,919 Add £273.41/m2</u></b></p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p>	<p>BCIS average prices exclude external works so an adjustment to would be required to the average price.</p> <p>Referring to Brookbanks cost report dated March 25 Appendix A, the external works HD have costed for when comparing to MCP’s specification includes a uplifted specification. Upon further review, HD have priced for items which are not actually required such as:</p>	<p><b>Not agreed.</b></p>



Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>Mr Howson presents modified figures which differs from his February and March reports.</p> <p>Mr Cato presented a concessionary position in order to move the process and precision forward. My opinion is that the external works estimate should be £738,674 and in agreeing to the £661,919 presented a reasonable reflection in the difference in estimate methodology.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Howson changes the previous agreement to adopt the £661,919 HDL estimate as a basis of adjustment.</p> <p>Mr Howson now seeks to “cherry pick” scope comparisons using my assumption in order to change HDL’s estimate.</p> <p>If Mr Howson wishes to rely upon my estimate then he should accept my estimate as a whole in respect of the £738,674.</p> <p>I revert to my agreed adjustment figure of £661,919.</p>	<ul style="list-style-type: none"> <li>• Block paving to car park (as opposed to tarmac)</li> <li>• Bollard Lights</li> <li>• Ducts to Bollard Lights</li> <li>• Additional EV charging points</li> <li>• Higher Specification MUGA Fencing</li> <li>• Higher Specification Soft Landscaping</li> </ul> <p>These unnecessary extra costs are valued in Appendix A of HDL’s Bill of Quantities at £139,522.</p> <p>By re-scoping these items to a standard Primary School specification, HD’s externals would be £539,145, which is a reasonable figure for external works.</p> <p><b><u>Mr Howsons adjustment is to add £539,145 to BCIS average costs.</u></b></p> <p>In reply to Mr Cato’s observations dated 28<sup>th</sup> April 2025 (which have now been amended) and also in reply to Mr Cato’s latest round of comments referred to as ‘<b><u>Added Following Mr Howson Observation</u></b></p>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
			<p><u>of 6/5/25.</u>' which I received on the morning of 8/5/25:</p> <ul style="list-style-type: none"> <li>• I refute the claims Mr Cato's has made and there was not an agreement to adopt the figure of £661,919.</li> <li>• As a RICS Chartered Quantity Surveyor (which I respectfully note Mr Cato is not, he is a Chartered Engineer) I reviewed the External Works costs between HD and Mr Cato (stated in my Primary School Cost Reports dated March 2025 (CD14/16) Appendix A) and sought to align the scope and specification of works between the HD scope/specification and Mr Cato's own scope of works/specification. It was noted that that the HD external works were a higher specification than is required or is standard (or than Mr Cato had allowed), such as block paving to car parking areas instead of tarmac. As experts, we should be trying to make sure that the external works specifications are comparable and of a standard specification, which is what I have done. For example, it is standard</li> </ul>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
			<p>to see tarmac in car parks of Primary Schools, as opposed to more expensive block paving. The saving is entirely reasonable and the £139,522 is broken follows (and I have discussed there figures with Mr Cato):</p> <ul style="list-style-type: none"> <li>• Block paving to car park spaces (add back in tarmac) = Remove block paving figure of £102,694.76 as not needed (agreed by MCB) = deduction of £102,694.76. Add back in tarmac to same areas = 1039m<sup>2</sup> x £63m<sup>2</sup> (rate in bill) = £65,457. So saving of £102,694 – 65,457 = <b>£37,237</b> plus <b>£18,002</b> for edging and associated drainage.</li> <li>• Bollard Lights – (remove as not needed) = saving of <b>£5256</b></li> <li>• Ducts to Bollard Lights – remove as not needed = saving of <b>£3,070</b></li> <li>• Additional EV charging points – (as per MCB) = saving of £7,500</li> <li>• Higher Specification Muga Fencing - use MCB rate of £175m (not higher spec rate</li> </ul>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
			<p>of £280m as used by HD) = 160m x £175m = £28,000 so saving on costed £44,800 of <b>£16,800</b>.</p> <ul style="list-style-type: none"> <li>• HD used higher specification Soft Landscaping - use MCB rate of £12.50m2 (not higher spec rate used by HD of £28m2) = 3165m2 x £12.50m2 = £39,562.5 so saving on costed £88,620 of <b>£49,057.50</b>.</li> <li>• 11 smaller trees required than HD's costed 15 trees = saving of <b>£2,600</b></li> </ul> <p>By re-scoping these items to a standard Primary School specification, as opposed to the higher specification external works HD proposed in their costings, HD's externals would be <b>£539,145</b>, which is a reasonable figure for external works.</p>	
2h	Total BCIS Average Price adjustment based on 2a - 2g	<p>Summary of Adjustments: -</p> <p>2a Site Specific Abnormal Costs - £0.00</p> <p>2b Fees - £846,000 - £349.48/m2</p> <p>2c Internal KCC Costs - £0.00</p> <p>2d FFE £772,110.85* – £318.92/m2</p> <p>2e Contingency – £287,075.60 -</p>	<p>Mr Cato and I agree that the following items should be added to the BCIS Average Costs:</p> <ul style="list-style-type: none"> <li>• Professional Fees</li> </ul>	<b>Partial Agreement.</b>

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>£114.10/m2 2g External Works - £661,919* - £273.41/m2</p> <p>*Taken from HDL cost estimate presented by Mr Howson in February 2025 report.</p> <p><b><u>Mr Cato total adjustment is to add £2,567,104 to BCIS average costs.</u></b></p> <p><b><u>£1020.31/m2</u></b></p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Cato figures have been adjusted because Mr Howson cannot support his contingency allocation which I was prepared to review and has changed agreements made in previous meetings.</p>	<ul style="list-style-type: none"> <li>Furniture, Fixtures and Equipment (Loose)</li> <li>Contingencies</li> <li>External Works</li> </ul> <p>Obviously we fundamentally disagree on the scope and quantum of the items.</p> <p><b><u>Mr Howsons total adjustment is to add £770,689 to BCIS average costs.</u></b></p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>Mr Cato has increased his stated costs for the above from £777/m2 (as of 16/4/25) to £1020/m2.</li> <li>My costs for the above remain the same, at £770,689.</li> <li>In reply to Mr Cato's comment of 8/5/25, I would just like to say that I have not 'changed agreements made in previous meetings.'. Again, this is simply not true.</li> </ul>	
3	HDL Building Cost Estimate versus MCP	Mr Cato contends that the benchmark quotation from HDL is not a Bill of Quantities.	HD's costs in Appendix A of my Brookbanks March 2025 Cost Report are a Bill of Quantities using current	<b>Not Agreed</b>

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
	Cost Estimate	<p>The estimate is not procured under tender conditions with the intent to enter into contract.</p> <p>The estimate combines quotations with estimates of manhours and plant which Mr Cato cannot validate and considers are subjective.</p> <p>Mr Cato has not seen any of the quotations which were not in the bundle.</p> <p>Mr Cato cannot comment further with information provided.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>I have worked as a contractor for 7 years of which 2 of those were as a construction estimator. I therefore speak from direct experience.</p> <p>The documents provided in Mr Howson's reports are <b>NOT</b> a bill of quantities.</p> <p><b>The document presented by Mr Howson is presented as factual evidence as opposed to an estimate. Mr Howson has not provided any substantiating proof of any estimate</b></p>	<p>tendered rates. They are based on the "first principles" of quantity surveying using labour, plant and materials to form a cost for construction.</p> <p>First principles in quantity surveying, also known as bottom-up estimating, involves breaking down a project into its individual components and then estimating the costs, quantities, and production required for each component. This approach helps ensure accuracy and cost control by considering the fundamental resources needed for each task</p> <p>The quotations used in the HD's cost estimate have been referenced and excerpts shown in the Brookbanks rebuttal report dated March 2025 section 3.1.11 <b>(see submitted documents reference CD14/16)</b></p> <p>Mr Cato offers no substantiation to his estimate rates and as such I am not able to validate these, however I note some are 170% of the quoted costs HD has received and provided to me. Mr Howsons view is that Mr Cato's costs are highly inflated.</p>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p><b>or quotation. There is no analysis, resource reconciliation, productivity calculations, detailed programme or evidence that any such analysis has been undertaken. Mr Howson has produced a subjective summary of a cost plan which is alleged to exist but which has not been produced.</b></p> <p>The BCE summary is at best a high level builders estimate. The document is not presented in a recognised format or method of measurement. It contains some general rates for provision of works but and in other areas includes plant and labour estimates. The presentation of the two are not compatible and therefore unreliable.</p> <p>Mr Howson has not provided any substantiating information or documentation except for a 7 page summary in the report. No quotations have been issued by Mr Howson and the rebuttal report provides a one page extract of a quotation for concrete blocks used to substantiate a brick price.</p> <p>The estimate provided by Mr Cato is taken from a database of costs of £200M of education projects in Kent and Sussex. We use a proprietary system of cost estimation which is run from a Contractors Database of Costs and</p>	<p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>• Whilst trying to avoid a back and forth with Mr Cato over the detail of his statement, I would say that I disagree for the following reasons:</li> <li>• I am a Chartered Quantity Surveyor and MRICS. Respectfully, Mr Cato is neither of these.</li> <li>• Mr Cato has again chosen to ignore my Section 3.0 February Cost report in which I have undertaken a complete review and verification of the costs and measure presented by HD which they have titled as "<i>Primary School 2 Bill of Quantities</i>". I confirm in my Cost Report that these are costs and measures are reasonable.</li> <li>• MCP's Mr Cato offers no substantiation to his estimate only rates. In my opinion, they are over inflated and unreasonable. He has not provided any evidence of</li> </ul>	

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		<p>have used up to date quotations from each of the projects. Unlike HDL we use bills of quantities for every project we undertaken using standard method of measurement approved by the RICS. HDL have not used a standard method of measurement.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Howson confirmed and clarified in the meeting the following points: -</p> <p>Mr Howson did NOT see the pricing enquiries for prices that were issued for the construction of the Primary School.</p> <p>Mr Cato is correct in that no terms and conditions, subcontracts were seen to have been issued and therefore the quotations lack specificity or direct relevance.</p> <p>The quotations which were reviewed by Mr Howson (not presented to Mr Cato for review) are GENERAL quotations. Where Mr Howson references quotations it should be read: -</p>	<p>actual quotations, etc. within his reports.</p> <ul style="list-style-type: none"> <li>Some basic examples are as follows (and please refer to my Primary School Cost Reports dated March 2025 (<b>CD14/16</b>) Appendix A (page 30 of 32) where there is a comparison between the MCP costs and the HD costs I have seen quotations for, verified and approved:</li> </ul> <ol style="list-style-type: none"> <li>1) Mr Cato has allowed a 7.4% BCIS uplift from Q1 - 2025 to Q1 2027, at a cost of £583,067.23. This is not right or the spirit of this cost report <u>as we should be costing at today's prices</u>. HD have priced the works based on current rates.</li> <li>2) Mr Cato has allowed for an additional £270,238.80 for Surveys and Investigations, yet as part of the transfer of the land these surveys and investigations are done by</li> </ol>	



Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>1) Quotations are not provided for constructing PS2 or for that matter an education project.</p> <p>2) Quotations are rates could be taken from any domestic build, warehouse, or any other type of building.</p> <p>3) The rates used are not comparable to the quantity of materials, subcontract size and scope.</p> <p>Mr Howson cannot confirm how relevant and appropriate each quotation is to building a primary school.</p> <p>Mr Howson HDL did not provide Mr Cato with any supporting information or quotations.</p> <p>It is agreed that the summary appendices in the February and March reports are NOT bills of quantities, they do NOT represent factual evidence of cost, they ARE SUBJECTIVE summaries of cost derived from costs presented to Mr Howson by HDL but Mr Cato has not been presented with the opportunity to review these costs.</p> <p>Mr Cato agrees with Mr Howson that my</p>	<p>the Appellant, and not included in the s106 costs.</p> <p>3) Mr Cato has allowed for an additional £301,246.40 for overhead and profit. But this is double counting because the rates within Mr Cato's price include Contractor oh&amp;p.</p> <p>The above three incorrect cost items alone come to £1,154,552.43, reducing Mr Cato's costs down to £8.7m. Only £800k above the £7.92m figure (the Appellants proposed costs with s106 indexation starting 2018 (from 2014)).</p> <p>Furthermore, Mr Cato's rates provided in his cost report are in some instances 170% over the current market quoted costs HD has received and provided.</p> <p>Mr Cato has priced for offsite disposal of excavated soil from the foundations at a cost of £78,210. However, HD have confirmed that the Chilmington outline planning</p>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed																																								
		<p>estimate should reflect Q1 – 2025 to be a like for like comparison.</p> <table border="1"> <tr> <td colspan="4">CONTRACT TOTAL</td><td>7,721,106.51</td></tr> <tr> <td>Surveys &amp; Investigations</td><td>3.5 %</td><td>7,721,106.51</td><td></td><td>270,238.80</td></tr> <tr> <td>Planning</td><td>1.0 Item</td><td>5,000.00</td><td></td><td>5,000.00</td></tr> <tr> <td>Professional Fees</td><td>1.5 %</td><td>7,721,106.51</td><td></td><td>115,816.65</td></tr> <tr> <td>Client Fit Out: Loose FFE &amp; ICT Equipment</td><td>30.0 %</td><td>7,721,106.51</td><td></td><td>772,110.65</td></tr> <tr> <td>Contingency</td><td>5.0 %</td><td>7,836,925.14</td><td></td><td>391,846.26</td></tr> <tr> <td>8025 TPI uplift; 5Q25 - 5Q27</td><td>7.4 %</td><td>7,836,925.14</td><td></td><td></td></tr> <tr> <td colspan="4">PROJECT TOTAL</td><td>9,276,121.04</td></tr> </table> <p>From my report the construction out turn is £9,276,121.04.</p> <p>Mr Howson makes a statement that surveys and investigations would be part of the s106 agreement. He is in error – no such agreement or obligation exists. His comments should be discarded.</p> <p>Mr Howson is in error concerning duplication of overhead and profit in my estimate. No such error exists. His comments should be discarded.</p>	CONTRACT TOTAL				7,721,106.51	Surveys & Investigations	3.5 %	7,721,106.51		270,238.80	Planning	1.0 Item	5,000.00		5,000.00	Professional Fees	1.5 %	7,721,106.51		115,816.65	Client Fit Out: Loose FFE & ICT Equipment	30.0 %	7,721,106.51		772,110.65	Contingency	5.0 %	7,836,925.14		391,846.26	8025 TPI uplift; 5Q25 - 5Q27	7.4 %	7,836,925.14			PROJECT TOTAL				9,276,121.04	<p>consent must dispose of excavated soil on site, which is also more cost effective. Consequently, HD have priced the same at £42,000. This is all stated in my Primary School Cost Reports dated March 2025 <b>(CD14/16)</b> Appendix A, in the comments/summary sections.</p> <p>In regards to the drawings measure, Mr Cato's measure is vastly inflated and incorrect. By Mr Cato's own admission, in paragraph 1.2.1 (page 5) of Mr Cato's Cost Report dated 13<sup>th</sup> February 2025 <b>(CD14/9/A)</b> Mr Cato acknowledges that he received instruction on 11 February 2025 and published his report on 13<sup>th</sup> February 2025, which is a very small window to properly evaluate such a project and measure all the drawings. Mr Cato goes on to say in his paragraph 1.3.2 (page 6) <i>"The urgent nature of the project has prevented an in-depth review of precise quantities..."</i></p> <p>In reply to Mr Cato's latest round of comments referred to as '<b><u>Added Following Mr Howson Observation</u></b></p>	
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			<p><u>of 6/5/25.</u>' which I received on the morning of 8/5/25:</p> <ul style="list-style-type: none"> <li>• Due to time constraints I am unable to properly reply to all Mr Cato's new comments in detail, except to say that I disagree with Mr Cato's new observations.</li> <li>• HD have applied current costs from the supplier and subcontractors they are using at Chilmington. I have seen and verified those costs. The rates are in Appendix A of my March report. I see no logic in why rates for the same material would increase for a school building being built at the same development. For example, the tarmac should be the same cost for the school as it is for the housebuilding areas.</li> </ul>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
4	<p>KCC Benchmarks</p> <p>Based on KCC Cost Benchmarking Data:-</p> <p>Average £/m2 Primary Schools. Based on a total gross cost of £46,692,597 for the delivery for 6 nr projects which average gives an average of £5,167/m2</p>	<p>Provided for information.</p> <p><b><u>Added Following Mr Howson Observations of 28 April: -</u></b></p> <p>Mr Cato has simply provided figures extracted from KCC's benchmark figures. Mr Howson is correct in that the rate provided by KCC at £5,167/m2 is at the higher end of a BCIS estimate: -</p> <p>KCC total cost of development would be £13,000,172 for PS2.</p> <p>Mr Cato has taken the Spent to Date PS1 Costs (£7,890,464) and, using the Contract Base Date (13/09/19) have applied BCIS TPI to index the costs from 3Q19 (335) to 1Q25 (399) [Effective 19.1%].</p> <p>To Mr Cato's knowledge all PS1 data has been provided to HDL as requested by KCC.</p> <p><b><u>Added Following Mr Howson Observation of 6/5/25.</u></b></p> <p>Mr Howson confirms that he has only received cost information for PS1 through Page 44 of the KCC Rebuttal Report CD14/9/A.</p> <p>Mr Cato cannot confirm whether KCC have contradicted their evidence or not</p>	<p>KCC has not provided any details of these benchmarked costs thus Mr Howson is unable comment and they should not be regarded or relied upon.</p> <p>It is also noted that KCC benchmarking average of £5,167/m2 is at the high end of the BCIS average prices range for Primary Schools over 2,000m2 which ranges from £1,932 to £5,632/m2.</p> <p>It is also observed the benchmarked costs include a figure stating £9.4m for the KCC incurred Primary School 1 costs.</p> <p>However, this claimed cost contradicts KCC's own evidence submitted to the Inquiry. KCC submitted document reference <b>CD14/9/A page 44</b> refers to a table which states the Primary School 1 cost is £7.89m as at Dec 23, which the Appellant has good reason to believe is not a reliable figure as to the true costs of the Primary School 1. The Appellant has also noted that the school opened in November 2021 but according to this KCC document the school was still paying</p>	Not Agreed

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
		<p>– this is not for this statement to conclude.</p> <p>Post Meeting Note. Mr Cato confirms that the PS1 cost does not include any allowances for defect correction and is the value of fixed price contract for the works. Mr Howsons comments can be disregarded.</p>	<p>money to the Contractor (BBS) in 2022, 2023, which is highly unusual. In an email <b>on page 40 of CD14/9/A</b> KCC state to the Appellant that Primary School 1 had not Practically Completed as at December 2023.</p> <p>The Appellant knows that there were serious defects in the building of the Primary School, including the school not being built to the right levels. Furthermore, the school was also built during Covid and both these scenarios would have increased build costs. Despite multiple requests from the Appellant and the Appellants solicitors, KCC have not been transparent and released a detailed original contract or costs breakdown, showing the true contract price for the Primary School 1 and what the cost of defects, delays or redesigns were vs. the original contract value.</p> <p>In reply to Mr Cato's observations dated 28<sup>th</sup> April 2025:</p> <ul style="list-style-type: none"> <li>Mr Cato's explanation of how he has calculated his figure is noted. However, the claimed base cost</li> </ul>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
			<p>of £7.89m from KCC is not evidenced or substantiated properly and cannot be relied upon.</p> <ul style="list-style-type: none"> <li>• The claimed costs is contradicted by KCC in their evidence, nor is it reliable, and should not be regarded or relied upon.</li> <li>• It must be noted that both Mr Cato and I are pricing the built and open Primary School 1 drawings to ascertain the Primary School 2 price for this costing exercise. It therefore does seem odd to me as to why Kent County Council are employing a Cost Expert (Mr Cato) to estimate the cost of the exact building that they have already contracted, built and paid for. Yet they have not given to Mr Cato the original contract which would show the contract sum awarded (before defects, variations and delays) for Primary School 1, but instead asked Mr Cato to rely upon the same basic £7.89m spreadsheet they have given the Appellant and the Inquiry.</li> </ul>	

Item	Description	Mr Cato Observation	Mr Howson Observation	Final Position Agreed / Not Agreed
			<ul style="list-style-type: none"> <li>Brookbanks built project benchmarking, as set out in my February 2025 report section 3.6, clearly shows a range of cost of £2,563 to £2,777/m2 which is 50% lower than the KCC benchmarking.</li> </ul>	

Table inserted by Mr Howson after express agreement between the experts that the table was not agreed and to be omitted, as discussed and recorded in meeting 7/5/25. Marcus Cato requests Tribunal to disregard. In particular any reference to evidence, evidence of fact and bill of quantities .

**Table 2A: Mr Howson's Summary of the Cost Benchmarking**

Item	Description	Brookbanks		
		£/m2	Constructi on Cost	Comments
1	Appellant Proposed s106 Modification (moving to 2018 indexation)	£3,148	£7.92m	£7.92m is the Appellants proposed costs with s106 indexation starting 2018 (from 2014).
2	Hodson Developments (HD) Costs	£2,171	£5.27m	<p>HD's costs of £5.27m are lower than the £7.92m as proposed in the S106 modification.</p> <p>I have confirmed in both my Primary School Cost Reports (February 2025 (<b>CD2/25 Appendix 5</b>) and March 2025 (<b>CD14/16</b>)) that the HD Building Cost of £5.257m is reasonable for the construction of a 420 pupil Primary School at Chilmington.</p> <p>My position is that this costs evidence should carry most weight because the costs are based on current tendered costs from HD's suppliers and subcontractors. They have been seen, verified and approved by myself. They are factual evidence as opposed to an estimate.</p> <p>HD attained their costs by downloading the Chilmington Primary School 1 drawings available on Ashford Borough Councils Planning Portal, and their quantity surveying team measured off the drawings to determine the quantities of materials and labour needed for the project. HD then applied current costs from their suppliers and subcontractors via existing current quotations. I have seen, verified and approved those quotations (and referenced them in excerpts in section 3.1.11 of the Brookbanks Primary School Cost Report dated March 2025 (<b>see CD14/16</b>)), checked the</p>



				<p>measure and information provided by HD and I have approved all the findings. The quotations used in the HD cost estimate have been referenced and excerpts shown in my Brookbanks Primary School Cost Report dated March 2025 section 3.1.11 (<b>see CD14/16</b>).</p> <p>HD's costs at in Appendix A of my March 2025 Primary School 2025 report (<b>CD14/16</b>) and are a Bill of Quantities using current tendered rates. HD's costs include overheads and profit within the rates.</p>
3	Brookbanks (Mr Howson) similar Primary School project costs	£2,670	£6.47m	<p>Brookbanks costs, including all development costs, of £6.47m are lower than the £7.92m as proposed in the S106 modification.</p> <p>This cost is based on actual Primary Schools built by Brookbanks as stated in my Feb 2025 Primary School Cost Report (<b>CD2/25 Appendix 5</b>) and is factual evidence.</p> <p>My position is that this Brookbanks cost evidence and the HD cost evidence (in item 2 above) should carry most weight because they are based on current costs and delivered Primary School projects.</p>
4	BCIS Mean (Average)	£2,961	£7.17m + £770k = £7.940m	BCIS Mean figure is £7.940m, so very marginally (£20k) above the figure of £7.92m. This 20k could easily be saved on the build costs.
5	BCIS Median (Middle)	£3,029	£7.34m + £770k = £8.1m	BCIS Median figure is £8.1m, so relatively marginally (£190k) above the figure of £7.92m. Again, this £190k could be value engineered on the build costs (could come out of contingencies for example) or the size of the building.
6	BCIS Lower Quartile	£2,425	£5.87m+ £770k = £6.64m	BCIS Lower Quartile figure is £6.64m, so below (by £1.28m) the figure of £7.92m.

7	BCIS Lowest	£1,082	£2.62m + £770k = £3.39m	BCIS Lowest figure is £3.39m, so below (by £4.5m) the figure of £7.92m.
	MCP (Mr Cato's) Building Cost Estimate	£4,171	£9.86m	<p>MCP's Mr Cato offers no substantiation to his estimate only rates. In my opinion, they are over inflated and unreasonable.</p> <p>Some basic examples are as follows (and please refer to my Primary School Cost Reports dated March 2025 (<b>CD14/16</b>) Appendix A (page 30 of 32) where there is a comparison between the MCP costs and the HD costs I have seen quotations for, verified and approved:</p> <ul style="list-style-type: none"> <li>• Mr Cato has allowed for an additional £301,246.40 for overhead and profit. But this is double counting because the rates within Mr Cato's price include Contractor oh&amp;p.</li> <li>• Mr Cato has also allowed a 7.4% BCIS uplift from Q1 - 2025 to Q1 2027, at a cost of £583,067.23. This is not right or the spirit of this cost report as <u>we should be costing at today's prices</u>. HD have priced the works based on current rates.</li> <li>• Mr Cato has allowed for an additional £270,238.80 for Surveys and Investigations, yet as part of the transfer of the land these surveys and investigations are done by the Appellant, and not included in the s106 costs.</li> </ul> <p>The above three incorrect cost items alone come to £1,154,552.43, reducing Mr Cato's costs down to £8.7m. Only £800k above the £7.92m figure (the Appellants is proposed costs with s106 indexation starting 2018 (from 2014)).</p>

				<p>Furthermore, Mr Cato's rates provided in his cost report are in some instances 170% over the current market quoted costs HD has received and provided.</p> <p>Mr Cato has priced for offsite disposal of excavated soil from the foundations at a cost of £78,210. However, HD have confirmed that the Chilmington outline planning consent must dispose of excavated soil on site, which is also more cost effective. Consequently, HD have priced the same at £42,000. This is all stated in my Primary School Cost Reports dated March 2025 (<b>CD14/16</b>) Appendix A.</p> <p>In regards to the drawings measure, Mr Cato's measure is vastly inflated and incorrect. By Mr Cato's own admission, in paragraph 1.2.1 (page 5) of Mr Cato's Cost Report dated 13<sup>th</sup> February 2025 (<b>CD14/9/A</b>) Mr Cato acknowledges that he received instruction on 11 February 2025 and published his report on 13<sup>th</sup> February 2025, which is a very small window to properly evaluate such a project and measure all the drawings. Mr Cato goes on to say in his paragraph 1.3.2 (page 6) <i>"The urgent nature of the project has prevented an in-depth review of precise quantities..."</i></p> <p>My Brookbanks Primary School Cost Reports dated March 2025 (<b>CD14/16</b>) Appendix A lists the comparison between the MCP costs and the HD costs I have seen quotations for, verified and approved.</p>
8	KCC Primary School 1 – Out turn (Mr Cato)	£3,880	£9.39m	<p>Mr Cato provides no evidence in his report to substantiate this claimed cost. Mr Cato has not been able to verify this cost because KCC have not shown Mr Cato the actual original awarded contract for Primary School 1.</p> <p>Furthermore, this claimed cost contradicts KCC's own evidence submitted to the Inquiry. KCC submitted document reference <b>CD14/9/A page 44</b> refers to a table which states the Primary School 1 cost is £7.89m as at Dec 23, which the Appellant has good reason to believe is not a reliable figure as to</p>

				<p>the true costs of the Primary School 1. The Appellant has also noted that the school opened in November 2021 but according to this KCC document the school was still paying money to the Contractor (BBS) in 2022, 2023, which is highly unusual.</p>
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				<p>In an email <b>on page 40 of CD14/9/A</b> KCC state to the Appellant that Primary School 1 had not Practically Completed as at December 2023. The Appellant knows that there were serious defects in the building of the Primary School, including the school not being built to the right levels. Furthermore, the school was also built during Covid and both these scenarios would have increased build costs. Despite multiple requests from the Appellant and the Appellants solicitors, KCC have not been transparent and released a detailed original contract or costs breakdown, showing the true contract price for the Primary School 1 and what the cost of defects, delays or redesigns were vs. the original contract value.</p>
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				<p>It must be noted that both Mr Cato and I are pricing the built and open Primary School 1 drawings to ascertain the Primary School 2 price for this costing exercise. It therefore does seem odd to me as to why Kent County Council are employing a Cost Expert (Mr Cato) to estimate the cost of the exact building that they have already contracted, built and paid for. Yet they have not given Mr Cato (or myself) the original contract which would show the contract sum awarded (before defects, variations and delays) for Primary School 1, but instead asked Mr Cato to rely upon the same basic £7.89m spreadsheet they have given the Appellant and the Inquiry.</p>
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				<p>This claimed costs by Mr Cato is not evidenced, the claimed costs is contradicted by KCC in their evidence, nor is it reliable, and should not be regarded or relied upon.</p>
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9	EBDOG National School Delivery Cost Benchmarking November 2023 (Mr Cato)	£4,438	£10.75m	<p>The EBD OG report relied upon by Mr Cato is out of date as it was published 2 years ago in 2023 and its sample data is based on project costs from 2012 to 2021. Only 18% of the cost data is based on new build school projects such as Chilmington and the 2021 data being only 3 number projects.</p> <p>The inflated cost to Q1 2025 Mr Cato states cannot be taken as accurate.</p> <p>Again, my costs are based on actual current costs incurred by either Brookbanks or HD which should supersede any estimated costs.</p>
10	DfE Scorecard	Not available	£11.2m	<p>The cost data upon which the DfE rate is based is on expansion, temporary and new build projects carried out between 2015 and 2018 with no new projects added in the last 7 years to the sample date. Further to this, the DfE rate is based on data in which it includes only 4% new build projects, such as Chilmington. This data should not be relied upon.</p> <p>Given the above it is not reasonable to compare this benchmark rate against a new build project such as Chilmington.</p>

## **Summary of Findings:**

### **Mr Howsons Findings:**

Generally, I would ask the Inspector to please read my Primary School Cost Reports (February 2025 (**CD2/25 Appendix 5**) and March 2025 (**CD14/16**)) and the comments I make in the section above, all which I stand by.

I have confirmed in both my Primary School Cost Reports (February 2025 (**CD2/25 Appendix 5**) and March 2025 (**CD14/16**)) that the HD Building Cost of £5.257m is reasonable for the construction of a 420 pupil Primary School at Chilmington. This figure of £5.257m is below the £7.92m figure (based moving indexation from 2014 to 2018) and equates to £2,171m<sup>2</sup>, which is within the proposed maximum m<sup>2</sup> cost of £3,146/m<sup>2</sup> (see above).

In addition, Brookbanks have experience of several developments across the UK involving the construction of schools under s106 agreements. I have reviewed the costs of recently completed comparable Primary School projects Brookbanks has been involved with. These projects are discussed in my Brookbanks Primary School Chilmington Cost Review Expert Report dated February 2025 (**CD2/25 Appendix 5**) paragraph 3.6 (Comparable Projects).

These examples range in m<sup>2</sup> cost from £2,563/m<sup>2</sup> to £2,777/m<sup>2</sup> (an average of £2,670/m<sup>2</sup>) which again are within the proposed maximum cost of £3,146/m<sup>2</sup>.

My position is that the above costs evidence should carry most weight because they are based on current costs and delivered Primary School projects.

Furthermore, I have also referred to the Building Cost Information Service (BCIS) Average Prices to check the proposed m<sup>2</sup> rate.

I have discussed in detail above my observations and addressed the comments Mr Cato of KCC raised in the Round Table on 16 April 2025, that being the following items must be added to the any BCIS Average Cost:

- Professional Fees
- Furniture, Fixtures and Equipment (Loose)

- Contingencies
- External Works

Firstly, it is important to note that this adjustment does not affect what I have said or the validity of my Cost Reports, as Mr Cato is trying to claim. The BCIS observations I made in my February and March report are entirely correct and it is wrong to claim that they should be disregarded. I respectfully invite the Inspector to refer to paragraph 3.18 of my March 2025 cost report (CD14/16) which summarises that the HD approved costs are *“within the BCIS average costs range as previously stated”*.

I agree that the above four items are additional to the BCIS figures and the total adjustment to be added is £770,689 to the BCIS average costs. These approved and verified costs are within the approved HD Bill of Quantities in Appendix A of my Brookbanks Primary School Chilmington Cost Review report, dated March 2025 (**CD14/16**) and are broken down as follows:

- Professional Fees - £65,000
- Furniture, Fixtures and Equipment (Loose) - £63,000
- Contingencies - £103,544.03
- External Works - £539,14
- By adding this uplifted cost of £770,689 the BCIS Mean (Average) comes to £7.940m.

The result being the BCIS Mean Average is £20,000 above the 2018 index linked figure of £7.92m, **which is within a reasonable margin of the BCIS Mean (Average).**

I have explained above why, in my professional opinion, Mr Cato's MCP Building Cost Estimate, EBD OG National School Delivery Cost Benchmarking November 2023, KCC Primary School 1 costs, DfE Scorecard should not be relied upon for this expert costing exercise. In addition to this Mr Cato uses a different BCIS category than I do to demonstrate his BCIS average costs.

By contrast, the costs I have based my figures on are based on factual evidence supplied by HD (as opposed to estimates) and have been seen, verified and approved by myself. HD's costs are at Appendix A of my March 2025 Primary School 2025 report (CD14/16) are a Bill of Quantities using current tendered rates. They are based on the "first principles" of quantity surveying using labour, plant and materials to form a cost for construction. First principles in quantity surveying, involves breaking down a project into its individual components and then estimating the costs, quantities, and production required for each component. This approach helps ensure accuracy and cost control by considering the fundamental resources needed for each task. The quotations used in the HD cost estimate have been referenced and excerpts shown in my Brookbanks Primary School Cost Report dated March 2025 section 3.1.11 (**see CD14/16**)

HD attained their costs by downloading the Chilmington Primary School 1 drawings available on Ashford Borough Councils Planning Portal, and their quantity surveying team measured off the drawings to determine the quantities of materials and labour needed for the project. HD then applied current costs from their suppliers and subcontractors at Chilmington via existing current quotations. I have seen, verified and approved those quotations (and referenced them in excerpts in section 3.1.11 of the Brookbanks Primary School Cost Report dated March 2025 (**see CD14/16**)), checked the measure and information provided by HD and I have approved all the findings. I refer to my Brookbanks Primary School Cost Report March 2025 (**CD14/16**).

**In conclusion, I find that by using either HD's costs, Brookbanks costs or the BCIS Mean (or Lower Quartile Costs), the proposed modified Section 106 cost of £7.92m (moving indexation from 2014 to 2018) is achievable and reasonable for the construction of a 420 pupil Primary School at Chilmington.**

*Note: In regards to Mr Cato's Findings section (below) and the separate Summary Table (attached), this is mostly new text issued this morning, 8/5/25. Consequently, due to the timeframe, I have not been able to read it in detail or address any new points which may have been raised and are not discussed above.*



### **Mr Cato's Findings:**

#### **Adjustments to BCIS / BCE Comparison**

Mr Howson confirms that the BCIS benchmarks used in his reports of February and March 2025 cannot be compared with the Building Cost Estimate (BCE) because they lack allowances for the following elements: -

- Site Specific Abnormal Costs
- Internal KCC / Enabling Fees
- Furniture, Fixtures and Equipment
- Contingencies and Risk Allowance.
- Off Site Costs (utilities planning contributions CIL etc)
- External Works

Mr Howson agrees that his reports in February and March cannot be read without making the allowances. Mr Howson and Mr Cato agree that “in order for the reports to be read in proper context these adjustments would have to be made”.

Mr Cato calculates these adjustments at £2,567,104 and Mr Howson calculates the adjustments at £770,689. Whatever their quantum these elements were missing from Mr Howson’s report and were significant in their omission and impact by more than 15%. See below.

#### **Adjusted HDL BCE Compared to BCIS.**

The facts are the lowest build cost ever received by BCIS in 15 years is £4,860,912. Even if using Mr Howson’s like for like adjustment of £770,689 (which I disagree with) the like for like BCIS cost would be £5,631,601. HDL’s estimate of £5,270,000 is 6.4% below the lowest cost of any Primary School Project over 2000m2 ever recorded in 15 years, which is the same estimate that Mr Howson deems to be “reasonable”. It is my opinion that the HDL BCE estimate is wholly inadequate and is substantially below any estimate, benchmark or actual cost of constructing PS1 and does not meet the threshold of a BCIS reasonable estimate.

### Bill of Quantities

Mr Howson has agreed that where the February and March reports, and ANY subsequent correspondence refers to the HDL BCE as a Bill of Quantities it is NOT represent any recognised form of Bill of Quantities. Mr Cato therefore concludes correctly that the BCE does not have the precision or accuracy of a Bill of Quantities.

### Mr Howson's References to "Evidence or Fact"

Mr Howson repeats on a number of occasions that the report "evidences actual current costs incurred by either Brookbanks or HDL." Mr Howson acknowledged that the BCE does not represent or meet the threshold of evidence or fact. Mr Howson has adduced no evidence other than a 7 page summary estimate of cost which is an entirely subjective document and certainly does not represent any recognised form of Bill of Quantities. Mr Cato has received no supplementary information, quotations or estimates as contended by Mr Howson.

### Mr Howson Basis of Reasonable Estimate

Mr Howson identified that his assessment of reasonableness was predicated upon the HDL method of delivery (the s106 makes no reference to HDL constructing PS2) and the savings such as no overhead and profit, or main contractor fees which would apply to other methods of procurement. Mr Cato explained that his assessment was based upon KCC undertaking the construction under competitive terms under their Framework Contract.

### National Benchmarks.

Mr Howson states that nationally recognised benchmarks such as DfE and EBD OG are unreliable and should be discarded despite them being a recognised benchmark continually used in central Government. Whilst Mr Cato understands the limitations of their use for predicting out turn

they will be indicative of out turn cost.

#### Adjustments to BCIS / BCE Comparison Details

1) **FFE – Furniture Fittings and Equipment.** It is accepted by the experts that BCIS does not contain allowances for FFE. HDL's estimate clearly identifies "Allowance of £750 per pupil for IT & £1,500 per pupil for furniture, fittings & equipment (including school kitchen). Based on 420 pupils" of £772,110.85. Mr Howson now imposes unsubstantiated clarifications and interpretation in order to reduce that figure to £150 per pupil or £63,000 for the purposes of reducing the impact of the BCIS adjustment.

I have used HDL's figure for adjustment. Mr Howson cannot break down or substantiate HDL's allocation for FFE. I conclude £150 per pupil for FFE which by my calculation allows for a table and chair per pupil (£104 : 420 pupils) leaving £19,000 for such things across the whole school as: -

- i) Teachers desks
- ii) Book cases
- iii) Storage
- iv) Soft seating.
- v) Whiteboards
- vi) Flip charts
- vii) ICT room computer desks chairs and printers stations.
- viii) Science room lab tables stools, shelving.
- ix) Music room.
- x) Library media.
- xi) Administration / offices, desks chairs storage filing cabinets, reception desks waiting areas.
- xii) Dining rooms and assembly areas.
- xiii) Wast bins, recycling areas

- xiv) Hall and gym equipment.
- xv) Portable paly equipment.
- xvi) Sports trolleys.
- xvii) Lockers coat racks
- xviii) Projectors sound systems and interactive whiteboards.

Again Mr Howsons new estimate is wholly unsubstantiated and clearly inadequate.

- 2) **External Works.** It is accepted by the experts that BCIS does not contain allowances for FFE. Despite Mr Cato offering a concession to use the HDL estimate of £661k. Mr Howson now seeks to “cherry pick” scope comparisons using my assumption in order to change HDL’s estimate. If Mr Howson wishes to rely upon my estimate then he should accept my estimate as a whole in respect of the £738,674.
- 3) **Contingency and Site Specific Abnormal Costs.** It is accepted by the experts that BCIS does not contain allowances for abnormals. Mr Cato identifies that this must be reflected in the contingency. Despite Mr Howson taking note of the requirement for adjustment he has made no change to the 2% contingency in HDL’s estimate despite persuasive evidence that no abnormals were allowed for in the original contingency estimate. Mr Howson has seen no investigations, reports or surveys supporting concerning the site.
- 4) Mr Howson has failed entirely to grasp that the PS1 design cannot simply be photocopied and placed on PS2. Mr Howson produces a completely unsubstantiated figure of £65,000 to design PS2 but has not provided any quotations to support this figure. I have obtained two quotations from Kent architects for Mr Howsons premise that the PS1 design is available for use to design PS2.

HMY Stage 1 – Stage 4 -	£152,000
Clague Architects – Stage 1 – Stage 4 (1.53% of £7,920,000 (proposed HDL cost)	£121,176

Therefore, it is apparent that Mr Howson’s contention that £65,000 for all design fees is sufficient when it would not even provide enough funding for 50% of the architectural fees alone is woefully inadequate and completely misunderstands what is actually required to design

PS2.

Mr Cato of the McComb Partnership (MCP) the cost expert for Kent County Council (KCC) has prepared a building cost estimate of £9.86m (which I adjust to £9,276,12,.04 for Q1 – 2025 for the purposes of transparency) to for the building of PS2 at Chilmington based on the Kent County Council's Construction Partnership Framework SC21025.

The question asked by the Chair was "Does the indexation provision of cover more than the anticipated works when applying the General Building Cost Index of 2014".

The s106 developer contribution of £8,886,000 benchmarked to 2014 does not in my expert opinion provide sufficient funding for the building of PS2 primary school.

HDL have provided no persuasive evidence to support any contention that the developer contribution should be benchmarked to 2016 and therefore any request for the change has no proven grounds.

The failure to respond or remain silent with respect to any provision, proposal, or communication shall not be construed as a waiver, consent, or acceptance thereof

**Summary:**

Both parties generally retain their position.

**Approval of Joint Statement**

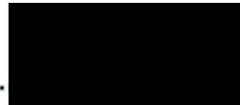
Mr Cato

..... Marcus Cato

Digitally signed by Marcus Cato  
DN: C=GB,  
E=marcus.cato@mccombs.co.uk,  
O=McComb Partnership Ltd,  
OU=Managing Director, CN=Marcus  
Cato  
Reason: I attest to the accuracy and  
integrity of this document  
Date: 2025.05.08 15:37:38+01'00'

Date.....

Mr Howson ..



Date... 8/5/25