

Record of operational decision

Decision title:	Decision to fund up to £77,467 of Section 106 monies for “Education” (Secondary) for the installation of a new outside canopy at Wigmore High School Academy, Ford Street, Wigmore, Leominster, HR6 9UW.																						
Date of decision:	17/06/2024																						
Decision maker:	Service Director Education, Skills & Learning																						
Authority for delegated decision:	Economy and Environment scheme of delegation line 71 Corporate Centre Directorate Scheme of Delegation line 159 Cabinet decision dated 02 March 2023 - Section 106 Portfolio of Works – S106 Delivery Proposals. Cabinet Report 02 March 2023																						
Ward:	Bircher																						
Consultation:	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC). External consultation with Robert Patterson (Head teacher) and Emma Jenkins (School Business Manager) at Wigmore High School Academy.																						
Decision made:	Decision to fund up to £77,467 of Section 106 monies for “Education” (Secondary) for the installation of a new outside canopy at Wigmore High School Academy, Ford Street, Wigmore, Leominster, HR6 9UW.																						
Reasons for decision:	<p>The project will deliver a new canopy outside hall and to the rear of the changing rooms. The proposed installation will make areas useable in all weathers and increase under cover dining / social areas.</p> <p>The project received planning consent in October 2023 under application number P232332/F. The planning decision notice and all approved plans have been contained with appendix 1.</p> <p>The project will be fully funded from one Section 106 legal agreement:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Planning Reference</th> <th style="text-align: left;">GT / FIN Code</th> <th style="text-align: right;">Contribution £</th> <th style="text-align: left;">Expiry Date</th> </tr> </thead> <tbody> <tr> <td>P180517/F</td> <td>FIN 2126</td> <td style="text-align: right;">£77,467.00</td> <td>08/02/2032</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL £77,467.00</td> </tr> </tbody> </table> <p>From the above Secondary contributions, there has been no expenditure to date.</p> <p>Tenders were invited and returned by three contractors on 3rd April 2024:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Contractor</th> <th style="text-align: right;">Tender Figure (net of VAT) £</th> </tr> </thead> <tbody> <tr> <td>S M Stanley Builders Ltd</td> <td style="text-align: right;">£87,494.00</td> </tr> <tr> <td>C J Bayliss (Hereford) Ltd</td> <td style="text-align: right;">£90,160.96</td> </tr> <tr> <td>P J B Merchants Ltd</td> <td style="text-align: right;">£98,600.00</td> </tr> </tbody> </table> <p>A technical and arithmetical check was undertaken and no errors were found.</p> <p>The tenders far exceeded the S106 allowance for this scheme, so a value engineering exercise was carried out identifying appropriate omissions and a revised cost established at £76,633.04. Wigmore High School Academy</p>			Planning Reference	GT / FIN Code	Contribution £	Expiry Date	P180517/F	FIN 2126	£77,467.00	08/02/2032	TOTAL £77,467.00				Contractor	Tender Figure (net of VAT) £	S M Stanley Builders Ltd	£87,494.00	C J Bayliss (Hereford) Ltd	£90,160.96	P J B Merchants Ltd	£98,600.00
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	<p>will provide the additional contribution required. A full tender report has been included in Appendix 2.</p> <p>It is therefore recommended that a contract is placed with C J Bayliss (Hereford) Ltd for the undertaking of this scheme.</p> <p>We are therefore satisfied that a sufficient tendering exercise has been completed in accordance with Herefordshire Councils Contract Procurement Rules (CPR).</p> <p>Responsibility for monitoring the project and managing expenditure within the total spend budget is to be with the S106 Programme Manager.</p>
Equality Considerations	<p>Equality duty</p> <p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p>
Highlight any associated risks/finance/legal/considerations:	<ul style="list-style-type: none"> • Delivery oversight – The project is fully funded by S106 contributions contribution but works on-site will be fully managed by Wigmore High School Academy’s appointed representatives. Herefordshire Council will provide delivery oversight and assurance to ensure effective delivery. • Cost variation – Project has an assigned S106 budget, which it cannot exceed. • Unforeseen events/costs – Potential unknowns or unforeseen costs could lead to overspend. The S106 contribution is finite, any overspend would need to be provided through additional means.
Details of any alternative options considered and rejected:	<p>Not to fund.</p> <p>This option is not recommended.</p> <p>Alternative projects were considered in conjunction with the school however this project was determined to be the best use of available funds.</p>
Details of any declarations of interest made:	<p>None declared.</p>

Signed: E.Farr

Date: 17/06/2024

Print Name: Liz Farr, Service Director, Education, Skills and Learning