

Record of operational decision

Decision title:	Decision to fund £60,487.67 of Section 106 monies for “Off-Site Play & Open Space” towards the provision of a new entrance to Tupsley park consisting of a gate, wall, fencing, hard landscaping and stone signage at Quarry Park Entrance Between, 28 & 30 Quarry Road, Hereford, HR1 1SS																						
Date of decision:	18 December 2023																						
Decision maker:	Service Director Environment and Highways																						
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:	Eign Hill																						
Consultation:	<p>Consultation through Herefordshire Councils Built & Natural Environment Service (Ruth Jackson) and the Parks and Leisure Commissioning Manager (Spencer Grogan).</p> <p>Consultation has also been sought through the ward councillor, Cllr Elizabeth Foxton and Parish councilor, Cllr Jim Kenyon.</p>																						
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Reasons for decision:	<p>The Section 106 Contributions arise from one Section 106 legal agreement:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Planning Reference</th> <th style="width: 25%;">GT / FIN Code</th> <th style="width: 15%;">Original Contribution</th> <th style="width: 15%;">S106 Allocation</th> <th style="width: 20%;">Expiry Date</th> </tr> </thead> <tbody> <tr> <td>P141526/O</td> <td>GT03 FIN1567</td> <td>£83,093</td> <td>£60,487.67</td> <td>None</td> </tr> <tr> <td colspan="2"></td> <td colspan="3" style="text-align: right;">TOTAL £60,487.67</td> </tr> </tbody> </table> <p>The decision to fund £60,487.67 will fully utilise the Off-Site Play & Open Space Section 106 Contribution.</p> <p>The new entrance to Tupsley Park Project was recommission to the new PMO delivery team under new delivery processes and governance.</p> <p>Previous planning permission had expired and the new designs were developed and consulted upon. New planning application 233299 was subsequently granted consent.</p> <p>The new entrance to Tupsley Park went out to tender with quotations received from two contractors:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #FFD700;"> <th style="width: 50%;">Contractor</th> <th style="width: 50%;">Returned Quotation</th> </tr> </thead> <tbody> <tr> <td>Golden Valley Construction</td> <td>£51,820.34</td> </tr> </tbody> </table>				Planning Reference	GT / FIN Code	Original Contribution	S106 Allocation	Expiry Date	P141526/O	GT03 FIN1567	£83,093	£60,487.67	None			TOTAL £60,487.67			Contractor	Returned Quotation	Golden Valley Construction	£51,820.34
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The tender evaluation weighting was set out in the Invitation to tender (ITT) as below:

Scored criteria	Weighting (%)
Cost element	60%
Quality element See below for sub-weightings:	40%
Q1 - Service delivery	20%
Q2 - Experience	20%

Although Golden Valley Construction tendered a higher price, their methodology evaluation scored much higher. After conclusion of the formal evaluation process, it is recommended to enter into contract with Golden Valley Construction. The moderated evaluation summary sheet has been contained as appendix 3.

We are therefore satisfied that a sufficient tendering exercise has been completed in accordance with Herefordshire Councils Contract Procurement Rules (CPR).

A further contingency has been allowed for the delivery of the works and potential unforeseen work elements.

The new entrance to Tupsley Park are seen as a quality improvement to the locality and provides a new ornate entrance feature to the park. Design allowances have been made to consider vehicular access for maintenance, events and emergency access. To improve security, the design also includes two bollards to prevent entry by vehicle when appropriate.

The project has been supported by:

- Cllr E Foxton – Ward Councilor
- Cllr Jim Kenyon – Parish Councilor
- David Fowler - Chairman Hereford Civic Society

Responsibility for monitoring the project and managing expenditure within the total spend budget is to be with the S106 Programme Manager.

Equality Considerations

Equality duty

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant

	protected characteristic and persons who do not share it.
Highlight any associated risks/finance/legal/considerations:	<ul style="list-style-type: none"> • Cost variation – Project has an assigned S106 budget which it cannot exceed. • Unforeseen events/costs – Potential unknown or unforeseen costs could lead to an 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. Not to approve would lead to delays in delivery of Section 106 projects.</p> <p>Alternative projects were not considered due to the specific requirements to be addressed.</p>
Details of any declarations of interest made:	None declared.

Date: 18 December 2023

Print Name: Mark Averill