

Record of operational decision

Decision title:	Decision to fund up to £145,799 of Section 106 monies for “Education” towards the demolition of mobile classroom and provision of new outdoor classroom at Clehonger Primary School, Gosmore Road, Clehonger, Hereford, HR2 9SN.																									
Date of decision:	14/02/2024																									
Decision maker:	Corporate Director, Children’s & Young People																									
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:	Stoney Street																									
Consultation:	Consultation through Herefordshire Councils Education Service and Clehonger Primary School, Lisa Honey (School Business Manager)																									
Decision made:	Decision to fund up to £145,799 of Section 106 monies for “Education” towards the demolition of mobile classroom and provision of new outdoor classroom at Clehonger Primary School, Gosmore Road, Clehonger, Hereford, HR2 9SN.																									
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>P142349/O</td> <td>GT05 FIN1792</td> <td>£145,799</td> <td>£145,799</td> <td>17/06/2031</td> </tr> <tr> <td colspan="3"></td> <td colspan="2" style="text-align: right;">TOTAL £145,799</td> </tr> </tbody> </table> <p>The scheme involves the demolition of the existing three-bay Elliott Classroom and associated site works and the supply and erection of an outdoor classroom, all as detailed on drawings 349-01(A) / 349-02(B) / 349-03 (Appendix 1).</p> <p>Planning permission was granted on 11th May 2022 under application number 213842. The decision notice has been contained within Appendix 2.</p> <p>In accordance with Herefordshire Councils Contract Procedure Rules (CPR), a tender was issued via the council’s e-portal in June 2023. Tenders were returned in July 2023 as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr style="background-color: #FFD700;"> <th style="width: 60%;">Supplier</th> <th style="width: 40%;">Returned Tender Price (£)</th> </tr> </thead> <tbody> <tr> <td>SC Joseph</td> <td>£89,089.53</td> </tr> <tr> <td>Valleys Waste Services</td> <td>£76,345.00</td> </tr> </tbody> </table> <p>A full tender evaluation was completed with results concluded as follows:</p>					Planning Reference	GT / FIN Code	Original Contribution	S106 Allocation	Expiry Date	P142349/O	GT05 FIN1792	£145,799	£145,799	17/06/2031				TOTAL £145,799		Supplier	Returned Tender Price (£)	SC Joseph	£89,089.53	Valleys Waste Services	£76,345.00
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		Bidder Name	Q1	Q2	Returned Tender Price (£)
		SC Joseph	14%	4%	£89,089.53
		Valleys Waste Services	2%	2%	£76,345.00
		<p>On the 31st July 2023, SC Joseph were awarded the formal contract for the works. The moderated evaluation summary sheet has been included within Appendix 3.</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>Although the cost for delivery is expected as set out above, a further allowance has been made to consider known site issues including demolition, ground levels and potential additional requirements to foundation substructure.</p> <p>Any unutilised monies from the project will be allocated to a further project as advised by the Education Service.</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> <ol 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. 				
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: 14.02.2024

Print Name: Darryl Freeman