

## Record of operational decision

<b>Decision title:</b>	Decision to fund up to £53,238 of Section 106 monies for “Education” (Primary) for the supply and installation of canopies and fencing to create secure all-weather outdoor area at Leominster Primary School, Hereford Road, Leominster, HR6 8JU.
<b>Date of decision:</b>	24 July 2024
<b>Decision maker:</b>	Service Director Education, Skills & Learning
<b>Authority for delegated decision:</b>	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. <a href="#">Cabinet Report 02 March 2023</a>
<b>Ward:</b>	Leominster South
<b>Consultation:</b>	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC).  External consultation with Sandra Beaumont-Pike (School Business Manager) at Leominster Primary School.
<b>Decision made:</b>	Decision to fund up to £53,238 of Section 106 monies for “Education” (Primary) for the supply and installation of canopies and fencing to create secure all-weather outdoor area at Leominster Primary School, Hereford Road, Leominster, HR6 8JU.
<b>Reasons for decision:</b>	<p>The project will deliver canopies and fencing to create secure all-weather outdoor area on the hard play area to the south-west of the building. The extent of the works are shown in Appendix 1.</p> <p>The installation will make areas useable in all weathers and increase access to secure outdoor play and learning for pupils. The new provisions will provide through play from classroom to outside provision, and this will help with transition from Reception year group to Year 1. The longer canopy will provide much needed shade on the playground for the children, and will also cover the room which will be the ASD base 2 from September 2024, therefore additional fencing and a gate are included in the scope of works.</p> <p>Planning advice has been sought and the project falls under permitted development - Class M of Part 7 (Non-domestic extensions and alterations). However, landlord consent is required.</p> <p>The project will be fully funded from one Section 106 legal agreement:</p>

<b>Planning Reference</b>	<b>GT / FIN Code</b>	<b>Contribution £</b>	<b>Expiry Date</b>
<a href="#">P150812/O</a>	FIN1775	£53,238	02/03/2030
<b>TOTAL £53,238</b>			

There has been no expenditure to date.

Tenders were invited and returned by three contractors:

<b>Contractor</b>	<b>Tender Figure (net of VAT) £</b>
Creative Play	£51,388
Sovereign Design Play Systems Ltd	£53,109.79
SPS	£54,892.00
Fawns	DNR

A technical and arithmetical check was undertaken and no errors were found.

All prices were returned within similar ranges. Following evaluation, Sovereign Play are recommended based on previous experience and quality of workmanship. The rationale for selection has been accepted by the Education Service.

It is therefore recommended that a contract is placed with Sovereign Design Play Systems Limited for the undertaking of this scheme.

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

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 -

- 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.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good

	<p>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> <p>The installation of the canopies will be available to all pupils, the addition of fencing and gate is to ensure use is also provided to the ASD base in September 2024.</p>
<b>Highlight any associated risks/finance/legal/considerations:</b>	<ul style="list-style-type: none"> <li>• Delivery oversight – The project is fully funded by S106 contributions contribution but works on-site will be managed by Leominster Primary School’s appointed representatives. Herefordshire Council will provide delivery oversight and assurance to ensure effective delivery.</li> <li>• Cost variation – Project has an assigned S106 budget, which it cannot exceed.</li> <li>• 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.</li> </ul>
<b>Details of any alternative options considered and rejected:</b>	<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>
<b>Details of any declarations of interest made:</b>	<p>None declared.</p>

Signed..... Date: 24 July 2024

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