

Record of operational decision

Decision title:	Decision to fund up to £166,730.40 of Section 106 monies for “Education” (Secondary) works to infill outdoor swimming pool and renovate adjacent areas, and works to create a new studio space at Bishops of Hereford Bluecoat School, Hampton dene Road, Tupsley, Hereford, HR1 1UU.
Date of decision:	23 August 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:	Hagley
Consultation:	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC). External consultation with Mrs J Christopher (School Business Manager) at Bishops of Hereford Bluecoat School.
Decision made:	Decision to fund up to £166,730.40 of Section 106 monies for “Education” (Secondary) works to infill outdoor swimming pool and renovate adjacent areas, and works to create a new studio space at Bishops of Hereford Bluecoat School, Hampton dene Road, Tupsley, Hereford, HR1 1UU.
Reasons for decision:	<p>Project 1 is to infill the swimming pool, remove the timber pool plant room and sheds and renovate the area to create an additional outdoor social and recreation area as per the proposed plan contained within Appendix 1. The completion of the project will bring an unused space back into use and provide additional outdoor social and recreation area.</p> <p>Project 2 is to remove an existing single storey gymnasium structure and construct a replacement larger single storey multi use studio space as per Appendix 2 & 3. The completion of the project will provide a larger and more flexible teaching space and increase the storage off the main gym. This project is dependent on receiving planning permission and will receive a contribution based on monies remaining after project 1.</p> <p>The school is Voluntary Aided and the land on which the projects are to be completed is in the ownership of the Diocese of Hereford. Appropriate notification should be made to the Diocesan Board as the landowners.</p> <p>A full schedule of works has been contained within Appendix 4.</p>

The project will be fully funded from two Section 106 legal agreements:

Planning Reference	GT / FIN Code	Contribution £	Expiry Date
P140531/O	FIN1793	£39,198.47	20/12/2028
P140531/O	FIN1793	£39,587.93	20/12/2028
P140757/O	FIN1717	£87,944.00	09/04/2028
TOTAL £166,730.40			

There has been no expenditure to date.

Tenders were invited and returned by three contractors:

Contractor	Tender Figure (net of VAT) £
Owen Pell Ltd	£96,683.93
PJB Merchants Limited	£104,350.00
SC Joseph Limited	£129,402.42

A technical and arithmetical check was undertaken and no errors were found. A full tender report has been contained within Appendix 5.

Based upon the tender returns and evaluation, it is therefore recommended the contract be awarded to Owen Pell Limited.

We are 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 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.
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 managed by Bishops of Hereford Bluecoat School’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:	None declared.

Signed..... Date: 23 August 2024

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