

Record of operational decision

Decision title:	Decision to fund up to £294,562.96 of Section 106 monies for “Education” (Secondary) for the creation of an additional block of pupil toilets and additional staff toilets at Whitecross High School, Three Elms Rd, Hereford, HR4 0RN.
Date of decision:	03 rd October 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:	Greyfriars
Consultation:	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC). External consultation has been undertaken directly via the school head teacher, Mr Tim Knapp. Consultation has also taken place with the PFI Landlord Richard Wakeford (Evo Energy) and the contract operator Kieran Batemen (Integral UK Ltd).
Decision made:	Decision to fund up to £294,562.96 of Section 106 monies for “Education” (Secondary) for the creation of an additional block of pupil toilets and additional staff toilets at Whitecross High School, Three Elms Rd, Hereford, HR4 0RN.
Reasons for decision:	<p>The project consists of alterations to shower area to create an additional block of pupil toilets and additional staff toilets. There will be a net gain of 12 student toilets and 2 staff toilets.</p> <p>As of May 2024, 2024 the school has 21 students per toilet. While this is broadly in line with recommendations that there should be approximately 20 students per toilet it does not provide any headroom for an increase in pupil numbers. The project will make use of an underused shower area to create a new block of separate male and female toilets and provide one additional male staff toilet and one additional female staff toilet.</p> <p>Whitecross High School is an academy and leases site from Herefordshire Council. The school operates under a PFI agreement and has therefore been procured via the PFI contract terms:</p> <p>Acumen Contract Services - £293,451.95</p> <p>Under the terms of the PFI Contract, delivery will be administered by the contract operator (Integral UK Ltd). A small additional allowance has been allowed as a contingency.</p> <p>Design Plans and a full breakdown of costs has been included within Appendix 1, 2 & 3.</p> <p>Under the terms of the PFI contract, we are therefore satisfied a relevant tendering exercise has been completed.</p> <p>Responsibility for monitoring the project and expenditure within the</p>

	allocation profile is to be with the S106 Programme Manager.
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> <p>a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</p> <p>b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <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> <p>The project includes the delivery of a disabled access toilet ensuring a positive enhancement to the facilities available at Whitecross High School.</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 managed by the PFI contract operator Integral UK Ltd. 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: 03-Oct-2024

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