

## Record of operational decision

<b>Decision title:</b>	Decision to award a contract for JCT Pre Construction Services Agreement to Tilbury Douglas Construction Limited for the new school building at Peterchurch Primary School.
<b>Date of decision:</b>	03/06/2024
<b>Decision maker:</b>	Service Director, Education, Skills and Learning, Children and Young People
<b>Authority for delegated decision:</b>	The authority for the specified officer to take this decision is set out in the cabinet report approved 27 October 2022. <a href="https://modgov.herefordshire.gov.uk/documents/d9131/Printed%20decision%20Peterchurch%20Primary%20School%20Rebuild.pdf?T=5">https://modgov.herefordshire.gov.uk/documents/d9131/Printed%20decision%20Peterchurch%20Primary%20School%20Rebuild.pdf?T=5</a>
<b>Ward:</b>	Golden Valley North ward
<b>Consultation:</b>	<p>Cabinet debated and approved the final stage of the rebuild of Peterchurch primary school on 27 October 2022.</p> <p>Consultation has taken place with the head teacher, chair of governors, local parish and ward councilor who agreed to the rebuild of Peterchurch primary school.</p> <p>The cabinet member for Community Services and Assets and the cabinet member for Children &amp; Young People have been consulted and are supportive of the proposal.</p> <p>Political groups were consulted on the proposal and no objections were received. Comments were received regarding the safety of children accessing the school due to the lack of a crossing; the further consideration required for the continuation of the swimming pool, the support for the nurture hub and the need to continue at a pace.</p>
<b>Decision made:</b>	<p>To award a contract to Tilbury Douglas Construction Limited following a successful tendering exercise to provide pre-construction services through a JCT Pre-Construction Services Agreement (PCSA) up to the end of RIBA 4 for the new school building and associated works at Peterchurch primary school.</p> <p>The appointment to be based on a cost of £467,287.20 plus associated contingency, surveys, statutory and professional fees.</p>
<b>Reasons for decision:</b>	<p>Peterchurch primary school occupies buildings which are in poor condition and which are unsuitable in many respects for the provision of primary education.</p> <p>In order to ensure that funding allocated to the rebuild of Peterchurch primary school was properly targeted, a feasibility study was undertaken in order to prepare a concept design and identify the scale, scope and high level cost of work to be undertaken.</p> <p>The feasibility study demonstrated that a new build project delivers better value for money both in the short and the longer term. In</p>

	<p>addition it gives the council an opportunity to build its first carbon neutral school with green building certification showcasing its ambition to becoming carbon neutral by 2030.</p> <p>Tilbury Douglas Construction Limited will undertake leading the design process including any required surveys and investigations, building regulations, planning conditions and legislative requirements to take the project to the end of RIBA 4 Stage, this will be part of one design a &amp; Build Contract.</p>
<p><b>Equality Considerations</b></p>	<p>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 –</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.</p> <p>Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> <p>The new school building is intended to serve all members of the local community in Peterchurch and the Golden Valley, including those with protected characteristics under the Equality Act 2010.</p> <p>The principle equalities impact of the decision to rebuild Peterchurch Primary School related to the design and layout of the building. The current buildings are deficient in many respects. The new building would conform to all current legislative requirements and would meet the needs of disabled pupils and their families, as well as staff and other users of the buildings.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>The costs for the rebuild will be funded from the Peterchurch Area School Investment budget which has been approved by Council and in the cabinet decision on 27 October 2022.</p> <ul style="list-style-type: none"> <li>• The contractor will need to develop a design to meet the approved budget</li> </ul>
<p><b>Details of any alternative options considered and rejected:</b></p>	<ol style="list-style-type: none"> <li>1. Do nothing – not recommended, a programme of maintenance work will need to be carried out over the next three years at a cost of approx. £600K, which is a significant amount of the modest maintenance grant supplied by government. In addition to planned work the council would expect to incur further costs for reactive work in line with the previous three years. Given the extent of the dilapidation at the school, health and safety issues could arise for which the council could be held liable. Children will continue to learn in an unsuitable environment.</li> </ol>

	<p>2. Close the school – not recommended. The council would have to follow the statutory process as defined in the Education and Inspections Act 2006, which has additional requirements when considering the closure of a rural school. This is a long 5 stage process which will include a published consultation with clear rationale for the closure, alternative options and the impact on the community to name just a few matters that would need to be addressed. There is no capacity in the neighbouring schools to accommodate all the children currently on roll at Peterchurch primary school, additional capacity would therefore need to be provided – at a cost. The nearest five primary schools are 4.9, 5.3, 6.8, 7.2 and 7.6 miles away from Peterchurch which would involve providing transport to enable the children to attend, this would again come at a cost and would have an impact on the environment. Given the above, it would be hard to justify that Peterchurch primary school is no longer required and the only option is the closure of the school.</p> <p>3. Acquire a new site adjacent to Fairfield High School and rebuild Peterchurch primary school there – this option has been explored in great detail and has been deemed as unviable. A study identified that significant transport and drainage infrastructure would be required. In addition, there was a lack of support from the local parish and schools.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None.</p>

Signed: Liz Farr Date: 03/06/2024