

Record of operational decision

Decision title:	Decision to fund up to £210,924.79 of Section 106 monies for “Education” (Primary & Secondary) for building improvement and ancillary works Kingstone Academy Trust, Kingstone, Hereford HR2 9HJ.
Date of decision:	29 th January 2025
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:	Wormside
Consultation:	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC). External consultation with Jo Kent (Academy Business Manager) at Kingstone Academy Trust.
Decision made:	Decision to fund up to £210,924.79 of Section 106 monies for “Education” (Primary & Secondary) for building improvement and ancillary works Kingstone Academy Trust, Kingstone, Hereford HR2 9HJ.
Reasons for decision:	<p>Kingstone High School along with Kingstone and Thruxton Primary School form Kingstone Academy Trust. Both schools located in the south-west of Hereford.</p> <p>The proposed works consists of three separate projects:</p> <ol style="list-style-type: none"> 1. To create an access corridor to a math’s classroom (Kingstone High School) <p>Currently the Math’s classroom is only accessible through another classroom. This project will create access to the necessary fifth math’s classroom to ensure that larger year cohorts with five teaching groups can be accommodated. This will also open up opportunities to redevelop this corner of the first floor in future phases as part of a planned longer-term expansion.</p> <ol style="list-style-type: none"> 2. The creation of 3 small group intervention and sensory rooms (Kingstone & Thruxton Primary School) <p>The small group intervention and sensory rooms project will ensure that there is additional scope for a varied teaching approach with those children who need the most input.</p> <p>Currently, the school don't have enough space to facilitate the phonics and</p>

intervention groups that they would like to hold, and therefore are combining groups in larger areas.

By increasing the number of rooms in this area, the school will be able to house these sessions for Key Stage 1 and enable a greater number of children to achieve the target interventions required.

A purpose-build sensory room would be utilised daily and support children to meet the identified targets on their SEND provision documents, including specific EHCP targets for individuals.

3. Forest School Installation (Kingstone & Thrupton Primary School)

Kingstone & Thrupton Primary currently have an area to the rear of the playground that has become overgrown and unusable; this is a large space with trees to the back of the area and natural hedgerows.

This area is proposed for the installation of a new Forest School which will create new teaching and learning spaces for wider curriculum as well as giving more flexibility in space inside the building; due to the design of the area it can be additional space used for all teaching and learning across the curriculum, tutoring, as well as breakout and intervention space.

The space, as it currently stands, cannot be used in any capacity, so utilising this area would open up large group teaching for outside learning, as well as joint learning amongst year groups.

The projects will be fully funded from Section 106 legal agreement:

Planning Reference	GT / FIN Code	Contribution £	Expiry Date
P173522/F	FIN1800	£492,185	30/12/2032
TOTAL £492,185.00			

There has been no expenditure to date.

For the building projects 1 & 2, Tenders were invited via the council's procurement portal and returned by three contractors:

Contractor	Tender Figure (net)
Midlands Building & Maintenance Ltd	£104,175.60
S. C. Joseph Ltd	£110,949.79
Shaker Building & Development	£152,736.82

A technical and arithmetical check was undertaken, and no errors were found. Following evaluation of both price and quality submissions, the tenders ranked as follows:

Contractor	Overall Ranking
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Midlands Building & Maintenance Ltd	2
S. C. Joseph Ltd	1
Shaker Building & Development	3

The tendering exercise has been carried out in accordance with with Herefordshire Councils Contract Procurement Rules (CPR).

It is therefore recommended that a contract is placed with S. C. Joseph Ltd for the undertaken of the build schemes.

Project 3, the Forest School Installation at Kingstone & Thruxton Primary School, was tendered separately due to the specific requirements of the contract. Tenders were invited and returned by three contractors:

Contractor	Tender Figure (net of VAT) £
Natural Playscapes	£45,465.00
Green Scheme Ltd	£99,975.00
Playscapes	£69,115.00
Maxim Play	DNR

After evaluation, Both Natural playscapes and Playscapes could not offer the preparation of the groundworks. The only supplier able to offer both groundworks and installation is Green Scheme Ltd.

Green Scheme Ltd also offered higher quality in regards to environmental factors and long term maintenance requirements.

It is therefore recommended that a contract is placed with Green Scheme Ltd for the undertaking of the forest school scheme.

For the undertaking of all three projects, the total contract value is **£210,924.79**.

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

	<p>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.</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 installation of the projects will provide overall improvements to teaching and learning space whilst also being able to cater for specific needs requirements.</p>
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 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:	<p>None declared.</p>

Signed..... Date: 29/01/2025

Print Name: Liz Farr - Service Director, Education, Skills and Learning