

Record of operational decision

Decision title:	Decision to fund up to £663,296.50 of Section 106 monies for “Education” (Primary) for the provision of extension and internal alterations at Ashfield Park Primary School, Redhill Road, Hereford, HR2 5AU.																		
Date of decision:	31 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:	Ross North & Ross East																		
Consultation:	Internal consultation with Quentin Mee (Head of Educational Development, HCC) and Sarah Buffrey (Schools Organisation and Capital Investment Officer, HCC). External consultation with Steve Kendrick (Head teacher) and board of governors at Ashfield Park Primary School.																		
Decision made:	Decision to fund up to £663,296.50 of Section 106 monies for “Education” (Primary) for the provision of extension and internal alterations at Ashfield Park Primary School, Redhill Road, Hereford, HR2 5AU.																		
Reasons for decision:	<p>The project involves the extension of the school to create a new reception office, other offices and a meeting room. Also, within the existing school, the scheme involves the creation of a hygiene and physiotherapy room.</p> <p>Plans for the scheme have been contained within Appendix 1.</p> <p>The project will address the current safeguarding concerns including visitors/parents having to cross the KS1 playground whilst children playing and having access to the whole site. The extension will provide a dedicated path, separate from the playground for parents to access the school. The new reception area and offices will be enlarged to create a better environment with break out rooms for meetings with parents. Additional facilities will also be provided such as an accessible toilet, hygiene and physiotherapy room which will cater for additional needs.</p> <p>Planning Permission was granted for the scheme on 29th August 2023 under application number P231249 . The decision notice has been supplied in Appendix 2.</p> <p>The project will be fully funded from two Section 106 legal agreements:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Planning Reference</th> <th style="text-align: left;">GT / FIN Code</th> <th style="text-align: left;">Contribution (£)</th> <th style="text-align: left;">Expiry Date</th> </tr> </thead> <tbody> <tr> <td>P140684/O</td> <td>FIN1962</td> <td style="text-align: right;">£383,651.00</td> <td>Trigger point not met yet</td> </tr> <tr> <td>P150930/O</td> <td>FIN2170</td> <td style="text-align: right;">£279,645.50</td> <td>01/07/2032</td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL £663,296.50</td> </tr> </tbody> </table>			Planning Reference	GT / FIN Code	Contribution (£)	Expiry Date	P140684/O	FIN1962	£383,651.00	Trigger point not met yet	P150930/O	FIN2170	£279,645.50	01/07/2032	TOTAL £663,296.50			
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TOTAL £663,296.50																			

There has been no expenditure to date.

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

Tenders were invited via the council's procurement portal and returned by Seven contractors:

Contractor	Tender Figure (net)
Astor Bannerman	Non-Compliant Bid
C J Bayliss	£565,288.71
Midlands Building & Maintenance Ltd	£573,975.58
Owen Pell	£585,938.44
S. C. Joseph Ltd	£599,031.30
Snape Contracting Services Ltd	£557,182.46
SWG Construction (Build & Renovate) Ltd	£677,785.83

A technical and arithmetical check was undertaken, and no errors were found. Following evaluation of both price and quality submissions, it is recommended that a contract is placed with S. C. Joseph Ltd for the undertaking of the scheme.

The evaluation summary sheet has been contained in Appendix 3.

The agreed contract value for the project is £599,031.30 and will be administered under a JCT Minor Works Contract.

A contingency of £64,265.20 has been allowed for statutory consents fees including building regulations and a build contingency to account for any potential unknowns or required variations.

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.

	The installation of the projects will provide overall improvements to teaching and learning space whilst also being able to cater for specific needs requirements.
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, although a contingency has been allowed any overspend above this 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: 31 January 2025

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

Please ensure that signatures are redacted before publishing.