

Record of an individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Roger Cox, Cabinet Member for Planning Robert Sharp, Cabinet Member for Finance
Key decision?	No
Date of decision (same as date form signed)	4 October 2018
Name and job title of officer requesting the decision	Adrian Duffield Head of Planning Ref P18/V1650/106
Officer contact details	Tel: 01235 422601 Email: adrian.duffield@southandvale.gov.uk/
Decision	To create a budget for £66,845.02 from S106 contributions and release funds, subject to a legal agreement to the Abingdon Youth Football Club for the enhancement and expansion of the football pitches by using the correct grass so that the facilities are usable by more people at Southern Town Park, Lambrick Way Abingdon OX14 5JT
Reasons for decision	<p>We have received a request for funds from Abingdon Youth Football Club for a total of £66,845.02 from S106 contributions (15V41) arising from the development at Land east of Drayton Road.</p> <p>The S106 agreement is not 'clear and unambiguous' about how the contributions are to be used and the sum requested is more than £20,000, but below £100,000. Thus, in accordance with our constitution, the Cabinet Member for Planning in consultation with the Cabinet Member for Finance can agree to set up a budget and release the funds requested for the project described above.</p> <p>The S106 agreement was secured and we have received £88,142.50 for Outdoor Sport Contribution in the parish of Abingdon and in the vicinity (within one mile of the site).</p> <p>The proposed project is seeking to enhance and expand the football pitches by using the correct sports grass so that the facilities are usable by more people and accessible to all. The total project cost is £66,845.02 which can be funded from the S106 secured contribution of £88,142.50. The</p>

	<p>remaining balance of £8757.48 can help fund other Infrastructure in accordance with the terms of the S106 agreement.</p> <p>The Community Led Planning Officer, Young People's Co-ordinator, Estates, Equalities, Leisure and Grants teams have been consulted and support the proposal and use of the S106 contribution. The FA have recommended the Pitch Improvement work and Abingdon Town Council have supported this application.</p>																																								
Alternative options rejected	The S106 requires funds are to be spent within one mile of the development site and on football pitches. There is no possibility of the funds being spent elsewhere.																																								
Legal implications	It is recommended that the Abingdon Youth Football Club enter into a legal agreement which sets out what the funds can be used, funds to be issued in phased payments and spending deadlines to ensure delivery of the project.																																								
Financial implications	The total project cost is £66,845.02, which can be fully funded from the S106 secured contribution of £88,142.50. The remaining balance of £8757.48 can help fund other sports facilities in accordance with the terms of the S106 agreement.																																								
Other implications																																									
Background papers considered	ICMD report																																								
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None																																								
List consultees	<table border="1"> <thead> <tr> <th></th> <th>Name</th> <th>Outcome</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Ward councillors</td> <td>Mike Badcock Alice Badcock</td> <td>Approved</td> <td>05.09.2018 04.09.2018</td> </tr> <tr> <td>Legal</td> <td>Ian Price</td> <td>No response received.</td> <td>13.09.2018</td> </tr> <tr> <td>Finance</td> <td>Richard Spraggett</td> <td>No response received.</td> <td>13.09.2018</td> </tr> <tr> <td>Human resources</td> <td>N/A</td> <td></td> <td></td> </tr> <tr> <td>Sustainability</td> <td>Heather Saunders</td> <td>Approved</td> <td>04.09.2018</td> </tr> <tr> <td>Diversity and equality</td> <td>Cheryl Reeves</td> <td>Approved</td> <td>04.09.2018</td> </tr> <tr> <td>Communications</td> <td>Andy Roberts</td> <td>Approved</td> <td>31.08.2018</td> </tr> <tr> <td>HoP</td> <td>Adrian Duffield</td> <td>Approve</td> <td>19/09/18</td> </tr> <tr> <td>HoF</td> <td>Jacob Williams</td> <td>Approve</td> <td>27/09/18</td> </tr> </tbody> </table>		Name	Outcome	Date	Ward councillors	Mike Badcock Alice Badcock	Approved	05.09.2018 04.09.2018	Legal	Ian Price	No response received.	13.09.2018	Finance	Richard Spraggett	No response received.	13.09.2018	Human resources	N/A			Sustainability	Heather Saunders	Approved	04.09.2018	Diversity and equality	Cheryl Reeves	Approved	04.09.2018	Communications	Andy Roberts	Approved	31.08.2018	HoP	Adrian Duffield	Approve	19/09/18	HoF	Jacob Williams	Approve	27/09/18
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Confidential decision? If so, under which exempt category?	No
Call-in waived by Scrutiny Committee chairman?	No
Cabinet member for Planning signature To confirm the decision as set out in this notice.	Signature ____ Councillor Roger Cox _____ Date 4 October 2018
Cabinet member for Finance signature To confirm the decision as set out in this notice.	Signature ____ Councillor Robert Sharp _____ Date 4 October 2018

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY

For Democratic Services office use only		
Form received	Date: 4 October 2018	Time: 9:00
Date published to all councillors	Date: 4 October 2018	
Call-in deadline	Date: 11 October 2018	Time: 17:00

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.
Tel. 01235 422520 or extension 22520.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
 - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
 - Changes to the household waste collection policy (affects all households in the district)
 - Reviewing a housing strategy (could have a significant impact on residents in many wards)
 - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
 - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.