

Record of 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	Councillor Sue Caul, Cabinet Member for Affordable Housing, Infrastructure, Development and Governance
Key decision?	No – Community Infrastructure Levy (CIL) funds have been included in the 2024/25 capital programme.
Date of decision (same as date form signed)	23 April 2024
Name and job title of officer requesting the decision	David Cookson Infrastructure Implementation Officer
Officer contact details	Tel: 07917 088372 Email: david.cookson@southandvale.gov.uk
Decision	<p>To approve request from Long Furlong Medical Centre to draw down £622,602 of funding from the Vale of White Horse DC healthcare CIL allocation, which is as set out in the council's April 2021 CIL spending strategy as 20% of the total infrastructure proportion. This allocation of funding is included in the 2024/25 capital programme.</p> <p>To enter into a funding agreement with Long Furlong Medical Centre that governs the release of funds and sets out project monitoring requirements and claw back clauses.</p> <p>To release funds to Long Furlong Medical Centre in accordance with the funding agreement once signed and sealed.</p>
Reasons for decision	<p>Long Furlong Medical Centre in Abingdon is a privately owned medical practice which undertakes GP surgeries on behalf of NHS England. To accommodate the large increase in patient numbers that will require medical care due to the recent increase in housing around the north Abingdon area, the applicant wishes to extend their current surgery.</p> <p>The objective of the extension is to add an additional three consulting rooms and one record/admin room to increase capacity of GMS (general medical services) provision. The main driver behind this scheme is to increase GMS primary health care capacity for Abingdon.</p> <p>The increase in floor space will be 84sqm (gross internal floor area – GIA), which will allow an increase in patient list size by approximately 3000 patients.</p>

	<p>The Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board are fully supportive of the project and have confirmed that the proposals will allow the practice to provide additional public health care provision required to support the development of the area.</p>
Alternative options rejected	None
Climate and ecological implications	<p>The Climate Team have recommended the applicant consider a zero-carbon building design, which also has opportunities for reducing future energy costs. Also, as part of the works the practice consider retrofit opportunities for the existing building which would support decarbonising the building as a whole. These measures are in line with the Council's target for the Vale to be a carbon neutral district by 2045.</p>
Legal implications	<p>The funding agreement with Long Furlong Medical Centre will govern release of funds and set out project monitoring requirements, that all planning conditions must be met and claw back clauses.</p> <p>For financial assistance to be a subsidy it must meet four specific conditions. One of these conditions is for the financial assistance to confer an economic advantage on one or more enterprises. This has two components. First, the recipient of the assistance must be an enterprise, which is any entity (that is, any person, or groups of persons under common control) that is engaged in an economic activity, which means offering goods and services on a market.</p> <p>If the recipient is engaged in both economic and non-economic activity, it should be considered an enterprise only in relation to its economic activity. Providing NHS health services would not be considered funding an enterprise, therefore not subject to the subsidy control regime.</p>
Financial implications	<p>This allocation of funding is included in the 2024/25 capital programme as part of the CIL healthcare allocation as set out in the council's CIL spending strategy.</p> <p>A credit check has been carried out by Dun & Bradstreet Ltd (D&B), which is a well-established business credit information supplier used by the council for all credit checking</p> <p>Although publicly available financial data on the medical centre is minimal, The D&B report found Long Furlong Medical Centre's credit risk to be low. After reviewing, the Strategic Finance Manager agreed that the finances of the this long-established NHS health centre are secure.</p>
Equalities implications	<p>Equalities Team thought it may be useful for the Medical Centre to consider adding an additional disabled parking spot if able, otherwise no issues.</p>

Other implications	This CIL will be funding a private operation, albeit one which operates vital primary care services in the area. It is recommended the funding agreement allows for clawback of funds and/or a legal charge.			
Background papers considered	CIL Spending Strategy			
Declarations/ conflict of interest? Declaration of other councillor/ officer consulted by the Cabinet member?	None identified.			
List consultees		Name	Outcome	Date
	Communications communications@southandvale.gov.uk	Peter Truman	No comments on the document. Comms Team will co-ordinate announcements if funding awarded.	16/02/24
	Ward councillors – Abingdon Dunmore	Oliver Forder Andy Foulsham	Supportive Happy to support the extension and use of CIL to finance it, but regret the missed opportunities on the North Abingdon site.	16/02/24 24/02/24
	Planning	Stuart Walker	No comments to add	19/02/24
	Legal legal@southandvale.gov.uk		Funding agreement with medical practice will govern release of funds, project monitoring requirements and claw back clauses	06/03/24
	Finance Finance@southandvale.gov.uk	Mark Hewer Richard Spraggett	“Sufficient funding is included as part of the healthcare CIL allocation in the 24/25 capital programme for this application. The project details are in accordance with this allocation and is therefore able to be funded from this source.” Comments incorporated into financial implications section	11/01/24
	Climate and biodiversity	Kim Hall	Comments added to box above	04/03/24

	climateaction@southandvale.gov.uk			
	Risk and insurance risk@southandvale.gov.uk	Yvonne Cutler-Greaves	No comments to add	20/02/24
	Community Enablement communityenablement@southandvale.gov.uk	Debbie Adams	No issues	20/02/24
	Diversity and equality equalities@southandvale.gov.uk	Equalities Officer	No comments	16/02/24
	Head of Planning	Adrian Duffield	No objection	07/03/24
	Head of Finance	Simon Hewings	Approved for progression to SMT	15/03/24
	Strategic Management Team (SMT) ExecutiveSupportSAV@southandvale.gov.uk		Supportive	19/04/24
	Cabinet Member for Finance and Property	Councillor Andy Crawford	Supportive	22/04/24
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	N/A			
Has this been discussed by Cabinet members?				

<p>Cabinet member for Affordable Housing, Infrastructure, Development and Governance signature</p> <p>To confirm the decision as set out in this notice.</p>	<p>Signature: Councillor Sue Caul</p> <p>Date: 23 April 2024</p>
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ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 24 April 2024	Time: 10.12am
Date published to all councillors	Date: 24 April	
Call-in deadline	Date: N/A	Time: N/A

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 hand-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.
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 (except government grant) 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.