

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	Councillor Judy Roberts, Cabinet Member for Development and Infrastructure
Key decision?	No
Date of decision (same as date form signed)	30 October 2022
Name and job title of officer requesting the decision	Julie Perrin Infrastructure Implementation Officer Infrastructure Implementation & Funding Team
Officer contact details	Tel: 07717 274690 Email: Julie.perrin@southandvale.gov.uk
Decision	To create a budget for £70,453.82 from S106 contributions and release funds, subject to a third party funding agreement, to Grove Parish Council for the temporary community facilities commuted sum project at Grove and Wantage. Funds to be released, in total as one payment, subject to receipt of the signed legal agreement.
Reasons for decision	<p>We have received a request for funds from Grove Parish Council for a total of £70,453.82 from S106 contributions (17V34) arising from the development at Grove Airfield, Denchworth Road, Grove.</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 relevant Cabinet Member 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 a Temporary Community Facilities Commuted Sum of £70,453.82 for the purposes of contributing towards the costs for not for profit community groups and organisations providing community facilities and services to residents of the development of hiring existing community facilities within the vicinity of Wantage and Grove.</p> <p>The proposed project will allow Grove Parish Council to administer the commuted sum, using the funds towards the hire of facilities at existing community venues within the vicinity of Wantage and Grove,</p>

	<p>The facilities will be made available to not for profit groups and organisations to provide community facilities and services to the resident of the Grove Airfield development.</p> <p>The Parish Council will incur additional staff costs in delivering the administration of the funds, these additional costs relate directly to the delivery of the project. A sum of 5% of the cost of each booking administered will be added to each booking total and retained by the Parish Council towards the cost of administering the process.</p> <p>The total project cost is £70,453.82, which can be funded from the S106 secured contribution of £70,453.82. The project will end when the funding has been exhausted.</p>			
Alternative options rejected	<p>Consideration has been given to managing the process internally which would require additional officer resource. Grove Parish Council are located close to the development community and are able to offer an accessible service with eventual transition to the management of the permanent on site community hub.</p>			
Climate and ecological implications	<p>The Climate and Biodiversity team have indicated that they have no comments on the proposed project but are always supportive of measures to support local community groups and not for profit organisations.</p>			
Legal implications	<p>It is recommended that Grove Parish Council sign a third party funding agreement which includes among other matters parameters around how and for what purpose the funds can be used, restriction on use of the funds, a spending deadline, triggers for clawback and a requirement to submit an annual report.</p>			
Financial implications	<p>The total project cost is £70,453.82, which can be funded from the S106 secured contribution of £70,453.82.</p>			
Other implications	<p>None.</p>			
Background papers considered	<p>S106 funding application form. ICMD background paper.</p>			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	<p>None</p>			
List consultees		Name	Outcome	Date
	Ward councillors	Cllr Ron Batstone	Emailed	23/09/2022
		Cllr Ben Mabbett		
Legal legal@southandvale.go	Rameesh Chowdhary	Funding Agreement to be completed before releasing	05/10/2022	

v.uk		the funds. The award will need to be considered and analysed as to whether it is lawful pursuant to the subsidy control regime	12/10/2022
Finance Finance@southandvale.gov.uk	Emma Creed	I can confirm this contribution is available.	23/09/2022
Planning planning@whitehorsedc.gov.uk	Penny Silverwood	The funding request appears to meet the requirements of the S106.	27/09/2022
Human resources hadminandpayroll@southandvale.gov.uk	Trina Mayling	No comments from HR.	27/09/2022
Climate and biodiversity climateaction@southandvale.gov.uk	Kim Hall	No comment from the climate team. Always supportive of measures to support local community groups and not for profit organisations.	23/09/2022
Equality and inclusivity equalities@southandvale.gov.uk	Lynne Mitchell	It would be ideal to have hearing loops, disabled toilets and parking in the facilities they intend to use. If drinks etc are offered then they need to ensure that a disabled person or the elderly with mobility issues can access the kitchen or have someone there that can help them.	29/09/2022
Health and safety healthandsafety@southandvale.gov.uk		Emailed 23/09/2022	
Risk and insurance risk@southandvale.gov.uk	Yvonne Cutler Greaves	Assurance have no comments to add at this stage.	07/10/2022
Communications communications@southandvale.gov.uk	Emma East	Thanks for sending through. Please keep us up to speed with the application so we can do some joint comms with the parish council if the funds are approved.	23/09/2022
Community Enablement communityenablement@southandvale.gov.uk	Lynsey Green	I can confirm Grove Parish Council has not applied to the Councils' Community Grants portfolio, administered by the Community Enablement Team, for funding for this project.	03/10/2022
Community Safety communitysafety@southandvale.gov.uk		Emailed	23/09/2022
Leisure Development Carmella.anderson@southandvale.gov.uk	Carmella Anderson	No comments from Leisure.	04/10/2022
Head of Planning	Adrian Duffield	Agreed at S106/CIL Applications Meeting	10-10-2022
Head of Finance	Simon Hewings	Agreed at S106/CIL Applications Meeting	10-10-2022

	Strategic Management Team (SMT) ExecutiveSupportSAV@southandvale.gov.uk	Suzanne Malcolm Adrianna Partridge	Happy to support. Note legal comments which need to be addressed. Support an annual update on community use supported. Otherwise, happy to support.	27/10/2022
	Cabinet Member for Finance and Corporate Assets	Andy Crawford		
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Has this been discussed by Cabinet members?				
Cabinet member for Development & Infrastructure signature To confirm the decision as set out in this notice.	Signature ____ Councillor Judy Roberts _____ Date ____ 30 October 2022 _____			
Cabinet member for Finance & Corporate Assets signature To confirm the decision as set out in this notice.	Signature ____ Councillor Andy Crawford _____ Date ____ 28 October 2022 _____			

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

For Democratic Services office use only		
Form received	Date: 31 October 2022	Time: 14:28
Date published to all councillors	Date: 31 October 2022	
Call-in deadline	Not applicable as this is not a key decision.	

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.