

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?	Yes
Date of decision (same as date form signed)	12 January 2023
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 £76,600 from S106 contributions and release funds to the council's property team to be used for essential works, maintenance and management of Tuckmill Meadows SSSI.
Reasons for decision	<p>We have received a request for funds from the council's property team for a total of £76,600.00 from S106 contributions (Agreement ref: 17V14) arising from the development at Land to the East of Highworth Road, Shrivenham (P13/V1810/O).</p> <p>The proposed project will provide improvements, maintenance and management of the SSSI known as Tuckmill Meadows over a 39 month period (partially retrospective from September 2021 to December 2024) to include specialist services, consultancy, volunteer training, tools and supervision along with site infrastructure improvements.</p> <p>The S106 agreement is not 'clear and unambiguous' about how the contributions are to be used, the planning decision was made by the council's planning committee and the sum requested is more than £20,000, but below £100,000. Thus, in accordance with the council's Constitution (13 December 2022), Finance Procedure Rules (para 75 (b)) the relevant Cabinet member in consultation with the Cabinet member for finance can agree to create a budget and release the funds requested for the purposes described above.</p>

Project cost breakdown:

Item	Cost over project period £
Purchase of hand tools	1,600.00
Grassland management	1,500.00
Gate repairs/replacement	6,000.00
Fencing repairs/replacement	13,000.00
Boardwalk repairs/replacement	13,000.00
Tree survey	1,500.00
Remedial tree work	10,000.00
Management plan review and consultancy	4,000.00
Specialist consultancy and supervision	19,500.00
Replacement Interpretation board	3,900.00
First aid kits	250.00
First aid training	650.00
Scything training	1,400.00
Leadership training	300.00
Total project cost	76,600.00

A detailed breakdown of project costs has been included within the supporting information received with the funding application.

The S106 agreement (17V14) secured funding to be used towards mitigation measures for Tuckmill Meadows SSSI, to offset the potential impacts of the Development. Contributions totalling £99,582.37 have been received.

The proposed project utilises the services of a local interest group – Friends of Tuckmill (FoT) who will provide a local volunteer workforce to carry out the majority of ongoing tasks supported by the council's grounds maintenance team and where necessary engaging the expertise of local contractors and consultants. Express planning permission/advertising consent is not required for the scope of works included within the project. The total project cost is £76,600.00, which can be funded from the S106 secured contribution of £99,582.37. The remaining balance of £22,982.37 can be used to fund the delivery other projects at the site in accordance with the terms of the S106 agreement.

Alternative options rejected

The site is owned and managed by VoWH District Council. No alternative schemes have been identified.

Climate and ecological implications

The Climate Action Team fully support the application which will allow management works on the site to re-commence following the cessation of the lease with Berks, Bucks and Oxon Wildlife Trust (BBOWT). The team consider that all of the works are necessary to maintain both the special interest of the site and the visitor infrastructure (boardwalks, bridges etc).

Legal implications	The council is the freehold owner of the site and has a statutory duty to manage and maintain the SSSI.		
Financial implications	The total project cost is £76,600, which can be fully funded from the S106 secured contribution of £99,582.37. The remaining balance of £22,982.37 can help fund other projects in accordance with the terms of the S106 agreement.		
Other implications	The volunteer group, FoT are a valuable local resource, their contribution to the project is significant. This project will provide the support required to ensure that volunteers are adequately trained, provided with the necessary resources and suitably supervised/monitored in the work they carry out.		
Background papers considered	S106 funding application form and supporting documents. ICMD background paper. P22V2732/106		
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None		
List consultees	Name	Outcome	Date
Ward councillors	Cllr Elaine Ware	I fully support the application for s106 funding for the improvements and maintenance of the SSSI at Tuckmill Meadows.	17/11/2022
	Cllr Simon Howell	Emailed 17/11/2022	
Legal legal@southandvale.gov.uk	Patrick Arran	Cleared from a legal perspective.	09/12/2022
Finance Finance@southandvale.gov.uk	Emma Creed	I can confirm these contributions are available to spend in full.	18/11/2022
Human resources hradminandpayroll@southandvale.gov.uk	Trina Mayling	No comments from HR.	24/11/2022
Climate and biodiversity climateaction@southandvale.gov.uk	Dominic Lamb	I fully support the application which will allow management works on the site to recommence following the cessation of the lease with BBOWT. All of the works are necessary to maintain both the special interest of the site and the visitor infrastructure (boardwalks, bridges etc).	18/11/2022
Equality and inclusivity equalities@southandvale.gov.uk	Lynne Mitchell	I would support this application as it's a great way to get the community involved in local facilities, it helps with wellbeing and gives people a purpose which is so important.	07/12/2022

			I understand that the intention is to maintain the pathways. Should there be plans in the future to make the current conditions more accessible I would be more than happy to advise.	
	Health and safety healthandsafety@southandvale.gov.uk		Emailed 17/11/2022	
	Risk and insurance risk@southandvale.gov.uk	Yvonne Cutler Greaves	Assurance have no comments to make on this other than agree approach as it will help maintain and improve our SSSI land at Tuckwell making it more accessible to all.	25/11/2022
	Communications communications@southandvale.gov.uk	Charlotte Westgate	Please keep Comms informed of the progress of the project and any external comms that may be needed.	18/11/2022
	Community Enablement communityenablement@southandvale.gov.uk	Lynsey Green	There is no record on our grants system of a request for a grant towards the improvement of Tuckmill Meadows.	25/11/2022
	Planning Stuart.walker@southandvale.gov.uk	Stuart Walker	Thanks for your consultation – no comment.	18/11/2022
	Leisure Carmella.anderson@southandvale.gov.uk		Emailed 17/11/2022	
	Technical (Parks) Richard.ballard@southandvale.gov.uk		Emailed 28/11/2022	
	Head of Planning	Adrian Duffield	Approved for progression at S106/CIL Apps Meeting	19/12/2022
	Head of Finance	Simon Hewings	Approved for progression at S106/CIL Apps Meeting	19/12/2022
	Strategic Management Team (SMT) ExecutiveSupportSAV@southandvale.gov.uk		Supportive	11/01/2023
	Cabinet Member for Finance and Corporate Assets	Councillor Andy Crawford		
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	No			

Has this been discussed by Cabinet members?	No
Cabinet member for Development & Infrastructure signature To confirm the decision as set out in this notice.	Signature ____ Councillor Judy Roberts _____ Date _____ 12 January 2023 _____
Cabinet member for Finance & Corporate Assets signature To confirm the decision as set out in this notice.	Signature ____ Councillor Andy Crawford _____ Date _____ 12 January 2023 _____

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

For Democratic Services office use only		
Form received	Date: 12 January 2023	Time: 11:37
Date published to all councillors	Date: 12 January 2023	
Call-in deadline	Date: 19 January 2023	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.