

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 Andrew Crawford - Cabinet Member for Finance and Property
Key decision?	Yes
Date of decision (same as date form signed)	1 September 2023
Name and job title of officer requesting the decision	Jan Smith – Leisure Projects Officer
Officer contact details	Tel: 07717 271895 Email: jan.smith@southandvale.gov.uk
Decision	To award a higher level, bespoke Consultancy Agreement Contract to engage Pellings LLP to act as Project Management Consultant/ Contract Administrator at a cost of £157,472.71 to oversee the delivery of the Air Source Heat Pumps and Solar Photovoltaics (PV) Cells installations project's requirements in full and until satisfactory project completion on behalf of the Vale of White Horse District Council at the White Horse Leisure and Tennis Centre and Wantage Leisure Centre.
Reasons for decision	<p>A climate emergency was declared at the Vale of White Horse District Council (VWHDC) at full council on the 13 February 2019. The Climate Emergency Advisory Committee (CEAC) recommended that the VWHDC reduce carbon emissions by 75 per cent by 2030 and aspire to become a carbon neutral district by 2045. These targets were agreed at Cabinet on 6 December 2019.</p> <p>The council has been awarded a Public Sector Decarbonisation Scheme (PSDS) grant for £5,992,916. As part of the application for the Public Sector Decarbonisation Scheme application, market testing was conducted on the Air Source Heat Pumps, the Solar PV cells and energy efficiency measures to determine the requirements and costs at both Centres.</p>
Alternative options rejected	Delivery of the works using council capital budgets. Once a funding stream had been identified, following a Salix Phase 1 award to deliver similar works at Faringdon Leisure Centre, officers then began to market test for ASHP's and Solar PV Cells installations, in anticipation of the

	possibility of securing higher level funding from that Government Grant under Salix 3b.			
Climate and ecological implications	The acceptance of the grant offer allows VoWHDC to accelerate the delivery of its decarbonisation programme contributing to a reduction of approximately 25% in carbon emissions across the council's assets and up to a 65 per cent carbon reduction at Wantage Leisure Centre and at WHLTC.			
Legal implications	The Project Management Consultant has been procured for in accordance with the Council's own procurement process (the constitution) and their services will be secured using a higher level bespoke Consultancy Agreement to protect the council's financial interests.			
Financial implications	<p>There is a financial cost of £157,472.71 for the services of an external Project Manager/ Contract Administrator who will manage the Joint Contract Tribunal (JCT) Contract and act as Employers Agent for the duration of the projects until satisfactory completion of all projects.</p> <p>The cost of the Project Management Consultant/ Contract Administrator will be fully funded from the approved grant fund. In terms of Wantage Leisure Centre the 2004 Deed refers to OCC reimbursing the "District Council 50% of the costs incurred by the District Council in executing works of repair and maintenance in accordance with each approved Programme". Consequently, it is unlikely that OCC will deem Air Source Heat Pumps and Solar Photovoltaics Cells installation as repairs and maintenance.</p> <p>A full Dun & Bradstreet Financial Credit Check has been carried out and Pellings LLP has been scored as moderate to low risk (which is lower than average), further supporting officers' recommendation to award contract to them.</p>			
Other implications	N/A			
Background papers considered	None			
Declarations/ conflict of interest? Declaration of other councillor/ officer consulted by the Cabinet member?	NA			
List consultees		Name	Outcome	Date
	Ward councillor	Councillor Debra Dewhurst - Cabinet	No objections	17/8/2023

		member for leisure centres and community buildings		
	Legal legal@southandvale.gov.uk	Patrick Arran	Approved with amendments	14/08/2023
	Finance Finance@southandvale.gov.uk	Richard Spraggett	Approved	14/08/2023
	Climate and biodiversity climateaction@southandvale.gov.uk	Heather Saunders	Approved with amendments	14/08/2023
	Strategic property Property@southandvale.gov.uk	Karen Lister	Approved with comments	25/08/23
	Risk and insurance risk@southandvale.gov.uk	Yvonne Cutler Greaves	Nothing further to add.	17/08/23
	Infrastructure and Development Mark.Hewer@southandvale.gov.uk	Mark Hewer	£1,907,000 of Community Infrastructure Levy (CIL) funding, profiled across 2023 to 2026, is allocated to support these projects at WHLTC and WLC. However, I note that these costs are covered from the PSDS grant secured for the projects. This has no implications on the CIL allocations and is recognised as an essential part of the delivery of the projects.	11/08/2023
	Senior Management Team - SMT	Suzanne Malcolm	Approved - Slight wording amend.	01.09.23
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	No			
Has this been discussed by Cabinet members?	Yes			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature _____ Councillor Andrew Crawford - Cabinet Member for Finance and Property Date _____ 01.09.23			

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

For Democratic Services office use only		
Form received	Date: 1 September 2023	Time: 13:21
Date published to all councillors	Date: 1 September 2023	
Call-in deadline	Date: 8 September 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 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 or extension 2520.
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.