

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 Sue Caul, Cabinet Member for Affordable Housing, Infrastructure, Development and Governance																																		
Key decision?	Yes																																		
Date of decision (same as date form signed)	13 November 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 £89,884.68 from S106 contributions and release funds to the council's leisure team to be used to provide an artificial turf pitch to include fencing and LED floodlighting at Faringdon Leisure Centre/Faringdon Community College																																		
Reasons for decision	<p>We have received a request for funds from the council's Leisure Team for a total of £89,884.68 from S106 contributions:</p> <table border="1"> <thead> <tr> <th>Agreement reference</th> <th>Development address</th> <th>Funds requested</th> </tr> </thead> <tbody> <tr> <td>13V25</td> <td>Land at Cowans Camp, High Street, Watchfield</td> <td>£ 5,542.15</td> </tr> <tr> <td>13V70</td> <td>Land at Faringdon Road, Stanford in the Vale (awaiting DoV to provide extension of time)</td> <td>£ 4,728.26</td> </tr> <tr> <td>15V23</td> <td>Land rear of Station Road, Uffington (funds currently allocated to Wessex)</td> <td>£ 2,174.47</td> </tr> <tr> <td>15V40</td> <td>Land at Majors Road, Watchfield (developer agreement required due to distance of project from development site)</td> <td>£ 979.70</td> </tr> <tr> <td>16V08</td> <td>Land at Cowans Camp, High Street, Watchfield (developer agreement required as project not situated within Watchfield)</td> <td>£ 2,003.36</td> </tr> <tr> <td>16V44</td> <td>Steeds Farm West of Coxwell Road, Faringdon</td> <td>£16,809.55</td> </tr> <tr> <td>17V05</td> <td>Land North of Ware Road, Stanford in the Vale</td> <td>£ 6,444.39</td> </tr> <tr> <td>17V14</td> <td>Land East of Highworth Road, Shrivenham</td> <td>£18,852.75</td> </tr> <tr> <td>17V21</td> <td>Land at Penstones Farm, Horsecroft, Stanford in the Vale (funds currently allocated to Wessex)</td> <td>£ 1,094.56</td> </tr> <tr> <td>19V41</td> <td>Land South of Park Road, Faringdon</td> <td>£31,255.49</td> </tr> </tbody> </table>		Agreement reference	Development address	Funds requested	13V25	Land at Cowans Camp, High Street, Watchfield	£ 5,542.15	13V70	Land at Faringdon Road, Stanford in the Vale (awaiting DoV to provide extension of time)	£ 4,728.26	15V23	Land rear of Station Road, Uffington (funds currently allocated to Wessex)	£ 2,174.47	15V40	Land at Majors Road, Watchfield (developer agreement required due to distance of project from development site)	£ 979.70	16V08	Land at Cowans Camp, High Street, Watchfield (developer agreement required as project not situated within Watchfield)	£ 2,003.36	16V44	Steeds Farm West of Coxwell Road, Faringdon	£16,809.55	17V05	Land North of Ware Road, Stanford in the Vale	£ 6,444.39	17V14	Land East of Highworth Road, Shrivenham	£18,852.75	17V21	Land at Penstones Farm, Horsecroft, Stanford in the Vale (funds currently allocated to Wessex)	£ 1,094.56	19V41	Land South of Park Road, Faringdon	£31,255.49
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Not all S106 agreements under which the funding has been secured are 'clear and unambiguous' about how the contributions are to be used and not all planning decisions were presented to a planning committee. 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.

The S106 agreement (13V25) was secured and we have received £5,542.15 for the provision of an artificial pitch within the Vicinity. Vicinity means within ten miles of the site.

The S106 agreement (13V70) was secured and we have received £4,728.26 for the provision of artificial all weather sports pitch at Wantage and Faringdon.

A deed of variation is currently in progress to extend the expiry date of this contribution.

The S106 agreement (15V23) was secured and we have received £2,174.47 for the provision of an artificial pitch in the Vicinity. Vicinity means within ten miles of the Site.

The S106 agreement (15V40) was secured and we have received £979.70 for the provision of or improvements to artificial grass pitches in the Vicinity. Vicinity means within three miles of the Development. The distance between the development site and the installation site is approximately 3.4 miles. Written consent has been obtained from the developer to vary the agreement to permit the increased distance and Watchfield Parish Council have raised no objections.

The S106 agreement (16V08) was secured and we have received £2,003.36 for artificial pitch provision in the Parish. Parish means the administrative parish of Watchfield, Oxfordshire.

The installation site does not sit within the administrative parish of Watchfield. Written consent has been obtained from the developer to vary the agreement to permit the installation of the facility within Faringdon and Watchfield Parish Council have raised no objections.

The S106 agreement (16V44) was secured and we have received £16,809.55 for an artificial grass pitch at Faringdon Community College.

The S106 agreement (17V05) was secured and we have received £6,444.39 for an artificial grass pitch within Faringdon.

The S106 agreement (17V14) was secured and we have received £18,852.75 for an artificial grass pitch at Faringdon Community College.

The S106 agreement (17V21) was secured and we have received £1,094.56 for the provision of an artificial all weather sports pitch in the Vicinity. Vicinity means within ten miles of the Site.

The S106 agreement (19V41) was secured and we have received £31,255.49 for an artificial grass pitch in Faringdon.

The proposed project seeks to install a new artificial turf pitch, including fencing and LED floodlighting at Faringdon Community College/Faringdon Leisure Centre. Planning permission (P17/V2659/FUL) for the project has been granted and implemented with the provision of the parking spaces element of the permission. The total project cost is £882,000, which can be part funded from the S106 secured contributions totalling of £89,884.68.

Agreement ref	Amount in Agreement	Contributions Received	Amount requested	Amount Previously Spent Or Allocated	Balance
13V25	£5,110.00	£89,473.11 Expiry date 10/07/2027	£5,542.15	£0.00	£0.00
13V70	£4,195.00	£4,728.26 Expiry date 09/02/2021 (extension of time agreed with developer – awaiting DoV completion)	£4,728.26	£0.00	£0.00
15V23	£2,122.00	£2,174.47 Expiry date 30/06/2026	£2,174.47	£0.00	£0.00
15V40	£938.00	£979.70 Expiry date 18/07/2027	£979.70	£0.00	£0.00
16V08	£1,916.00	£2,003.36 Expiry date 10/07/2027	£2,003.36	£0.00	£0.00
16V44	£66.72 per dwelling	£16,809.55 Expiry date 17/08/2028	£16,809.55	£0.00	£0.00
17V05	£5,320.00	£6,444.39 Expiry date 20/07/2032	£6,444.39	£0.00	£0.00
17V14	£57.18 per dwelling	£18,852.75 Expiry date 20/04/2032	£18,852.75	£0.00	£0.00
17V21	£994.00	£1,094.56 Expiry date 17/12/2028	£1,094.56	£0.00	£0.00
19V41	£26,687.00	£31,255.49 Expiry date 22/03/2032	£31,255.49	£0.00	£0.00

The council's Legal, Finance, HR, Climate and biodiversity, Diversity and equality, Health and safety, Risk and insurance, Communications, Community enablement, Planning, Leisure development, Community safety and Strategic property teams have been consulted and have no objections to the proposal and use of the S106 contributions.
Faringdon Town Council, Stanford in the Vale Parish Council,

	Uffington Parish Council and Watchfield Parish Council have also been consulted and raise no objection to the proposal and use of funds.		
Alternative options rejected	None considered.		
Climate and ecological implications	No climate or ecological concerns have been raised by the Climate and biodiversity team.		
Legal implications	None identified in awarding the S106 funding.		
Financial implications	<p>The total project cost is £882,000.00, which can be part funded from the S106 secured contributions of £89,884.68.</p> <p>Community Infrastructure Levy (CIL) funding of £882,000.00 is allocated towards this project in the council's capital programme. Should the full CIL allocation not be required to deliver the project, the remaining balance will be returned to the unallocated CIL pot for use on other eligible schemes.</p>		
Other implications	None identified.		
Background papers considered	Background paper P23/V1846/106.		
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None.		
List consultees	Name	Outcome	Date
Faringdon ward councillors	Cllr Lucy Edwards	Emailed 10/08/2023	15/08/2023
	Cllr Bethia Thomas	I am content with this application and hope it proceeds.	
Watchfield & Shrivenham ward councillors	Cllr Katherine Foxhall	Emailed 10/08/2023	
	Cllr Viral Patel	Emailed 10/08/2023	
Stanford in the Vale ward councillor	Cllr Sue Caul	Happy to support the proposal.	11/09/2023
Legal legal@southandvale.gov.uk	Vivien Williams	In response to contributions arising from 15V40 & 16V08: I confirm that due to the small amount of the consideration, there being no other potential recipient and the developer letter I am content for this matter to proceed as suggested. However any major change of the recipient of a contribution should be dealt with by a deed of	04/09/2023

			variation and I therefore would wish Legal Services to have sight of the agreement and other information in each case where there is to be a change.	
Finance Finance@southandvale.gov.uk	Damon Cotterill		I can confirm that the funds are available	14/08/2023
Human resources hradminandpayroll@southandvale.gov.uk	Trina Mayling		No comments from HR	18/08/2023
Climate and biodiversity climateaction@southandvale.gov.uk	Kim Hall		No comments	10/08/2023
Diversity and equality equalities@southandvale.gov.uk	Lynne Mitchell		I support the request	11/08/2023
Health and safety healthandsafety@southandvale.gov.uk	Abi Witting		Fully support this project.	11/08/2023
Risk and insurance risk@southandvale.gov.uk			Emailed 10/08/2023 & 01/09/2023	
Communications communications@southandvale.gov.uk	Andrea Busiko		No comments.	14/08/2023
Community Enablement communityenablement@southandvale.gov.uk	Madeline Swain		Internal grants have not been provided.	11/08/2023
Planning stuart.walker@southandvale.gov.uk	Stuart Walker		I have no objection to the request for funds from the various agreements, providing the agreement of developers (where required) is confirmed.	11/08/2023
Leisure Development Carmella.anderson@southandvale.gov.uk	Carmella Anderson		Supportive - The emerging draft Vale of White Horse Playing Pitch Strategy highlights the benefits of providing an artificial pitch in this location.	23/08/2023
Community Safety communitsafety@southandvale.gov.uk	Jennie Hope		No comments	11/08/2023
Property property@southandvale.gov.uk	Chris Mobbs		As the land for the ATP is outside the area demised to the Council, it has been necessary to negotiate with the neighbouring leaseholder to secure a new lease for the land in question. Heads of terms, subject to contract and the formal approval of the Council, have been agreed, and approval to this new lease will be sought in the usual way.	11/09/2023

	Faringdon Town Council	Sally Thurston (Clerk)	The facility needs to be a public asset, available for use by the public and other clubs at very reasonable rates.	21/08/2023
	Uffington Parish Council	Cllr Mike Oldnall (Chair)	Supportive	24/08/2023
	Watchfield Parish Council	Claire Arnold (Clerk)	No comments to make	17/08/2023
	Stanford in the Vale Parish Council	Claire Lewis (Clerk)	Parish Council has no objections to this application.	08/09/2023
	Head of Planning	Adrian Duffield	Agreed to progress to SMT at S106/CIL applications meeting	17/10/2023
	Head of Finance	Simon Hewings	Agreed to progress to SMT at S106/CIL applications meeting	17/10/2023
	Strategic Management Team (SMT) ExecutiveSupportSAV@southandvale.gov.uk		Agreed	08/11/2023
	Cabinet Member for Finance and Property	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?				
Cabinet member for Affordable Housing, Development and Infrastructure signature To confirm the decision as set out in this notice.	Signature _____ Councillor Sue Caul _____ Date _____ 13 November 2023 _____			

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

For Democratic Services office use only		
Form received	Date: 13 November 2023	Time: 13:15
Date published to all councillors	Date: 13 November 2023	
Call-in deadline	Date: 20 November 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.