

## Record of individual Cabinet member decision Berinsfield Garden Village

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Councillor Robin Bennett, Cabinet Member for Economic Development and Regeneration
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	3 April 2020
<b>Name and job title of officer requesting the decision</b>	Charlotte Cottingham, Development Projects Team Leader
<b>Officer contact details</b>	Tel: 01235 422474 Email: <a href="mailto:charlotte.cottingham@southandvale.gov.uk">charlotte.cottingham@southandvale.gov.uk</a>
<b>Decision</b>	<p>To accept Garden Village status for Berinsfield and the receipt of £150,000 associated capacity funding from the Ministry of Housing, Communities and Local Government (MHCLG), and;</p> <p>in accordance with the council's Financial Procedure Rules in relation to receiving government grant outside of the usual budget setting cycle for which no budget exists, to request the chief finance officer, in consultation with the leader of the council and the chief executive, to use the grant to increase the Berinsfield revenue budget CA20.</p>
<b>Reasons for decision</b>	<p>The original, historic, garden villages were based on a strong foundation of industry and employment, with their developers seeking to create well designed, healthy places and affordable homes. Garden villages built today apply the same principles, but in a 21st century context, to create vibrant, diverse and affordable communities.</p> <p>In October 2018 the Government invited bids for Garden Community status, a programme that offered financial and other support aligned well with the council's aims to support the regeneration of Berinsfield.</p> <p>A bid was submitted, based on the original, conceptual masterplan and in June 2019 the government announced that Berinsfield was one of nineteen villages around the country to be selected to join the Garden Communities</p>

	<p>Programme as a Garden Village.</p> <p>The Ministry of Housing and Local Government (MHCLG) announcement explained that the purpose of the programme is “the creation of well-planned and designed, locally-led Garden Villages...these places have the potential to become vibrant new communities where people can live and work, and to create a legacy that will be enjoyed by future generations.” Support offered by MHCLG includes “expert delivery advice from Homes England and cross-government brokerage to resolve any potential strategic policy barriers to delivery”.</p> <p>In March 2020 MHCLG provided £150,000 capacity funding to support the delivery of Berinsfield Garden Village and there is the possibility that Garden Village status may attract further additional funding from the government.</p> <p>The Garden Village project provides an opportunity to address the climate change emergency through renewable energy projects and sustainable development and to address healthy living and place shaping.</p>			
<b>Alternative options rejected</b>	The council could choose not to accept the funding, however there is support for the proposal.			
<b>Legal implications</b>	The council will be required to enter into a funding agreement in order to receive the funds. The terms of this are not yet known.			
<b>Financial implications</b>	The offer from MHCLG stated that the government has allocated £150,000 capacity funding to support the delivery of each of its new Garden Villages, including Berinsfield. In South Oxfordshire District Council’s Constitution, receipt of a government grant, even one over £75,000, is excluded from the definition of a key decision and has been placed in an earmarked reserve for Berinsfield. Acceptance of the receipt will not commit the council to any other additional unbudgeted expenditure over and above the £150,000 receipt.			
<b>Other implications</b>	n/a			
<b>Background papers considered</b>	n/a			
<b>Declarations/conflict of interest?</b> <b>Declaration of other councillor/officer consulted by the Cabinet member?</b>				
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Ward councillors	Robin Bennett	The Local Ward Member is also the Cabinet Member for	

			Economic Development and Regeneration who is making this decision.	
	Legal	Pat Connell	Approved	11/11/2019
	Finance	Richard Spraggett	Approved	01/11/2019
	Human resources	n/a	n/a	n/a
	Sustainability	Heather Saunders	Approved	30/10/2019
	Diversity and equality	Yvonne Cutler-Greaves	Approved	01/11/2019
	Communications	Andy Roberts	Approved	31/10/2019
	Senior Management Team	Andrew Down	Approved	2/4/2020
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>	No			
<b>Has this been discussed by Cabinet members?</b>	Yes, cabinet members are supportive of the proposal.			
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature <u>Councillor Robin Bennett</u>			
	Date <u>3 April 2020</u>			

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

For Democratic Services office use only		
Form received	Date: 3 April 2020	Time: 11:15
Date published to all councillors	Date: 3 April 2020	
Call-in deadline	Date: Not applicable	Time: Not applicable

## 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](mailto: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.**