

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	Robin Bennett, Cabinet Member for economic development & regeneration
Key decision?	No
Date of decision (same as date form signed)	3 August 2021
Name and job title of officer requesting the decision	Silke More O'Ferrall Infrastructure Implementation Officer
Officer contact details	Tel: 01235 422409 Email: silke.oferrall@southandvale.gov.uk
Decision	To create a budget for £37,754 from a S106 contribution to fund Chinnor Rugby Football Club (RFC) for the pitch improvement project: installation of floodlights at Kingsey Road, Thame, OX9 3JL and to issue an offer letter of funding to Chinnor Rugby Football Club (RFC) on the terms detailed below and thereafter to release funds, subject to receipt of the signed funding conditions letter.
Reasons for decision	We have received a request for draw down of funds from Chinnor Rugby Football Club (S106 claim ref.: S21/S2702/106) for a total of £37,754 from the following S106 contribution: Development: Land West of Thame Park Road Address: Land West of Thame Park Road, Thame Planning Ref: P13/S2330/O S106 Ref: 14S17 The S106 agreement specifies the intended use as: outdoor pitches and indoor sports facilities serving the site. The proposed project towards pitch improvements involves the installation of floodlights on three new pillars and three existing pillars. The pitch to be floodlit is Pitch 2, youth pitch. Chinnor RFC is in the process of installing a watering system allowing them to bring the two youth pitches (pitch 2 & 3) into

	<p>regular usage allowing them to increase their training slots by some 35 per cent on a safe and well-maintained surface.</p> <p>In addition, the installation of the floodlights will allow the club to increase the time they can offer to exercise in a well-lit and safe environment. It will allow them to increase their coaching and the usage for exercise for the wider community and accommodate more usage of the facilities for their growing requirements.</p> <p>Planning permission for the project was granted on 1 July 2021. The planning application reference number is P21/S2150/FUL.</p> <p>The project is in line with the Thame Sports Facility Strategy funding allocations. The Sports Facility Strategy is there to act as a guidance document, setting context to identify priorities and to facilitate the decision-making process for delivery.</p> <p>Internal teams, including the leisure officer have been consulted on the proposal and use of the S106 contribution. Thame Town Council and Rugby Football Union are supportive of the proposal and use of funds.</p>
<p>Alternative options rejected</p>	<p>None</p>
<p>Legal implications</p>	<p>Chinnor Rugby Football Club (RFC) LTD is a private company limited by guarantee without share capital. The land is owned by Chinnor Rugby Football Club LTD (Company registration number 7520174) and is registered at HM Land Registry under Title number ON72702.</p> <p>The club operates as a not-for-profit organisation. The principle purpose of the club is promoting rugby playing and values in the Thame and Chinnor communities.</p> <p>It is recommended that Chinnor RFC be advised of the allocation of the funds in a letter with terms of conditions, which sets out what the funds can be used for.</p> <p>A signed funding conditions letter will be secured with Chinnor RFC before any payment is made. This will reduce risks to the Council regarding any inappropriate use of funds.</p> <p>In considering the risk, officers are of the opinion that in this case - it is low.</p>
<p>Financial implications</p>	<p>The proposed project conforms to the spending parameters of the S106 agreements and is a suitable use of the funds.</p> <p>The total project cost is £37,754, which will be fully funded from the S106 secured contribution. There is no shortfall in</p>

	<p>funding.</p> <p>The financial implications of this request can be accommodated by the secured S106 contributions.</p> <p>It is recommended that a budget is created which allocates the requested £37,754 to the pitch improvement project and the funds be released to Chinnor RFC.</p>			
Other implications	None			
Background papers considered				
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors	Cllr Pieter-Paul Barker	David, Kate and I are all in favour of this.	10.7.21
		Cllr David Bretherton		10.7.21
		Cllr Kate Gregory		10.7.21
	Legal	Pat Connell	Agreed – minor wording changes	19.7.21
	Finance	Emma Creed	Contribution checked and agreed in Finance.	28.6.21
	Human resources	N/A		
	Sustainability	Heather Saunders	Emailed	15.6.21
	Communications	Andy Roberts	Agreed	6.7.21
	Interim Head of Development & Regeneration	Chris Traill	Agreed	22.7.21
	Head of Planning	Adrian Duffield	Agreed	22.7.21
	Interim Head of Finance	Simon Hewings	Agreed	22.7.21
	Strategic Management Team (SMT)		Approved	28.7.21
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee	No			

chairman?	
Cabinet member for Economic Development & Regeneration signature To confirm the decision as set out in this notice.	Signature: Cllr Robin Bennett Date: 3 August 2021 (by email)
Cabinet member for Finance signature To confirm the decision as set out in this notice.	Signature: Cllr Leigh Rawlins Date: 2 August 2021 (by email)

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

For Democratic Services office use only		
Form received	Date: 3 August 2021	Time: 10:10
Date published to all councillors	Date: 3 August 2021	
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.