

## Record of individual Cabinet member decision

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

<b>Decision made by</b>	Councillor Leigh Rawlins - Cabinet member for finance and property assets
<b>Key decision?</b>	Yes
<b>Date of decision</b> (same as date form signed)	31/08/22
<b>Name and job title of officer requesting the decision</b>	Ben Whaymand – Leisure Facilities Team Leader
<b>Officer contact details</b>	Tel: 01235 422202 Email: <a href="mailto:ben.whaymand@southandvale.gov.uk">ben.whaymand@southandvale.gov.uk</a>
<b>Decision</b>	To agree that officers can draw down an additional £96,450 of Community Infrastructure Levy (CIL) to support the provisional CIL programme for the refurbishment of the Splash Pad at Riverside, Wallingford of £200,000 in the approved capital budget
<b>Reasons for decision</b>	<ol style="list-style-type: none"> <li>1. During soft marketing testing of the splash pad at Riverside it has been established an additional £96,450 for the works is required with estimation coming in between £240,000-£245,000.</li> <li>2. The additional request of £96,450 has been formulated based on the soft market test, 10% project management consultants with some design proportions and 10% contingency.</li> </ol>
<b>Alternative options rejected</b>	<ol style="list-style-type: none"> <li>3. To only replace the splash pad crumb surface, however this would create a negative impact as published in the local press was the full refurbishment of this facility.</li> <li>4. Ageing plant would also not be addressed and the impact of this could see reduced services and down time due to associated parts no longer being available and the re-programming of the existing jet sprays is not viable.</li> </ol>
<b>Climate and ecological implications</b>	None

<p><b>Legal implications</b></p>	<p>5. The council's legal team will advise on the contract documents required for each procurement. The works will be entered into through a Joint Contracts Tribunal (JCT) contract with the full involvement of the council's legal team in developing of the final documentation.</p> <p>6. To reduce or negate any risks, the provision of Risk Assessments, Method Statements (RAMS) and a Construction Phase Health and Safety Plan will be a requirement within the terms of the tender or quotation.</p> <p>7. A Project Management Consultant will assist Officers in the procurement of the main contractors and also to oversee the works as it is delivered.</p>
<p><b>Financial implications</b></p>	<p>8. The project is to be fully CIL funded and saves on direct capital outlay.</p> <p>9. The refurbishment once complete, will make the site more attractive to residents and people visiting the area increasing a secondary benefit of people spending more time in Wallingford.</p> <p>10. Leisure companies potentially tendering for a new leisure management contract when the current contract ends in 2026 will view the facility as a more attractive offering to achieving income should a successful tender be submitted.</p> <p>11. A further ICMD will be completed to transfer the provisional CIL along with the approved additional £96,450 to the approved capital budget programme to draw down CIL monies of £200,000. This will be submitted upon approval of additional request of £96,450 via an ICMD to secure the ability to deliver and procure the project accordingly.</p> <p>12. Market Testing has confirmed that the approved provisional CIL budget will need an additional £96,450 to deliver the Contractual Works (main contractor), the Project Management fee, and the required contingency sum required.</p>
<p><b>Other implications</b></p>	<p>13. Failure to deliver this project will mean that the council have not met their commitment published in the local press, confirming the refurbishment of the Riverside Splash Pad, the Campsite Washrooms refurbishment and the provision/building of a disabled boating access beside the river near the swimming pool.</p> <p>14. The Council's Corporate Plan 2020-24 makes is quite clear on its commitment of investing into our leisure assets, this has then been distilled into the 'Sports &amp; Leisure Service Specification' for the contract with GLL. 2.3.1 Strategic delivery.</p> <p>15. Item 4 'Improved economic and community well-being and item 6 'Investment and innovation that rebuilds our financial viability' in the Corporate Plan clearly stresses the importance of 'invest to</p>

	save', strong stewardship of all local assets, optimising performance for the benefit of residents, and maximising external funding to enrich leisure.			
<b>Background papers considered</b>	GW1 approved 18.05.22  GW2 has not be executed due to additional budget requirements. This will be complete upon the budget being secured and provisional drawn down being approved.			
<b>Declarations/ conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</b>	None			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Councillors	Maggie Filipova-Rivers  Cabinet member for community wellbeing	Agreed	18/8/22
	Legal <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>	Pat Connell	Agreed with comments adjusted	11/8/22
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>	Emma Creed	Agreed	1/8/22
	Infrastructure and Development Team Leader <a href="mailto:InfrastructureClaims@southandvale.gov.uk">InfrastructureClaims@southandvale.gov.uk</a>	Mark Hewer	This project is compliant with CIL spending regulations and the council's CIL spending strategy. £200,000 has already been allocated to this project in the provisional capital programme. There is sufficient CIL funding available to support the additional request.	8/8/22
	Procurement	Angela Cox	Agreed	8/8/22
	Communications <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Charlotte Westgate	Agreed	1/8/22

	Senior Management Team	SMT	Agreed	17.08.22
<b>Confidential decision?</b> If so, under which exempt category?	N/A			
<b>Call-in waived by Scrutiny Committee chairman?</b>	No			
<b>Has this been discussed by Cabinet members?</b>	Yes			
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature _Leigh Rawlings – email approval Date _31/8/22			

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

For Democratic Services office use only		
Form received	Date: 31 August 2022	Time: 16:18
Date published to all councillors	Date: 1 September 2022	
Call-in deadline	Date: 7 September 2022	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](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.**