

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 Leigh Rawlins, Cabinet Member for Finance and Property Assets
Key decision?	No
Date of decision (same as date form signed)	3 October 2022
Name and job title of officer requesting the decision	Silke More O'Ferrall, Infrastructure Implementation Officer
Officer contact details	Tel: 07917 088370 Email: silke.oferrall@southandvale.gov.uk
Decision	To create a budget for £35,564 from section 106 contributions and release funds, subject to a legal agreement, to Chinnor Parish Council for the resurfacing of Multi Use Games Area (MUGA) at Whites Field, Mill Lane, Chinnor, OX39 4RF. Funds to be released, in total as one payment, subject to receipt of the signed legal agreement.
Reasons for decision	<p>We have received a request for funds from Chinnor Parish Council for a total of £35,564 from section 106 contributions arising from the three developments.</p> <p>The section 106 agreements are not 'clear and unambiguous' about how the contributions are to be used and the sum requested is more than £20,000, but below £100,000. Thus, in accordance with our constitution, the Cabinet Member for Finance can agree to set up a budget and release the funds requested for the project described above.</p> <p>The section 106 agreements were secured, and we have received the requested contributions towards the resurfacing of the Multi Use Games Area. The proposed project will be fully funded from section 106 contributions. Planning permission for the project is not necessary.</p>
Alternative options rejected	<p>None considered</p> <p>The Multi Use Games Area at Whites Field in Chinnor has been in</p>

	<p>place for over ten years and the surface is at end of its expected life and started to breakdown after years of use. This needs to be addressed before it becomes unusable due to safety issues. The replacement surface will be of an updated material offering longer usable life and a superior finish. Sections of the fencing also need replacing as they are broken and potentially dangerous due to sharp edges. The nets and backboards also need replacing as they have been damaged by the weather.</p>			
Climate and ecological implications	Application for funding supported by Climate and Biodiversity Team			
Legal implications	<p>The land is owned by Chinnor Parish Council and is registered at HM Land Registry under Title number ON224987.</p> <p>It is recommended that the Chinnor Parish Council enter into a legal agreement which sets out what the funds can be used for and includes a spending deadline to ensure delivery of the project.</p>			
Financial implications	<p>The total project cost is £35,564 which will be fully funded from the section 106 secured contribution of £35,564. Any shortfalls will be met by the parish council through their reserves. Maintenance of the Multi Use Games Area will be the responsibility of the parish council.</p> <p>The proposed project conforms to the spending parameters of the section 106 agreements and is a suitable use of the funds.</p>			
Other implications	None			
Background papers considered	P22/S2917/106			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors - ian.white@southoxon.gov.uk lynn.lloyd@southoxon.gov.uk	Ian White Lynn Lloyd	<p>Cllr Lynn Lloyd and I have reviewed and discussed this, and we are fully supportive.</p> <p>The MUGA is a resource that is of great benefit to residents of all</p>	16-08-2022 Email

			ages and levels of sporting skills and in quite heavy use so the proposed work will greatly enhance it and bring it back up to optimum.	
	Legal legal@southandvale.gov.uk Vivien.williams@southandvale.gov.uk	Vivien Williams	Agreed at S106/CIL Applications Meeting	08-09-2022
	Finance Finance@southandvale.gov.uk Emma.creed@southandvale.gov.uk	Emma Creed	Agreed in Finance	25-08-2022 Email
	Human resources hadminandpayroll@southandvale.gov.uk		No comment	Emailed 15-08-2022
	Climate and biodiversity climateaction@southandvale.gov.uk	Heather Saunders	We support this application for S106 funding. We would welcome any proposals to improve biodiversity on the site whilst implementing the project.	15-08-2022 Email
	Equality and inclusivity equalities@southandvale.gov.uk lynne.mitchell@southandvale.gov.uk	Lynne Mitchell	I've looked through the details and Tiger turf Evolution Pro seems to be a good surface for the MUGA and I'm sure the lining will be of good contrast as the company seem to be experts in their field. From an equality perspective I'm happy with the proposed plans.	15-08-2022 Email

	Health and safety healthandsafety@southandvale.gov.uk		No comment	Emailed 15-08-2022
	Risk and insurance risk@southandvale.gov.uk	Allison Holliday	Agreed	16-08-2022 Email
	Communications communications@southandvale.gov.uk	Emma East	All fine from a comms perspective – please keep me informed about the funding so we can look at doing some comms in the future.	19-08-2022 Email
	Planning tom.wyatt@southandvale.gov.uk	Tom Wyatt	No comment	Emailed 15-08-2022
	Planning emma.bowerman@southandvale.gov.uk	Emma Bowerman	No objection	17-08-2022 Email
	Community enablement communityenablement@southandvale.gov.uk	Debbie Adams	There have been several grants awarded to Chinnor Parish Council for play equipment. I am not able to confirm if this funding has been used at this facility.	19-08-2022 Email
	Leisure Development Officer carmella.anderson@southandvale.gov.uk	Carmella Anderson	Leisure has no objections to the replacement of the MUGA surface.	25-08-2022 Email
	Head of Planning	Adrian Duffield (delegated to Paula Fox)	Agreed at S106/CIL Applications Meeting	08-09-2022
	Head of Finance	Simon Hewings	Agreed at S106/CIL Applications Meeting	08-09-2022
	Strategic Management Team (SMT) ExecutiveSupportSA		Approved	28-09-2022

	V@southandvale.gov.uk			
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	N/A			
Has this been discussed by Cabinet members?				
Cabinet member for Finance and Property Assets signature To confirm the decision as set out in this notice.	Signature _____ Councillor Leigh Rawlins _____ Date _____ 3 October 2022 _____			

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

For Democratic Services office use only		
Form received	Date: 3 October 2022	Time: 16:14
Date published to all councillors	Date: 4 October 2022	
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.