

Record of 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 Andrea Powell
Key decision?	Yes
Date of decision (same as date form signed)	10 February 2023
Name and job title of officer requesting the decision	Ben Coleman, Programmes and Assurance Manager
Officer contact details	Tel: 01235 422158 Email: ben.coleman@southandvale.gov.uk
Decision	To authorise a change in the detailed design brief for the building to reduce the height of the proposed new office accommodation building at Gateway Didcot by one floor including some external cosmetic changes.
Reasons for decision	<p>The concept design for the new office approved by Cabinet on 30 September 2021 was five storeys, the detailed design will be four storeys.</p> <p>During the detailed design phase of the programme, professional fire safety advice sought indicated that it was not possible to deliver the preferred ground grown shrub (GGS) green wall system with the proposed five storey design because it could not be made compliant with building regulations on a building of the proposed height (greater than 18m). Alternative green wall systems, that are building regulations compliant, are available but are considered as additional risk factors by insurance underwriters due to their combustibility and fuel loading. The constraint regarding the delivery of the preferred green wall system on the current design, along with high levels of inflation in the construction sector, led to a review of the current approach and this proposal to reduce the building height to ensure that the proposed green wall system approved at the concept design stage can be delivered.</p> <p>The proposed four storey design will allow a more straightforward procurement approach to be used. Prior to this reduction in the size of the building the preferred procurement route was 'Competition with Negotiation' due to the likelihood of needing to negotiate with bidders to reduce building construction costs were initial returns to exceed the budget allocation for the project. With a reduced building size and the anticipated reduction in construction costs comes more comfort that costs will be affordable within the current budget allocation. This allows a more</p>

	<p>traditional procurement approach to be used without the need for a negotiation process. The budget envelope for the project will not change and therefore there will be no contractual implications for the design and project management contractor beyond a request for the additional services set out below.</p> <p>More details on the background to the decision is set out in the attached Options Appraisal note.</p>
Alternative options rejected	To proceed with the original five storey building without green walls. This option was rejected as green walls are considered fundamental to the concept design approved, and the building acting as a new 'Gateway' for Didcot.
Climate and ecological implications	The proposed approach, maintaining the preferred green walls through delivery of a smaller building, will reduce the climate impacts from the construction of the building. Maintaining the green walls will support the achievement of the BREEAM excellent standard for the building by improving the environment for building users and the biodiversity potential.
Legal implications	The current contract for the delivery of design and project management services for this project anticipates 'Additional Services' and this mechanism will be used to cover the additional design team services.
Financial implications	<p>The design team fee for amending the design to reflect this change will be in the region of £60,000.00. In addition, some amendments to the supporting documentation for the planning application and amendment of the master plan will be required which have not yet been fully costed but are anticipated to be below £20,000 in total. These costs will be met from within the approved budget envelope.</p> <p>Ridge, the design partner for this project, anticipates that reducing the building height by one storey could reduce the build costs by in the region of £3 million.</p> <p>Reducing the amount of office space for rental by third parties will reduce the income generation potential of the building. A full financial analysis will be prepared to support the final decision to proceed with the project before entering into a contract with a contractor to deliver the building space.</p>
Other implications	None
Background papers considered	Options Appraisal note
Declarations/conflict of interest? Declaration of other councillor/officer	None

er consulted by the Cabinet member?				
List consultees		Name	Outcome	Date
	Ward councillors	N/C		
	Legal legal@southandvale.gov.uk	Patrick Arran	Approved with amendments	3 February 2023
	Finance Finance@southandvale.gov.uk	Helen Knight	Supports approach	7 February 2023
	Human resources hadminandpayroll@southandvale.gov.uk	N/A		
	Climate and biodiversity climateaction@southandvale.gov.uk	Kim Hall	Supports approach	6 February 2023
	Diversity and equality equalities@southandvale.gov.uk	N/A		
	Health and safety healthandsafety@southandvale.gov.uk	N/A		
	Risk and insurance risk@southandvale.gov.uk	Yvonne Cutler Greaves	Agree with approach	6 February 2023
	Communications communications@southandvale.gov.uk	Andy Roberts	Supports approach	6 February 2023
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Has this been discussed by Cabinet members?				
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature <u> <i>Andrea Powell</i> </u>			
	Date <u> 10/02/2023 </u>			

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

For Democratic Services office use only		
Form received	Date: 10 February 2023	Time: 09:30
Date published to all councillors	Date: 10 February 2023	
Call-in deadline	Date: 17 February 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 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
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 (except government grant) 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.