

## 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>	Cllr Pieter-Paul Barker, Cabinet member for finance and property assets
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	7 December 2023
<b>Name and job title of officer requesting the decision</b>	David Cookson Infrastructure Implementation Officer
<b>Officer contact details</b>	Tel: 07917 088372 Email: <a href="mailto:david.cookson@southandvale.gov.uk">david.cookson@southandvale.gov.uk</a>
<b>Decision</b>	In accordance with the Constitution's Finance Procedure Rules, to create a budget for <b>£62,000</b> taken from Community Infrastructure Levy (CIL) contributions, towards improvements to the road and footpaths at the Riverside Car Park as part of the Wallingford accessible mooring project.
<b>Reasons for decision</b>	<p>The 'Riverside' moorings in Wallingford are in a poor condition and do not satisfy current user or equality requirements. Wallingford Accessible Boat Club, a flourishing local accessibility group have requested support from SODC for a project to make improvements to the existing access path, ramp and moorings, and installation of an accessible pontoon for all visitors to the riverside including wheelchair users.</p> <p>In 2022, SODC Technical Services Team brought forward a project to make improvements to the moorings, and £148,000 has been allocated into the capital programme for 2023/24. The original project scheme did not include for some additional improvements, specifically to the road and footpaths from the carpark and what will be the Wallingford Accessible Boat Club storage building to the accessible mooring. The specification for all the works has been tendered and was returned at a cost of approximately £210,000, meaning there is a budget shortfall of £62,000.</p> <p>The full project will enhance the moorings to make them fully accessible. Grounds maintenance work around the moorings and all footpaths will be carried out, as will improvements to the road and conversion of an existing small building to create a storage location for Wallingford Accessible Boat Club, including the fitting of solar panels to power the facility. The</p>

	<p>installation of a 'changing places' facility is planned, but not included within this project.</p> <p>These additional improvements will enhance this area as a destination place for visitors and residents, particularly those using the accessible mooring.</p>
<b>Alternative options rejected</b>	To not transfer the funds or transfer a lesser amount. This option has been rejected as the construction project has been approved by SMT and will enhance the area.
<b>Climate and ecological implications</b>	<p>The contract for the project will include criteria for meeting the council's climate action requirements with regard to sustainable materials and practices.</p> <p>Consultation with the Environment Agency will include consideration of impacts on the river system.</p> <p>The new sections of footways are proposed to be constructed using a recycled tyre type of material similar to asphalt and will be porous in nature. The lower holding area by the bank will be concrete, as a robust material is required in this location adjacent to the existing sheet piling, which will be reduced in height.</p> <p>Existing sections of footway / road will have a more standard type of asphalt overlay construction suited to the existing layers beneath.</p> <p>Solar panels will be provided for the refurbished former toilet block for power requirements within. As this is remote from other buildings, there is no proposal to install connections to allow any excess energy generated to be used elsewhere.</p>
<b>Legal implications</b>	Legal will be requested to provide advice, contract preparation and execution, to review and advise on any collateral warranties required for potential sub-contractors and to attend relevant project meetings as required.
<b>Financial implications</b>	<p>Paragraph 75(b) of the Constitution of South Oxfordshire District Council and Vale of White Horse District Council – 24 May 2022 (Financial procedure rules section), states that for section 106 and CIL agreements greater than £20,000 up to £100,000, budgets can be approved by the relevant Cabinet member in consultation with the Cabinet member for finance.</p> <p>An existing budget of £148,000, funding from CIL, already exists for this project in the approved capital scheme. This decision increases the CIL allocation by a further £62,000 to incorporate enhancements into the original project. The project meets the CIL spending requirements and there is sufficient unallocated CIL to accommodate this request.</p>
<b>Other implications</b>	None

<b>Background papers considered</b>	None			
<b>Declarations/conflict of interest? 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 Councillor	Cllr James Barlow	Questioned who would have access to the ramp.  The mooring will be open to the public for use by anyone, however the Wallingford Accessible Boat Club will be the predominant user.	23/11/23
	Ward Councillor	Cllr Katharine Keats-Rohan	Supportive	22/11/23
	Legal (Litigation and Planning) (Contracts and Property) <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>	Vivien Williams	Confirmed no issues from a Legal perspective	20/11/23
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>	Mark Hewer	Confirm that CIL funding is available to support this additional request.	24/11/23
	Climate and biodiversity <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>	Heather Saunders	'No comment' on this occasion	11/05/22
	Diversity and equality <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>	Lynne Mitchell	"I agree that this project would meet the needs of people with disabilities/mobility issues by giving the same opportunity as other river users."	05/05/22
	Communications <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Andrea Busiko	No Comments	24/11/2023
	South Oxfordshire District Council CIL Member Working Group		Confirmed support for this additional funding request	06/11/2023

	S106/CIL Applications Group		Agreed for progression to SMT for review	20/11/2023
	SMT		Agreed	01/12/2023
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>				
<b>Has this been discussed by Cabinet members?</b>				
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature <i>PP Barker</i>  Date 07.12.2023			

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

For Democratic Services office use only		
Form received	Date: 7 December 2023	Time: 10:05
Date published to all councillors	Date: 7 December 2023	
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 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.**