

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	Pieter-Paul Barker
Key decision?	No
Date of decision (same as date form signed)	3 May 2024
Name and job title of officer requesting the decision	Justin Andrewes, External Funding Lead
Officer contact details	Tel: 07759 841949 Email: justin.andrewes@southandvale.gov.uk
Decision	To: <ol style="list-style-type: none"> 1) approve the acceptance of the Swimming Pool Support Fund Phase 2 grant of £160,351 to solar photovoltaic (PV) panels at Thame Leisure Centre. 2) authorise the Head of Development and Corporate Landlord to finalise the terms of and enter into the funding agreement required to secure the funding.
Reasons for decision	<p>A climate emergency was declared at South Oxfordshire District Council (SODC) in 2019. SODC's corporate plan target is that SODC reaches carbon neutral within its own operations by 2025 and aspires to become a carbon neutral district by 2030.</p> <p>An application was made to the Swimming Pool Support Fund Phase II on 17 October 2023.</p> <p>The council was notified of a successful award on 30 January 2024; £160,351 toward installation of Solar PV panels at Thame Leisure Centre.</p> <p>This grant funding requires no contribution from the council.</p> <p>The funding application was based on a November 2021 site survey, carried out by Darke and Taylor, which proposed installation of a 156kWp array of 344 Solar PV panels. The simulation modelling projects:</p> <ul style="list-style-type: none"> • a reduction of 32 tonnes of CO2 per year, making this

	<p>intervention carbon negative</p> <ul style="list-style-type: none"> • annual generation of 132MWh/year, with 108,240kWh (83%) of this being used on site • annual site usage is approximately 443,618 kWh so which equates to 24.4% of electricity use <p>At a projected cost of £0.31/kWh in April 2024, this equates to a financial saving of £33,964/year, with 22.44kWh feeding into the grid at a projected £0.135 / kWh giving a return of £3029/year. However, these feed-in tariffs are expected to drop as more renewable energy comes online.</p> <p>These savings will benefit GLL as the site operator but puts the council in a strong negotiating position to ensure provision of service is not reduced due to rising costs.</p>
Alternative options rejected	<p>Alternative options are:</p> <ol style="list-style-type: none"> 1) Fund directly: CIL funding is only available for refurbishment or end of life replacement, so money allocated to other projects would need to be used. 2) Borrow money: Green Finance may be available, but this would incur interest charges. <p>Given the only cost to the council is officer time to procure and manage contractors, which would also be required for the above options, they are rejected in favour of grant funding.</p>
Legal implications	<p>Acceptance of the funding is subject to the terms and conditions as outlined in the attached Grant Adherence Agreement: <i>SPSF Phase II Grant Adherence Agreement.pdf</i></p> <p>As Greenwich Leisure Ltd (GLL) are under contract to operate the leisure centre a separate agreement will be required with GLL to ensure they adhere to the monitoring requirements as laid out in the Grant Adherence Agreement, with respect to submitting information directly on to Sport England's Moving Communities platform. GLL already submit this information, but a further agreement will ensure they continue to do so.</p>
Financial implications	<p>The project costs are fully grant funded:</p> <p>Material and labour costs: £151,054 Professional and Technical costs: £9,297 Total: £160,351</p> <p>Material and labour costs includes PV panel installation, required grid alteration / reinforcement by the District Network operator and scaffolding. Professional and technical costs include consultancy/project management and planning.</p> <p>Panel installation costs are based on a quote by Darke and Taylor in November 2021 with inflation added based on CPI from date of quote to</p>

	<p>expected tender date of May 2024.</p> <p>Payment of the grant funding will be made retrospectively after Eligible Expenditure has occurred.</p> <p>Sport England is not obliged to pay any amount of the Capital Grant that has not been drawn down by 31 March 2025. Consequently, the Applicant may not make a request for draw down after 28 February 2025.</p> <p>There is a risk of exceeding project costs, however this figure includes contingency to take into consideration project administration costs and rates of inflation.</p> <p>The budget is not currently in the Capital Programme but on award of the grant income the Section 151 Office can increase the capital budget, as per the Constitution para 91:</p> <p><i>The chief finance officer, in consultation with the leader of the council and the chief executive, may increase the revenue or capital budget after considering a request from the relevant head of service where the council has:</i></p> <p><i>(a) Received government grant outside of the usual budget setting cycle for which no budget exists.</i></p> <p>There will be a projected financial saving of £33,964/year, with 22.44kWh feeding into the grid at a projected £0.135 / kWh giving a return of £3029/year. These savings will benefit GLL as the site operator but puts the council in a strong negotiating position to ensure provision of service is not reduced due to rising costs.</p>
Climate implications	The acceptance of the grant offer allows SODC to accelerate the delivery of its estate decarbonisation programme.
Equalities implications	None
Other implications	None
Background papers considered	Application form: <i>SPSF Phase II Capital - SODC Thame LC FINAL.xlsx</i> <i>SPSF Phase II Grant Adherence Agreement.pdf</i>
Declarations/conflict of interest? Declaration of other councillor/office r consulted by the Cabinet member?	N/A

List consultees	Name	Outcome	Date
Legal legal@southandvale.gov.uk	Pat Connell	Signed off as amended by me on behalf of Legal	2/4/2024
Finance Finance@southandvale.gov.uk	Anna Winship	Approved and finance para updated	26/4/24
Climate and biodiversity climateaction@southandvale.gov.uk	Heather Saunders	Approved no comments	3/4/24
Diversity and equality equalities@southandvale.gov.uk	Trina Mayling	No further comments from Equalities.	2/4/2024
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?	No		
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature: <i>Pieter-Paul Barker</i> Date: <i>3rd May 2024</i>		

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

For Democratic Services office use only		
Form received	Date: 7 May 2024	Time: 09:15
Date published to all councillors	Date: 7 May 2024	
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.
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.