


## Delegated authority officer key decision notice

<b>Decision made by</b>	Andrew Busby, Head of Development and Corporate Landlord
<b>Lead officer contact details</b>	Jayne Bolton, Communities Wellbeing Manager Report author: Hendriette Knouws, Garden Communities Project Manager
<b>Decision</b> (Keep this succinct)	<ul style="list-style-type: none"> <li>To approve the grant funding allocation of £141,460 to Berinsfield Parish Council (BPC), for the completion of two capital projects: repairing and expanding a skatepark and installing a new pump track.</li> <li>To enter into a funding agreement with BPC to provide the two projects, repairing and expanding a skatepark and installing a new pump track.</li> <li>To pay BPC 50% of these funds immediately this decision is made and prior to completion of the funding agreement to allow works to progress.</li> <li>To pay BPC the balance of funds on completion of the projects and for the Head of Development and Corporate Landlord to agree any phased payments as part of the funding agreement.</li> </ul>
<b>Key decision?</b> (see notes below)	Yes
<b>If key decision, has call-in been waived by the Scrutiny Committee chair(s)?</b>	No
<b>Confidential decision, and if so under which exempt category?</b>	No
<b>Delegated authority reference from the constitution</b>	2.1 To award capital grants for economic development projects for which there is an approved budget.
<b>Risks</b>	See risk register attached
<b>Reasons for decision</b>	The Garden Communities team was allocated £131,460 UK SPF funding to build a Multi Use Games Area next to Abbey Sports Leisure Centre for 2024/25 financial year. The site allocated for the new MUGA was on Oxfordshire County Council land under a Joint Use Agreement with SODC. OCC insisted that before any further work is done, the existing Joint Use arrangement be replaced with a lease arrangement. Owing to the duration required for this to occur, the council had to find substitute projects in lieu of the MUGA project

	<p>to guarantee delivery within the designated financial expenditure date of 31 March 2025.</p> <p>Berinsfield Parish Council proposed the following two alternative projects: repair and extension of the skate park and replacing the BMX track with pump track. Both facilities are located on BPC land. After giving careful thought to their recommendations, senior officers concluded that each of these project proposals met the funding criteria.</p> <p>Funding only one of these projects from the allocated amount (£131,460) would have meant returning and essentially losing the remaining funds. We therefore allocated additional funds to ensure we utilise all the funding and deliver two fully refurbished leisure facilities for the price of one.</p> <p>The approximated amounts of funding necessary for each project is £67,000 for the skate park project, and £71,460 for the pump track project. Until procurement is carried out these figures cannot be absolutely confirmed but some market testing indicates this is the approximate value.</p> <p>To supplement funding for both projects we are also including an additional £7,000 UK SPF funding already allocated to re-surfacing the skate park and another £3,000 UK SPF funding allocated for a second rugby post which is no longer needed, to fund these projects, making the total SPF funding available £141,460.</p> <p>Given the March 2025 financial spending date, it is imperative that these new projects get underway as soon as possible. BPC is the land owner so able to progress with the projects as soon as they are informed of this decision to award and receive the 50% up front payment.</p>
<p><b>Alternative options rejected</b></p>	<p>The alternative option would be for the Garden Communities Team to deliver these UK SPF funded projects which will include us having to apply for a license to do the work on Berinsfield Parish Council Land.</p> <p>This will add additional delays to the project delivery and will pose the risk of this project not being delivered on time, and ultimately having to return the funding</p>
<p><b>Legal implications</b></p>	<p><i>The grant funding agreement will be prepared by the legal team and will need to ensure the Parish Council are obliged to comply with the UKSPF grant terms to which the district council subject.</i> The funding is not considered to be a Subsidy. Transfer of funds between two public bodies used in carrying out their functions is non-economic and therefore does not meet all 4 limbs of the test for whether there is a subsidy under the Subsidy Control Act. Therefore, the funding is not liable to Subsidy Control. The funding agreement will require that in the event that the second public body is passing the funds to a third party for economic use, the second public body will be responsible for implementing Subsidy Control.</p>

<p><b>Financial implications</b></p>	<p>There is a capital budget (A404) for a total of £229,000 within the approved capital programme, this has been set aside to fund various projects, including these ones as outlined in the Investment Plan.</p> <p>The budget available is sufficient to cover these projects alongside those others planned.</p> <p>BPC have formally notified us that they will take full responsibility for the delivery of these project on their land before March 2025. This was a decision taken at their Parish Council meeting on Monday 13 May 2024.</p> <p>Transferring the funds to BPC will pose no additional financial burden to the council's budget.</p> <p>SODC have already secured UK SPF funding and allocated specific amounts to Berinsfield Garden Village team for various capital projects.</p> <p>The approval of the submission of South Oxfordshire District Council's investment plan for HM Government's UK SPF was taken on 22/07/22.</p> <p>UK SPF does not expect any match funding from the council for the delivery of capital projects.</p> <p>A Funding Agreement will be drawn up between the council and BPC, stipulating the financial expenditure date and all other relevant UK SPF conditions including provision of the projects by 31 March 2025</p> <p>There is a risk of having to return these funds if the projects are not delivered on time. However, we are mitigating this risk through offering project management support from the Garden Village Team and monitoring targets will be put in place through the funding agreement.</p>
<p><b>Climate implications</b></p>	<p>The construction of these facilities will take place on the BPC recreational ground and will only involve removing grass and no trees. The overall cost of each project will ensure there is budget for additional planting once construction is completed.</p> <p>Officers will ensure the Funding Agreement with BPC will ask for contractors to be scored on their social and green credentials when procuring the work.</p> <p>It takes zero energy consumption to operate these facilities.</p> <p>Both facilities will encourage residents to access open spaces and enjoy being out in nature.</p> <p>Location is easy to access through active travel.</p>

	Contractors will be required to use reclaimed or recycled materials where available.			
<b>Equalities implications</b>	This space will be designed to ensure it is accessible to all ages and abilities.			
<b>Other implications</b>	None			
<b>Background papers considered</b>	<a href="#">SODC's Investment Plan for UK Shared Prosperity Funding</a>			
<b>Declarations/ conflict of interest?</b>	NA			
<b>Consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Legal <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>	Pat Connell	Agreed as amended	19.5.2024
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>	Anna Winship	Agreed as amended	23/05/2024
	Climate and biodiversity <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>	Heather Saunders	We agree the climate implications as drafted. Could you please just add the following text with reference to the procurement:  Contractors should be required to use reclaimed or recycled materials where available.	22/04/2024
	Equality and diversity <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>	Ruth	There are no equalities implications to mention as it is always positive to see more community areas, I look forward to seeing details of the expanding skate park.	24/04/2024
	HR <a href="mailto:hradminandpayroll@southandvale.gov.uk">hradminandpayroll@southandvale.gov.uk</a>	Jaydon Perrin	No HR comments at this stage	26/04/2024
	Risk and insurance <a href="mailto:risk@southandvale.gov.uk">risk@southandvale.gov.uk</a>		No comments received	

	Strategic property <a href="mailto:property@southandvale.gov.uk">property@southandvale.gov.uk</a>	Chris Mobbs	Strategic Property have no comments to make as the proposals do not impact on Council owned land	24/04/2024
	Communications <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Peter Truman	No comments received	
	Health and Safety <a href="mailto:healthandsafety@southandvale.gov.uk">healthandsafety@southandvale.gov.uk</a>	Andy Huckstep	No questions or comments from Health and Safety.  Sounds like a fantastic addition and upgrade for Berinsfield.	22/04/2024
	Relevant Cabinet member	Cllr Rouane	Agreed	05/06/2024
<b>Decision maker's signature</b> To confirm the decision as set out in this notice.	<p>Signature: </p> <p>Date: 06.06.2024</p>			