

WINCHESTER CITY COUNCIL DECISION RECORD VERSION 4. MARCH 2022

Reference Number (taken from Sharepoint entry) **150**

Officer Completing the Form: Steve Lincoln – Service Lead: Community & Wellbeing

Lead Director: Dawn Adey

Subject: Release of developer contributions for recreation facilities to Wickham Parish Council

Details of Decision: *Please provide a brief explanation as to what decision was made, including any financial implications. This should be done in easy to understand, non-technical language - as this wording will appear on the website for the public to read. Also please remember all staff will be able to see this document.*

That up to £190,000 of s106 contributions will be released to Wickham Parish Council as a capital grant, upon appropriate evidence of expenditure, on the design and provision of new sports facilities at Wickham Recreation Ground. Payments as follows, subject to provision of invoices and securing of the necessary planning consent:

- a) £28,545 in 2024/25
- b) The remaining available fund for the build of the new sports facilities currently expected in 2025/26

Type of Decision: (please tick. see reverse for definitions)

Not sure what type of decision this is ??

- Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form) Note, these decisions are published on winchester.gov.uk
- Significant Operational Decision (see section 2B (1) on reverse of this form). Note, these decisions are published on winchester.gov.uk
- Other Decisions to be Published (see section 2B (2) on reverse of this form) Note, these decisions are published on winchester.gov.uk
- Administrative Decision (see section 3 on reverse of this form)

Reason for the Decision: *A brief overview of your reasons for taking this course of action.*

Background

Outline planning permission (ref: 15/02523/OUT) was granted on the 26th June 2017 for the erection of 82 dwellings on 'land to the rear of School Road, Wickham' (The Glebe). The application by Croudace Homes was approved subject to a s106 obligation that secured a financial contribution towards sports provision in Wickham, in accordance with Policy WK3.

The contribution required of Croudace was £150,000 and was defined as being "an index linked financial contribution calculated as set out in accordance with Schedule Three hereto". The s106 specifies that it should be used, "for the improvement of Wickham Recreation Ground".

In 2016, discussions & correspondence between Croudace, the parish council and Winchester City Council indicated that whilst the financial contribution was intended for Wickham Parish Council's sports facilities, it would need to be paid to and held by the City Council initially as the parish council were never party to the s106 legal agreement.

Croudace Homes paid WCC £160,389.37 (including index-linking) on the 12th March 2020 to satisfy the obligation for a sports facilities contribution. As at 31st March 2024, that figure had risen to £173,130 as a result of interest accrued and a final calculation will be made at the point of the final payment to the parish council.

Wickham Parish Council proposals

Facilities at Wickham Recreation Ground still require investment. The parish council has commissioned drainage works and identified an architect to bring forward proposals for a replacement pavilion. A planning application is anticipated in January 2025 and work is expected to commence around April/May 2025, after a tender exercise is undertaken.

The initial works are costing just under £30,000, being £6,400 for the drainage works to Lysander Meadow, and approximately £22,000 for initial architectural & design fees as well as surveys to prepare for a planning application. We will pay the sum of £28,545 to Wickham Parish Council immediately upon receipt of invoices to that value.

We will then pay the remainder of the fund upon receipt of invoices for the works for the build of the new sports facilities, currently expected in 2025/26.

Alternative Options Considered & Rejected: *All alternative options considered need to be outlined here. Please include detail of any representations received. This will include your response to any alternatives suggested by those making representation and the reasons why these alternatives were rejected.*

The City Council could seek to undertake the works, but the land is owned by Wickham Parish Council and it has always been understood that the parish council would take the lead on the delivery of these facilities. This avoids legal complications, removes any exposure to financial risk for the City Council and empowers the parish council to use its local knowledge to determine what is required to meet local need.

Supporting Information: *If your decision relates to delegated authority derived from a specific Committee resolution, please confirm the name of the Committee, the date of the meeting and paste the resolution into this box.*

Winchester District Local Plan Part 1 **Policy CP7** (Open Space, Sport and Recreation) requires that new housing development should make provision for public open space and built facilities in accordance with the most up to date standards, preferably through on site provision of new facilities where feasible or by financial contributions towards off-site improvements.

Winchester District Local Plan Part 2 **Policy WK3** sets out the specific site allocation policies for this particular site in Wickham – 'The Glebe'. One of the bulleted policy requirements consequently requires interested developers to 'Provide and lay out 3 hectares of land in the northern part of the site for public informal open space and parkland, and make Sports provision by contributing to the improvement of Wickham Recreation Ground'.

A capital budget of up to £190,000 was approved by Cabinet in November 2024 (CAB3483 - GENERAL FUND BUDGET OPTIONS & MEDIUM TERM FINANCIAL STRATEGY) to enable the monies to be granted to the Parish Council.

Declared Officer and/or Member interests: *List any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision and, in respect of any declared conflict of interest, any note of dispensation granted by the Monitoring Officer.*

There are no conflicts of interest.

| Departmental Review | | | |
|------------------------------|---|-------------------------------------|--|
| Legal review: | <i>Tick this box to confirm legal team have reviewed proposed decision</i> | <input checked="" type="checkbox"/> | <i>Gareth John Legal Services (08/01/25)</i> |
| Finance review: | <i>Tick this box to confirm finance team have reviewed proposed decision</i> | <input checked="" type="checkbox"/> | <i>Neil Aitken (09/01/25)</i> |
| Other review: | <i>Tick this box to confirm any other departmental review of proposed decision (and specify department)</i> | <input checked="" type="checkbox"/> | <i>Amy Tranah - Procurement (07/01/25) Simon Avery – Planning (07/01/25) Julie Pinnock – Corporate Head (13/01/25)</i> |
| Public Sector Equality Duty: | <i>Tick this box to confirm you have considered the PSED requirements (see section 4 on reverse of this form)</i> | <input checked="" type="checkbox"/> | <i>Steve Lincoln (29/11/24)</i> |

Are the details of the decision open or exempt?

- Open
- Part Exempt. Please expand
- Exempt. Please expand

Decision Taker (name): *This needs to be the specific Officer or Cabinet Member who holds the delegation within the constitution/or referred to by a committee*

Liz Keys - Director (Finance)

Decision Taker (Signature):



Date:

15 Jan 2025

Call In dates (key decisions only) and Implementation date:

| | |
|---------------------------------|--|
| Commencement of call in: (date) | Click here to enter a date. <i>(Please refer to Dem Services for this)</i> |
| Last date for call in: (date) | Click here to enter a date. <i>(Please refer to Dem Services for this)</i> |
| Planned Implementation Date: | Click here to enter a date. |

Notes.

1) Why record officer decisions?

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

2) What sort of decisions are there?

- a) **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- i. To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; **(For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;**
 - ii. To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- b) **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.

1. **Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
 - i. Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
 - ii. Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
 - iii. When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
 - iv. A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
2. **"Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b) affects the rights of an individual.
3. **Administrative Decision:** *(these do not require recording on this form unless one or more of the following applies)*
 - i. There is a financial implication;
 - ii. It is in conflict with the Budget and Policy Framework or other approved policies approved by full Council; and
 - iii. It raises new issues of policy.

3) Which officer decisions need to be recorded on this form?

Officers need to record:

- 1) any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- 2) any Significant Operational Decisions. (see 2B (1) above)
- 3) "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)
- 4) Administrative decisions for which there is a financial implication.

4) What are the relevant processes to be followed?

For all decisions, the report author needs to complete the Forthcoming Decisions record in Sharepoint.

Establish which type of decision it is (see 2 A and 2B above.)

Most officer decisions require to be recorded on this form (see 3 above) Once completed, please ensure that it is reviewed by legal, finance and the relevant Director prior to signing. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page (unless it is an Administrative decision).

Public Sector Equality Duty. Contact your Corporate Head of Service should you require any clarification regarding the council's Public Sector Equality, including whether you may need to complete an impact assessment as part of this decision record.