



**EXECUTIVE DECISION RECORD
Cabinet Member**

REF No: 195.24

A1 Service Area	Regeneration and Development
A2 Title	Award of funding to Branston Parish Council under the Council's Play Area Improvement Scheme, via the Ward Enhancement Programme, as part of the UK Shared Prosperity Fund (UKSPF)
A3 Decision Taken By	Cabinet Member
A4 Chief Officer	Please print name: Thomas Deery Please sign name: (Approval via email 09/07/2024)
A5 Cabinet Member	Please print name: Cllr Rob Hawkins Please sign name: (Approval via email 09/07/2024)
A6 Date of Decision	9 th July 2024

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	N/A

Conflict of Interest

Are there any conflicts of interest to declare? No

(If "Yes" please contact the Chief Executive before making the Decision. A note of dispensation should be attached).



Scrutiny/Audit

A8 Which Committee should this decision be submitted to? (*Please tick as appropriate*)

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

Scrutiny (Health and Wellbeing) Committee

Scrutiny (Climate Change and Environment) Committee

Audit Committee

<p>B1 What is the Decision?</p>	<p>To move an additional £33,000 from the Ward Enhancement Programme into the £435,000 Play Area Improvement Project (under the UKSPF) and award a capital grant of £66,000 to Branston Parish Council from the Play Area Improvement Project for the delivery of a play area project at Henhurst Ridge.</p>
<p>B2 What are the reasons for the Decision?</p> <p>B2 Alternative options considered and rejected?</p>	<p>Under EDR 165.24, a total of £435,000 from the UKSPF was allocated to a play area improvement project, through which the Council would deliver improvements to 13 play areas in the Borough and develop proposals for an additional new play area (the 14th), with allocations of funding to each Ward, alongside an existing project in the two remaining Wards.</p> <p>This decision identified an initial funding allocation of £33,000 for the Branston Ward and set out a policy where existing Parish Council projects could be considered instead of a new Borough Council project.</p> <p>Branston Parish Council have an existing project for a play area on Henhurst Ridge, for which they have undertaken a competitive procurement exercise and identified a preferred bidder capable of undertaking the works.</p> <p>It is believed that the application of the play area improvement project funding to this existing project could add value to Branston Parish Council's plans.</p> <p>Additionally, it is proposed that further funding from the Ward Enhancement Programme is provided to the project, moving an additional £33,000 from the Ward Enhancement Programme into the play area improvement project scheme, reducing the available funding for the Branston Ward from the Ward Enhancement Programme, but ensuring delivery of this project.</p> <p>This results in a total contribution of £66,000 from the play area improvement project.</p> <p>The alternative approach considered is direct delivery of improvements by the Borough Council on Borough Council equipment (e.g. Clays Lane), however it is believed that this approach provides a positive impact to residents the Branston Ward, provides value for money, and is a simple method of delivery given the complexities of the overall scheme.</p>

B3 What are the contributions to Corporate Priorities?	The delivery of this project primarily contributes to the priority of Creating a Prosperous East Staffordshire and Standing up for our Communities.
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	<p>The main financial issues arising from this decision are as follows:</p> <p>The funding approved for this project is entirely capital and must be spent by March 2025, in line with the Government's requirements for the UKSPF.</p> <p>The funding is provided through a grant agreement. Evidence of co-funding for the project is a requirement of funding being released by the Council. The funding is released in instalments agreed with the applicant and set out by the grant agreement. Evidence of procurement, spend and invoices will be required as part of this and a site inspection will also be undertaken.</p> <p>If the project/works aren't undertaken as outlined and agreed in the approved application (or any minor amendments agreed with the local authority beforehand) then there is possibility of a clawback occurring if the grant hasn't been spent in accordance with the application.</p>
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Revenue	2023/24	2024/25	2025/26
N/A	-	-	-

Capital	2023/24	2024/25	2025/26
UKSPF Grant for the Play Area Project		£66,000	-

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: Lloyd Haynes</p> <p>Please sign name: (Approval via email 28/06/2024)</p>
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B6.2 Has it got the appropriate approvals under those provisions?	N/A
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B7.2 Has it got the appropriate approvals under those provisions?	N/A

Equalities Implications

B8 What are the Equalities implications: Refer to the equalities impact assessment for the play area improvement project.
B8.1 Positive (Opportunities/Benefits):
B8.2 Negative (Threats):
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 [The equality impact assessment identified the following actions to be carried out:]

Risk Assessment

B9 What are the Risk Assessment implications: N/A
B9.1 Positive (Opportunities/Benefits): The provision of this grant to Branston Parish Council ensures the delivery of a play area project within the principles of the Council's scheme and before the spend deadline of March 2025, without requiring direct delivery by the Council. As such, it also removes any need for consideration of revenue funding on an ongoing basis.
B9.2 Negative (Threats): The UKSPF funding must be spent by March 2025 and so any risk to project delivery, including financial risk, will be managed through the specific grant agreement.
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

B10.1 The main legal issues arising from this decision are as follows:

Under s1 Localism Act 2011, authorities have a power of competence to do anything which an individual can do, which includes the power to grant funding to organisations.

The Grant Funding will not amount to a state subsidy under the Subsidy Control Act 2023, as the amount to be granted is less than the Minimal Financial Assistance level of £315,000.

The Terms of the funding will be incorporated into a Grant Agreement that sets out the terms for how the funding must be spent, and will contain claw-back provisions

The funding must also be delivered in line with the Government's guidance on UKSPF funding, including requirements on project promotion and marketing.

This section has been approved by the following member of the Legal Team

Please print name: John Teasdale

Please sign name: (Approval via email 28/06/2024)

Sustainability Implications

B11 What are the Sustainability implications: N/A

B11.1 The proposal [would/would not] result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).

B11.2 Positive (Opportunities/Benefits):

B11.3 Negative (Threats):

Health & Safety Implications

B12 What are the Health & Safety implications:

B12.1 The Council is not responsible for the delivery of this project.

B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.]

B12 What are the Health & Safety implications:

B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below]

B12.3.1 Positive (Benefits)

B12.3.2 Negative (Threats)

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?

N/A

B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?

N/A

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to
democratic.services@eaststaffsbc.gov.uk

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Democratic Service Ext 1306/1608 or refer to Part 3 Section 6 of the Constitution.