

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: AHWB.024.2022 Thirlwall Avenue Fencing Installation

BOX 1

DIRECTORATE: Adults Health & Wellbeing

DATE: 29.03.2022

Contact Name: Kris Jowett

Tel. No.: 07773 097025

Subject Matter: Thirlwall Avenue, Installation of fencing around grassed open space area – To use £5,132.10 of section 106 monies towards the installation of a fence to prevent the illegal use of off road bikes and safeguard residents using the area (The total cost of the project is £10,264.20 with the remaining £5,132.10 to be provided by Highways via revenue funds)

BOX 2**DECISION TAKEN**

To utilise Section 106 monies from Doncaster Road, Denaby Main site (05/03291/OUT) for the purpose of funding £5,132.10 for the installing a fence around the public open space on Thirlwall Avenue, Conisbrough. This land is owned by Doncaster Council and is a public open green space. The full cost of the monies will be put towards the installation cost.

The scheme will also be funded by Doncaster Council Highways and they are contributing a further £5,132.10 to meet the full installation costs of £10,264.20, via revenue funding.

BOX 3**REASON FOR THE DECISION**

To encourage and increase participation of recreational activities on the open space and ensure that when doing so the public are safeguarded from illegal off road motorcycles.

This installation will reduce isolation for these residents and encourage activities and socialising in the community.

The total cost of the facility and installation is £10,264.20 and is to be funded by £5,132.10 of Section 106 monies and £5,132.10 from Doncaster Council Highways.

The Section 106 agreement for Doncaster Road, Denaby Main (05/03291/OUT) site states the monies are to be used for "providing/enhancing other areas of public open space within the Council's area." The Section 106 monies are not time limited.

A gate access point will be installed to the area to allow for Street Scene to complete their maintenance programme.

The proposed development will be undertaken by Doncaster Council Highways.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

There is a lack of facilities in the locality where children can play and socialise near to their homes and under the supervision of their parents.

The installation of this fence will allow for this to happen in a safer and controlled environment. The option of not installing the fence was explored and dismissed as not viable due to the risks outlined from illegal off road motorcycles.

BOX 5

LEGAL IMPLICATIONS

The section 106 agreement relating to application reference 05/03291/OUT (from which £5,132.10 of funding is proposed to be expended) provides that the open space contribution shall go towards the provision and enhancement of open space elsewhere within the Council's area, accordingly s106 funds from this development can be used for this project.

Name: Stacy Cutler Signature: By email Date: 4.4.22

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

The total value of this project is £10,264.20. Highways Safer Roads (EN038) will hold all of the costs in 2022/23 funding 50% from its general fund budget and 50% from S106 Ear Marked reserves (EMR) as discussed in the body of the report.

Once approved the EMR will be used to allocate £5,130 budget to EN038 in 2022/23.

Due to the low value of the scheme, the costs will be treated as revenue.

Name: Adele Beasley Signature: by email Date: 01/04/22

Section 106 Implications

Planning Reference 05/03291/OUT

There is currently a balance of £49,616.36 designated for Capital use on the above planning reference, a commuted sum received in relation to a development at Doncaster Road, Denaby Main. This project seeks to use £5,132.10 and if funding is approved a balance of £44,484.26 would remain on this commuted sum.

Name: John Brogan Signature: FM Economy & Environment Date 03/05/2022

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

N/A

Name: _____ **Signature:** _____ **Date:** _____

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS: (To be completed by the author).

There are no negative implications associated with this proposed scheme in fact it would provide a recreational facility for those in the community who are currently not catered for.

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

To not agree to this scheme may leave the local community at risk of conflict with users of illegal off road bikers as well as the potential risk of injury and the adverse publicity that may occur from this.

The installation of the fence will protect from these issues and provide a small safe area for the public to use.

BOX 10

CONSULTATION

Teams consulted with:

Stronger Communities Team

Street Scene

Highways

Members

Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

The local Ward Members are extremely keen to see this project delivered and have requested that it goes ahead. They liaised with Highways and agreed a 50/50 split on the cost following consultations between them and local residents about issues with off road bikes.

**BOX 11
INFORMATION NOT FOR PUBLICATION**

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures.

Name: Gillian Parker Signature by email_ Date: 03/05/2022

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: Debbie John-Lewis Signature  : Date: 12/05/2022

Assistant Director of Communities

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.