

**Decision type:** Single Member Decision

**Decision date:** 30 June 2025

**Decision maker:** Councillor Chewe Munkonge, Cabinet Member for a Healthy, Fairer Oxford and Small Business Champion

**Decision title:** Fund £125,000 to Courtside CIC for creation of Bury Knowle hub

Summary	
<b>Decision being taken:</b>	Grant Fund £125,000 to Courtside CIC towards construction costs of transforming a derelict City Council facility into a modern of Bury Knowle sport and physical activity hub
<b>Key decision:</b>	No
<b>Source of delegation:</b>	<p>Part 4.6 of the Constitution, Delegation to Single Cabinet Member:</p> <p>The Leader may delegate executive responsibilities to a single Cabinet Member with or without consultation with officers or other Cabinet Members.</p> <p>Cabinet Members do not have to use the delegated powers: they can ask the Leader to decide. The delegation can also be withdrawn by the Leader.</p> <p>Any decisions delegated to a single Cabinet Member shall only be taken having regard to a written report submitted to them by the relevant officer within the senior management structure including any advice from the Group Finance Director and the Director of Law, Governance and Strategy.</p>
<b>Cabinet Member:</b>	Councillor Chewe Munkonge, Cabinet Member for a Healthy, Fairer Oxford and Small Business Champion
<b>Corporate Priority:</b>	None
<b>Policy Framework:</b>	None

The Cabinet Member for a Healthy, Fairer Oxford and Small Business Champion decides as follows:

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| 1. | <b>To award</b> £125,000 to Courtside CIC to pay for construction costs of the Bury Knowle Hub |
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### **Introduction and background**

1. As part of our ongoing contract with Courtside CIC a project was identified to create a multi activity hub site at Bury Knowle which include new tennis courts, multi use games court and outdoor activity space as well as a redeveloped pavilion.
2. Courtside CIC have sought a contribution of £125,000 from Oxford City Council towards the overall project costs. This proposal was reviewed and agreed at Development Board in December 2023. This £125,000 has enabled significant external funding to deliver the project which would not have been available directly to the Council. This also removed the significant maintenance liabilities to the Council for the dilapidated old sports pavilion. The recommendation from development board was to enter into a funding agreement with Courtside to provide the funding based on the completion of the projects objectives.
3. Oxford City Council are the freeholder of the land
4. The project was subject to a number of external funding pots which had specific deadlines and the decision was taken by Courtside CIC to start works at their own risk and initial cost. The project was completed in June 2024.
5. Budget for the payment is already in place and a funding agreement has been prepared.

### **Reasons for the decision**

6. To provide funding as soon as possible to support the ongoing delivery of the projects outcomes.

### **Alternative Options Considered**

7. Without this funding the project is undeliverable.

### **Equalities Impact**

8. The previous pavilion facility and tennis courts were in a very poor condition with significant maintenance liabilities to the Council and also significant reduction in usage of the tennis courts as a result. The project has managed to secure significant inwards investment to ensure the future of these courts and their long term sustainability. The risk to the Council was that the courts would close in an unplanned way preventing access to all. In summary the project will have a positive impact on protected characteristics enabling successful sport and physical activity interventions.

### **Risks**

9. There is currently a risk of contractor legal challenge as well as the contractor ceasing to operate. This could pose a risk to income to the Council, we currently receive circa £75,000 pa from our contracts with Courtside.

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## Implications of making the decision

<b>Financial implications</b>	<p>No financial or budgetary implications; This outstanding payment was accounted for during at 24/25 Year-end process.</p>	<p><b>Completed by:</b> Paul Swaffield Finance Project Accountant</p> <p><b>Date:</b> 23/06/2025</p>
<b>Legal implications</b>	<p>In accordance with Part 4.5 of the Constitution, giving grants is a decision that needs to be agreed by the Cabinet. The Leader is responsible for all executive functions of the Council and may delegate executive responsibilities to a single Cabinet Member with or without consultation with officers or other Cabinet Members.</p> <p>The Council wishes to grant the sum of £125,000 to Courtside CIC for the purposes set out above. The proposed arrangement constitutes an award of a Grant and the Council needs to follow its internal governance procedures and be satisfied that it is in compliance with the law before it awards the aforementioned funding.</p> <p>It is understood that the Council is a freehold owner of the property and a long-term lease and also a concession contract have been awarded to Courtside CIC to operate the site.</p> <p>Before the Council can award the funding, the proposed grant must satisfy the requirements of the Subsidy Control Act 2022.</p> <p>Pursuant to the Subsidy Control Act 2022, the Council could argue that the proposed award is not a “subsidy” as it does not satisfy the definition of a “subsidy” under the Subsidy Control Act 2022.</p>	<p><b>Completed by:</b> Justin Zizys</p> <p><b>Date:</b> 25.6.2025</p>

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	<p>The financial assistance (grant) will not confer an economic advantage (thus the grant would not be a “subsidy”) if it could reasonably be considered to have been given on the same terms as it could have been obtained on the market. This is known as the ‘commercial market operator’ (CMO) principle.</p> <p>The Council could argue that a reasonable landlord operating on market terms would invest £125k into its own property especially if the tenant is also investing a significant amount (circa. £700k) of its own funding. This would significantly increase the value of the Council’s asset and in excess of the Council’s investment of £125k. In addition and as stated in the Finance comments, the investment of £125k would also generate a return of £9k per annum which is in line with the market rate.</p> <p>The Council needs to be satisfied that when taking into account only the Council’s commercial objectives (but not public policy), the proposed award of grant funding represents an investment that a reasonable commercial landlord operating on the market terms would make.</p> <p>Lastly, the proposed funding will be governed by the Grant Agreement to be signed by both parties which will ensure that the funding will be spent in accordance with the Council’s requirements.</p>	
<b>Other implications</b>	N/A	<b>Completed by:</b> Emma Griffiths  <b>Date:</b> 23.6.2025
<b>Member declared interests</b>	N/A	<b>Completed by:</b> Emma Griffiths

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		<b>Date:</b> 23.6.2025
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<b>Background Documents</b>
<b>None</b>

<b>Report author</b>	Paul Backman
Job title	Sport & Physical Activity Officer
Service area or department	Communities & Citizen Services
Email contact	pbackman@oxford.gov.uk

### Consultee checklist

<b>Consultees</b>	<b>Name and job title</b>	<b>Date</b>
<b>Senior officer</b> e.g. the relevant service manager / Director where the decision maker is the Chief Executive or a Deputy Chief Executive.	N/A	
<b>Group Finance Director</b> Where required by the Constitution or conditions of the delegation	Nigel Kennedy, Group Finance Director	23/06/25
<b>Director of Law, Governance and Strategy</b> Where required by the Constitution or conditions of the delegation	Emma Griffiths, Legal Services Manager (Deputy Monitoring Officer, in lieu of Emma Jackman, Director of Law, Governance and Strategy (Monitoring Officer)	23/06/25
<b>Cabinet Member(s)</b> Where required by the conditions of the delegation	Councillor Susan Brown. Leader, and Cabinet Member for Partnership Working and Inclusive Economic Growth	25/06/2025
<b>Ward Members</b>		

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Where required by the Constitution or conditions of the delegation		
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### Decision Maker Approval

<b><i>Name and job title</i></b>	<b><i>Date</i></b>
Councillor Chewe Munkonge, Cabinet Member for a Healthy, Fairer Oxford and Small Business Champion	25/06/2025

This form must be completed and sent to Committee and Member Services **on the date that the decision maker signs it. This must be only done once all consultees have given their approval. The decision shall be effective from the date of publication; therefore, it is important that you send to Committee and Member Services as soon as it is completed and dated by the decision maker. Please note that it is not effective until it is published and the call in period has passed.**

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## NOTES

The law<sup>1</sup> requires the Council to record executive and non-executive decisions taken by officers under delegated powers and to publish them on the Council's website.

These requirements apply to decisions that would have been taken by Council or the Cabinet if delegated powers had not been given to an officer:

- under an express delegation granted at a meeting of Cabinet, Council or a Committee.
- in accordance with Part 4.4 of the Constitution as follows:
  - Awarding a contract where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
  - Acquiring or disposing of freeholds or leaseholds granting new leaseholds (excluding assignments and rent reviews) where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
  - Making a regulatory order which affects a number of people, for example a Public Space Protection Order or a Parking Place Order
  - Where the effect of a decision is to grant a licence or permission or it affects the rights of citizens
  - Discharging any other express delegation from Cabinet or a Cabinet Member a committee or Council.

These requirements **do not** apply to:

- planning and licencing matters where there are established arrangements for recording decisions: or
- decisions which are purely administrative or operational in nature

All other officer decisions should be recorded on an officer decision form but do not need to be published. They must though be stored so as to ensure that they are not lost should an officer leave the authority.

### Exempt or Confidential information

Information relating to a delegated officer or single member decision does not have to be made public if it is exempt or confidential. Summary information from this decision sheet (excluding all exempt or confidential information) will be published on the Council's website.

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<sup>1</sup> the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 (Regulation 13(4)) and The Openness of Local Government Bodies Regulations 2014/2095 (Regulation 7)

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## **Key or Non Key Decision**

A key decision is an executive decision which is likely to:

- Have a significant effect on people living or working in a least two wards or
- Involve spending, income, or saving a significant amount – whether an amount is significant depends on the Council's total budget for the service involved. For this Council 'significant' in budgetary terms is:
  - Expenditure, income, or savings of £750,000 or greater in the context of the medium term financial strategy,
  - Acquiring or disposing of freeholds with a consideration over £500,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation
  - Acquiring or disposing of leaseholds where either the rental value is in excess of £250,000 per annum and/or the premium is £750,000 except for statutory lease renewals under Part 2 of the Landlord and Tenant Act 1954 and disposals pursuant to right to buy legislation and disposals pursuant to right to buy legislation.
  - Acquiring or disposing of easements with a value over £750,000 and/or rental value over £250,000 each year

A key decision can only be taken and recorded here if notice of it has been published on the Forward Plan for at least 28 clear days. Key decisions taken by officers may be “called in” by any four councillors or the Chair of the Scrutiny Committee within two days of the notice of decision being published.

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