

To: Cabinet

Date: 15 April 2026

Report of: Director of Law, Governance and Strategy (Monitoring Officer)

Title of Report: Review of Ward Member Budget and Community Infrastructure Levy Councillor Applications

Summary and recommendations	
Decision being taken:	For Cabinet to approve the decision-making route for Councillor applications for Ward Member Budget and Community Infrastructure Levy spend and approve amendments to with part 4 of the Council Constitution to reflect those arrangements.
Key decision:	No
Cabinet Member:	Councillor Susan Brown, Leader and Cabinet Member for Partnership Working
Corporate Priority:	Thriving Communities A Well-Run Council
Policy Framework:	None

Recommendation(s): That Cabinet resolves to:	
1.	Delegate the approval for Ward Member Budget applications to the Director of Communities and Citizens' Services, in consultation with the Director of Law, Governance and Strategy (Monitoring Officer), the Group Finance Director (Section 151 Officer) and the Director of Property and Assets (where appropriate)
2.	Delegate the approval for Ward Member Community Infrastructure Levy spend applications to the Director of Planning and Regulation, in consultation with the Director of Law, Governance and Strategy (Monitoring Officer), the Group Finance Director (Section 151 Officer) and the Director of Property and Assets (where appropriate)
3.	Recommend full Council to amend parts 4.4 and 4.7 of the Constitution to reflect the updated delegations.

Information Exempt From Publication

N/A	N/A
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Appendix No.	Appendix Title	Exempt from Publication
N/A	N/A	N/A

Introduction and background

1. Ward Members are allocated Ward Member Budget (WMB) funding (currently £1,500) and Community Infrastructure Levy (CIL) funding (currently £2,500) to spend over a 12-month period on anything that improves the economic, social, or environmental well-being of their ward. CIL is reserved to members whose wards are not covered by a Parish Council or a Neighbourhood Development Plan.
2. The approval of WMB and CIL spend is reserved to the Executive, however as this would not be practical for every application to be taken to Cabinet, it is delegated to Officers to take the decisions. The process is set out in Part 4.7 of the Constitution.
3. The Ward Member Budget allocation may be spent only if it would benefit the member's own ward. Members may pool budgets across adjoining wards to benefit a wider area. The allocation can be spent on community projects benefitting groups or communities living or working in the ward such as:
 - a. Improving, refurbishing or cleaning up parts of the local area
 - b. Purchasing new street furniture or signage (having regard to any future servicing or maintenance requirements)
 - c. Supporting local groups, events or newsletters
4. CIL monies must be spent on local infrastructure which may include:
 - a. The provision of infrastructure
 - b. The improvement of infrastructure
 - c. The replacement of infrastructure
 - d. The operation and maintenance of infrastructure
 - e. Anything else to mitigate the demands development places on an area, including one-off feasibility studies to further proposals for capital projects
5. All WMB and CIL spend applications are subject to call-in to the Scrutiny Committee, as per part 17 of the Constitution. This ensures that all ward decisions receive scrutiny alongside decisions taken by the Executive, if called-in by four Councillors or the Chair of the Scrutiny Committee.

Review of the Current Process

6. In July 2025, Committee and Member Services was requested to undertake a review of the current application to spend procedure and to offer recommendations to improve the decision-making process. Working with the Council's Fit for the Future Change Team, a review of the process, governance and feasibility has been assessed. The recommendations resulting from the review aim to a) simplify and improve the process for members; b) clarify the decision-making process, c) ensure that Member requests/ projects protect members from non-compliance with the Construction (Design and Management) (CDM) Regulations 2015.

Improving the process for Members

7. Proposed improvements to the process for members are:
 - a. The implementation of an online form, which will make the process easier for members to complete, with a paper form also available on request.
 - b. Removing the requirement for Members to get a quote from ODS for the works. Previously, members have been required to email ODS directly for a quote. Following the review, Members will submit the request for the work to the Council and be provided a quote by Officers. This will ensure consistency of quotes and remove Members from any responsibility for CDM
 - c. An annual pricing list of regular work will be provided to enable members to estimate budget, this includes litter bins, replacement benches, picnic tables and tree planting.
 - d. In future members will also be able to review the balance of their WMB and CIL monies through their own QL portal, enabling members to review their allocated budget in 'real time'. Members can continue to contact the relevant teams to receive the same information.
8. An annual report on the use of WMB and CIL will continue to be published on the Council website at the end of the financial year and will be sent directly to Members.

Improving Decision Making

9. As with all financial decisions within the council, it is good practice that we have a clear record of who has approved spend. It is therefore proposed that, as budget holders, the Director of Communities and Citizens' Services will be responsible for approving WMB applications, and the Director of Planning and Regulation will approve CIL applications.
10. The proposed list of consultees in relation to applications includes the Director of Law, Governance and Strategy (Monitoring Officer) and the Group Finance Director (Section 151 Officer). Their role is to review the applications received but ultimately, since they do not hold the budget, they should not take the final decision.
11. Additional consultees for applications may include the Director of Property and Assets so that she can consider, where relevant any implications relating to the CDM Regulations 2015 to ensure all projects benefitting from the expenditure meet these requirements.
12. Any consultees listed above can delegate their responsibilities to a suitable officer within their department through their individual schemes of delegation.
13. All WMB and CIL spend decisions will be published on the Council's website via Mod.Gov, bringing these decisions in line with other delegated decisions from Cabinet, allowing further transparency about how Ward Member Decisions are made. All decisions about Ward Member Budget spend will continue to be subject to call-in and would be ultimately determined by the Scrutiny Committee.
14. These changes are designed to simplify and clarify the process for Members.

Impact of the Construction (Design and Management) Regulations 2015

15. The Construction (Design and Management) (CDM) Regulations 2015 are the UK regulations aimed at improving health, safety, and welfare in construction projects, as per the Health & Safety Executive (HSE), which is the governing body,

overseeing Health & Safety in construction. It sets out roles and responsibilities for all parties involved including clients, designers, contractors, and workers, to ensure risks are managed from the planning stage through to completion.

16. Compliance ensures that construction projects are carried out safely, efficiently, and without harm to workers or the public. It is also a legal requirement, and failing to meet these obligations could have serious consequences.
17. Failure to comply could lead to project delays, fines, legal action, reputational damage, and in severe cases, imprisonment for duty holders.
18. To ensure the council is compliant with these requirements and remove the CDM risk for Members, Officers will review the requests, determine whether there are any CDM requirements and where necessary ensure these are included in the specification for the works and the quotes provided to Members.

Changes to the Constitution

19. As per part 4.4 (Delegation to Officers), an amendment is proposed to remove the reference to 4.7 as not being able to be delegated to Officers.
20. To update the paragraph which sets out which decisions taken by officers under delegated powers that must be published to the Council website to include:
 - a. Any Ward Member Budget and Community Infrastructure Levy application decisions
21. An amendment to Part 4.7 (d) (Ward Member Decisions):
 - a. Any WMB spend must be approved by the Director of Communities and Citizens' Services, following consultation with the Director of Law, Governance and Strategy (Monitoring Officer), the Group Finance Director (Section 151 Officer) and the Director of Planning and Assets.
22. An additional paragraph (e) at part 4.7 is proposed to clearly state the different decision-making route for CIL.
23. Any CIL spend must be approved by the Director of Planning and Regulation following consultation with the Director of Law, Governance and Strategy (Monitoring Officer), the Group Finance Director (Section 151 Officer) and the Director of Planning and Assets where appropriate.
24. These amendments to the Constitution will need to be recommended to full Council and will form part of a wider report including other proposed amendments to the Constitution.

Alternative Options Considered

25. If the delegations and recommendations to Council to update the Constitution were not made, the ambiguities within the Constitution would remain around who should take decisions on member applications for WMB and CIL spend and what consultation is required before applications are determined. There would also be lack of clarity (and therefore potential liability for members) on responsibility for compliance with CDM Regulations (which needs to sit with Officers).
26. There is also the responsibility as to who should lead the report and discussion if the WMB or CIL spend was called in to the Scrutiny Committee. At present, there is

no clear decision taker who can assist with presenting and leading in respect of any WMB or CIL spend decisions that are called in.

Implications of Local Government Reorganisation

27. There are no direct implications relating to the upcoming Local Government Reorganisation arising from the proposals to amend the delegations of authority to determine WMB or CIL spend applications. A future funding model for members to apply to fund projects within their wards would be a decision for the new unitary authority covering Oxford.

Financial implications

28. As there are no proposed changes to the annual WMB or CIL funding, there are no financial implications arising from this report.

29. Any unspent allocations at the end of a financial year are carried forward unless Council agrees otherwise. If a ward member changes during the year without the full allocations having been designated (including any allocations carried forwards from a previous year), the replacement ward member will be able to allocate the remaining balance. Any changes to the annual figures reserved to each ward member, including any un-allocated funds being carried forward to a new fiscal year, would be reserved to Council during the consideration of the Council's budget.

Legal issues

30. As is currently the case, no WMB or CIL spend applications will be processed during a pre-election period. (EG/10450/6/2/26)

Level of risk

31. All WMB and CIL decisions will be reviewed by officers to ensure they comply with the CDM Regulations 2015. A separate risk register relating to all constructions projects is updated by the Building Safety and Compliance Surveyor, and going forward, will include all projects funded by WMB and CIL.

32. There are no other risks identified relating to the proposals.

Equalities impact

33. No equalities issues have been identified in relation to the proposals.

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Background Papers: None

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