



### Record of Officer's Decision

#### The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Date of Decision:</b>	29/01/2020
<b>Decision Maker (Officer):</b>	Damian Williams Head of Building & Engineering
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	<p>Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).</p> <p>The Corporate Director Paul Price has delegated operational matters relating to the maintenance of TDC owned bus shelters the Head of Building &amp; Engineering.</p>
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Councillor Alex Porter Leisure & Tourism Portfolio Holder
<b>Ward Member(s) consulted?</b>	None
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	Yes
<b>Decision Made:</b>	Exit current bus shelter maintenance contractual agreement with Clear Channel and sign up to Essex County Councils Collaboration agreement between local authority partners and relating to the procurement, by Essex County Council, of a Concession Contract for the provision of bus shelters, maintenance and revenue generation from advertising. Reference PAST/48 Countywide Bus Shelter Contract.
<b>Reason for Decision (if a report was produced to support the Decision, refer to</b>	Bus shelter provision across Essex is patchy, involves mixed ownership and any maintenance tends to be reactive only.

or attach it):

To our residents there is a lack of clear accountability, in terms of who owns which shelter, leading to frustration and blurred lines on how to report issues.

The bus shelter market is one that is dominated by two large suppliers – JC Decaux and Clear Channel. Across the country, they own the majority of large urban city and town contracts for the provision of advertising shelters. Within Essex, this is no different. This type of contract was typically let in the 1990's or early 2000's

Across the county, these contracts are often weighted in favour of JC Decaux or Clear Channel, with little or no benefit to the owning Council.

Essex County Council (ECC) proposes that Tendring District Council enter into a partnership agreement for this project, covering our responsibilities, shared objectives and the decision-making process throughout the life of the venture.

The intended benefits of the collaborative approach are:

- Residents have a consistent and improved experience of using buses, starting with the bus stop
- Asset ownership is clarified for Council's and residents
- Income is generated from the Bus Shelter estate and real-time passenger information system to invest in the network and reduce or eliminate the costs currently encountered by us all (whether financial or opportunity costs)
- We can rationalise the estate and remove the varying, nonsensical scenarios where there are 3 – 5 pieces of infrastructure in the same location that are not integrated.
- A modernisation of the estate – bringing shelter provision into the 21st century with Wifi, solar-power lighting and digital screens
- Potential to expand Bus Shelter provision across the County into areas where we know residents currently have no protection from the elements

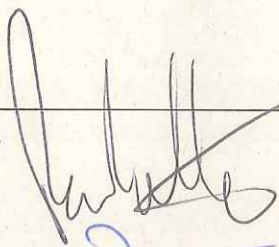
Tendring District Council is responsible for 52 bus

	<p>shelters. The disposal of land which will include up to 1 meter of land around 9 bus shelters will be subject to the Council's disposal process at a later stage. The full details are set out in the Essex County Councils Collaboration agreement between local authority partners and relating to the procurement, by Essex County Council, of a Concession Contract for the provision of bus shelters, maintenance and revenue generation from advertising. Reference PAST/48 Countywide Bus Shelter Contract.</p>																
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>[insert]</p>																
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>To do nothing and maintain the existing contract only responding to reactive maintenance calls with no investment in the bus shelters. This option rejected as there is no scope within existing budgets to carry out any improvements.</p>																
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	<p>N/A</p>																
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><b><u>and</u></b></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<table border="1"> <tr> <td data-bbox="560 1379 619 1451"></td> <td data-bbox="619 1379 1362 1451"> <p>Not applicable – Decision [and report] to be published</p> </td> </tr> <tr> <td data-bbox="560 1451 619 1523"></td> <td data-bbox="619 1451 1362 1523"> <p>If Report is not to be published – tick one of the following boxes:</p> </td> </tr> <tr> <td data-bbox="560 1523 619 1594"></td> <td data-bbox="619 1523 1362 1594"> <p>The report supporting the Decision contains confidential information</p> </td> </tr> <tr> <td data-bbox="560 1594 619 1711"></td> <td data-bbox="619 1594 1362 1711"> <p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p> </td> </tr> <tr> <td data-bbox="560 1711 619 1756"></td> <td data-bbox="619 1711 1362 1756"> <ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul> </td> </tr> <tr> <td data-bbox="560 1756 619 1800"></td> <td data-bbox="619 1756 1362 1800"> <ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul> </td> </tr> <tr> <td data-bbox="560 1800 619 1908"></td> <td data-bbox="619 1800 1362 1908"> <ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul> </td> </tr> <tr> <td data-bbox="560 1908 619 2024"></td> <td data-bbox="619 1908 1362 2024"> <ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul> </td> </tr> </table>		<p>Not applicable – Decision [and report] to be published</p>		<p>If Report is not to be published – tick one of the following boxes:</p>		<p>The report supporting the Decision contains confidential information</p>		<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>		<ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul>		<ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul>		<ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul>		<ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul>
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	<ul style="list-style-type: none"> <li>• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment</li> </ul>
	<ul style="list-style-type: none"> <li>• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</li> </ul>
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: [insert]</p>

**Officers**

Signed:



Title: CORPORATE DIRECTOR

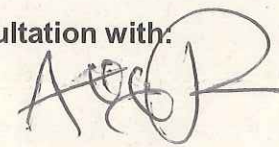
Signed:



Title: Head of Building + Engineering Services

**In consultation with:**

Signed:



Portfolio Holder For ~~Housing~~ Leisure & Tourism

Signed:

Section 151 Officer (if required)

Signed:

Monitoring Officer (if required)

Dated: 29/01/20