

## Record of Officer's Decision

### The Openness of Local Government Bodies Regulations 2014

### The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Date of Decision:</b>	12 January 2021
<b>Decision Maker (Officer):</b>	Ian Taylor Head of Public Realm
<b>Authority for Delegated Decision (Cabinet Decision or Scheme of Delegation – provide reference):</b>	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 3.42). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.42).
<b>If required, identify which Cabinet Member(s)/Portfolio Holder(s) consulted?</b>	Environment and Public Spaces Portfolio Holder
<b>Is it a Key Decision?</b>	No
<b>Decision Made:</b>	To accept recently sought quotations for replacement items of grounds maintenance equipment used by the Open Spaces service for grounds maintenance operations within the Tendring District
<b>Reason for Decision (if a report was produced to support the Decision, refer to and attach the same):</b>	The equipment forms part of the Councils replacement rolling programme for vehicles and equipment and sufficient budget is provided in this programme.
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	The equipment has been sought via an open tender in accordance with Council Procurement and Financial regulations.
<b>Details of any Alternative Options Considered and rejected (together with reasons):</b>	Not to replace or to extend life of existing equipment.  However, non-replacement of equipment at the appropriate time increases risk of unreliability and therefore inefficiency as well as safety for operators.
<b>Details of any declarations of interest (by Cabinet Member/Portfolio Holder who was consulted by the officer, which related to the decision)</b>	The Portfolio Holder has signed a letter of concurrence.

<p><b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b></p>																			
<p><b>Reason Decision is not published:</b></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="555 192 635 226"></td> <td data-bbox="635 192 1380 226">Decision contains confidential information</td> </tr> <tr> <td data-bbox="555 226 635 297"></td> <td data-bbox="635 226 1380 297">Decision falls within an exemption pursuant to Sch 12A Local Government Act 1972 Information:</td> </tr> <tr> <td data-bbox="555 297 635 331"></td> <td data-bbox="635 297 1380 331"> <ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul> </td> </tr> <tr> <td data-bbox="555 331 635 367"></td> <td data-bbox="635 331 1380 367"> <ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul> </td> </tr> <tr> <td data-bbox="555 367 635 472"></td> <td data-bbox="635 367 1380 472"> <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="555 472 635 577"></td> <td data-bbox="635 472 1380 577"> <ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul> </td> </tr> <tr> <td data-bbox="555 577 635 750"></td> <td data-bbox="635 577 1380 750"> <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> </td> </tr> <tr> <td data-bbox="555 750 635 887"></td> <td data-bbox="635 750 1380 887"> <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> </td> </tr> <tr> <td colspan="2" data-bbox="555 887 1380 1122"> <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:</p> </td> </tr> </table>		Decision contains confidential information		Decision falls within an exemption pursuant to Sch 12A Local Government Act 1972 Information:		<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>		<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:</p>	
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**Officers**

Officers



Ian Taylor

Head of Public Realm

**In consultation with:**

*M. J. Talbot*

:Portfolio Holder for Environment and Public Spaces

**Dated: 15 / 01/ 2021.**