

Cllr G Guglielmi  
Deputy Leader of Council; Portfolio Holder for  
Corporate Finance & Governance  
71 Colchester Road  
Lawford  
Manningtree  
Essex  
CO11 2BJ  
**BY EMAIL**

Assistant director: Building and Public  
Realm  
Town Hall  
Station Road  
Clacton on Sea  
Essex CO15 1SE

Tel: (01255) 686933  
Email: [awhite@tendringdc.gov.uk](mailto:awhite@tendringdc.gov.uk)

25 November 2022

Our Ref: AW/arw  
Please ask for: Andy White

Dear Councillor Guglielmi

**Concurrence with Officer Decision: Completion of Land swap with Essex County Council in relation to Land at Vista Road and Land between Rush Green and Jaywick Lane.**

I write to seek your concurrence in respect of an officer decision to Complete the above transactions comprising:

- Transfer of land now included in the playing field of Clacton County High School to Essex County Council, who in turn will transfer it to Sigma Trust the academy provider on the site.
- Transfers to Tendring District Council of land located between Rush Green open space area and Jaywick Lane.
- A funding agreement whereby Essex County Council will transfer funds to Tendring District Council in return for regularising access to the school site and open space and playing pitch improvements.
- A joint use agreement between Sigma Trust and TDC regulating use of the access, parking and playing pitches as well as contributing to a fund for periodic renewal of the all-weather pitch.

The foregoing is all as previously agreed by the Cabinet, save for:

- The umbrella agreement in the Cabinet decision is replaced by the Funding Agreement on broadly similar terms.
- The transfer of land at Jaywick Lane is in two parts, for legal reasons.
- The transfer of land at Jaywick Lane includes some additional provisions related to the PFI contract on the adjoining land.
- The various documents include additional details to the heads of terms as approved by Cabinet, but are generally consistent with them.
- Some flexibility as to the specification for the works has been agreed and included in the Funding Agreement.

The attached report includes further details.

In practical terms the land at Vista Road is already in use by the school under interim arrangements and planning conditions are to be met as part of the works subject to the agreements.

Costs of works have risen steeply since the Cabinet decision but neither of the authorities has additional funding. Some flexibility as to the detailed specification of paths and parking has been

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agreed and reflected in the detail of the funding agreement. It is likely that fewer of the optional works identified in the Cabinet report will be achievable. It is important to complete these deals quickly in order to avoid any further cost increases and consequent diminution of possible works.

Accordingly I write to seek your concurrence with the proposed decision by the Corporate Director for Operations and Delivery to complete the transactions in line with the earlier Cabinet decision and in accordance with the details drawn up by the authorities' solicitors. If you concur, I ask that you sign and return the attached pro-forma to me. If you have any questions or other comments please do not hesitate to contact me.

Yours sincerely

*A White*

Andy White

Assistant Director Building and Public Realm

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[as signed] November 2022

Dear Andy

**Concurrence with Officer Decision: Concurrence with Officer Decision: Completion of Land swap with Essex County Council in relation to Land at Vista Road and Land between Rush Green and Jaywick Lane.**

Thank you for your letter of 25 November 2021.

I note the proposed decision to complete the transactions in line with the earlier Cabinet decision and in accordance with the details drawn up by the authorities' solicitors.

\* I concur ~~I do not concur~~ with the actions you propose.

*...Authorised by the Portfolio Holder...*

Cllr G Guglielmi

Date *28 November 2022*

Deputy Leader of Council; Portfolio Holder for Corporate Finance & Governance

Additional comments (if any):