

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

Date of Decision:	23 January 2023
Decision Maker (Officer):	Kieran Charles – Sport & Leisure Operations Manager
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<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, Lee Heley, has delegated operational matters relating to TDC Sports Facilities, Servicing & Compliance Contracts to the Sport & Leisure Operations Manager.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Councillor Alex Porter
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	The Portfolio Holder for Leisure and Tourism concurs and approves the award of contract to Concept, Sterling Hydro-tech, Tendring Telecoms & Security Systems and Lindsey Heating for the Servicing/ Compliance of Legionella Control, Pool Plant Maintenance, Electrical Compliance, Heating/ Air Handling Compliance and Air Conditioning Compliance for the amount of £183,336.42 over a 3 year period, funded from the centre revenue accounts. Additionally, concurs and approves the entering into contract with each of the contractors.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	This decision supports TDC's proactive approach in investigating ways in which TDC operated Sports Facilities (Clacton Leisure Centre, Walton-on-the-Naze Lifestyles & Dovercourt Bay Lifestyles) can become more efficient & effective whilst managing budgets.

	<p>Centre Managers identified five key areas (Legionella Control, Pool Plant Maintenance, Electrical Compliance, Heating/ Air Handling Compliance & Air Conditioning Compliance) where Contractors could complete works under a single Contract across all three Sports Facilities. The Centres currently utilise multiple contractors completing differing works across TDC's three Sports Facilities. Amalgamating these would then make the Management of Contractors easier & would enable savings by grouping work together, thus enabling a consistent standard of compliance across all sites.</p> <p>Following a successful tender process where contractors met the servicing/ maintenance and compliance objectives and allocated budget is agreed that the contract award should take place.</p>	
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Operationally and financially Centre Managers would need to spend significant amounts of time allocated to the organisation of multiple contracts, duplicating compliance work across different sites at a higher cost. Amalgamating contracts would logistically lessen this risk.</p> <p>A reputational risk has been highlighted if areas are closed or unavailable due to reactive maintenance rather than planned scheme of works to ensure TDC Sports Facilities are fully compliant.</p>	
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>Not to proceed with the award could lead to additional financial resources being required to fund TDC's Sports Facilities budgets to ensure compliance of Legionella Control, Pool Plant Maintenance, Electrical equipment and installations, Heating/ Air Handling Compliance and Air Conditioning systems.</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><u>and</u></p>	<p>✓</p>	<p>Not applicable – Decision to be published with the report to be finalised and published following the proposal drawings. These drawings will determine the specification and location of the Skate Park taking into account with its surrounding area.</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><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>		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • 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
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<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: N/A</p>		

Officers

Signed: Title: Sport & Leisure Operations Manager

Signed: Title:

In consultation with:

Signed: **Portfolio Holder For Leisure & Tourism**

Signed: **Section 151 Officer (if required)**

Signed: **Monitoring Officer (if required)**

Dated: