

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:	9/3/23
Decision Maker (Officer):	Andy Nepean Public Realm 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 Damian Williams has delegated operational matters relating to the commissioning of external suppliers to the Public Realm Operations Manager</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Michael Talbot ENVIRONMENT AND PUBLIC SPACE PORTFOLIO HOLDER
Ward Member(s) consulted?	No
Is it a Key Decision?	No
If YES, please provide details of when the 28 days notification was given in the Forward Plan.	
Is it subject to call-in?	No
Decision Made:	To award the CONTRACT FOR THE PROVISION OF Construction of Changing Places Facility, at the Leas, Frinton-on-Sea SERVICES

	<p>to the highest scoring tender, TLC Building Services Ltd from 14/3/23 for a 12 week period at a value of £68491.</p> <p>Through the procurement exercise, the parties have agreed to enter into the CONTRACT FOR THE PROVISION OF Construction of Changing Places Facility, at the Leas, Frinton-on-Sea SERVICES and the terms and conditions are all agreed.</p>
<p>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</p>	<p>To award the contract FOR THE PROVISION OF Construction of Changing Places Facility, at the Leas, Frinton-on-Sea to the successful contractor, following a tender and evaluation process Carried out by Essex County Councils procurement team</p> <p>Grant funding received from ECC of £77566 has been provided and agreed by the ENVIRONMENT AND PUBLIC SPACE PORTFOLIO HOLDER and is in line with the Council's Financial Procedure Rules.</p> <p>This project is to provide new disabled facilities on the seafront</p> <p>A thorough tender exercise in line with the Council's Procurement Procedure Rules was completed and evaluated on a financial and qualitative basis (100% Price) with consideration of the Public Services (Social Value) Act 2012.</p> <p>The contract will comply with the Procurement Procedure Rules and Article 14 of the Constitution.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>The ongoing maintenance associated with the Changing Place will be from existing public convenience budgets in Building and Public Realm.</p> <p>These revenue budgets for public convenience cleaning are currently fully spent. However, the addition of a new Changing Place will not affect the ability of the service to maintain them.</p> <p>Changing Places are not open to the public in the same way as other toilets and therefore the requirement to clean and maintain is less onerous.</p> <p>The delivery of this project will provide a significant benefit to people and their families with the most severe disabilities</p>
<p>Details of any Alternative Options Considered and</p>	<p>In house services were considered to carry out the construction but with current workload and specialist installation skills needed was rejected.</p>

<p>rejected (together with reasons):</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><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="584 741 632 808"> <input checked="" type="checkbox"/> </td> <td data-bbox="632 741 1382 808"> <p>Not applicable – Decision [and report] to be published</p> </td> </tr> <tr> <td data-bbox="584 808 632 925"> <input type="checkbox"/> </td> <td data-bbox="632 808 1382 925"> <p>The report supporting the Decision contains confidential information</p> </td> </tr> <tr> <td data-bbox="584 925 632 1041"> <input type="checkbox"/> </td> <td data-bbox="632 925 1382 1041"> <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="584 1041 632 1077"> <input type="checkbox"/> </td> <td data-bbox="632 1041 1382 1077"> <ul style="list-style-type: none"> • Relates to an individual </td> </tr> <tr> <td data-bbox="584 1077 632 1120"> <input type="checkbox"/> </td> <td data-bbox="632 1077 1382 1120"> <ul style="list-style-type: none"> • Likely to reveal the identity of an individual </td> </tr> <tr> <td data-bbox="584 1120 632 1236"> <input type="checkbox"/> </td> <td data-bbox="632 1120 1382 1236"> <ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation </td> </tr> <tr> <td data-bbox="584 1236 632 1352"> <input type="checkbox"/> </td> <td data-bbox="632 1236 1382 1352"> <ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings </td> </tr> <tr> <td data-bbox="584 1352 632 1570"> <input type="checkbox"/> </td> <td data-bbox="632 1352 1382 1570"> <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 </td> </tr> <tr> <td data-bbox="584 1570 632 1720"> <input type="checkbox"/> </td> <td data-bbox="632 1570 1382 1720"> <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 </td> </tr> <tr> <td colspan="2" data-bbox="584 1720 1382 1870"> <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> </td> </tr> <tr> <td colspan="2" data-bbox="584 1870 1382 2007"> <p>Reasons:</p> </td> </tr> </table>	<input checked="" type="checkbox"/>	<p>Not applicable – Decision [and report] to be published</p>	<input type="checkbox"/>	<p>The report supporting the Decision contains confidential information</p>	<input type="checkbox"/>	<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>	<input type="checkbox"/>	<ul style="list-style-type: none"> • Relates to an individual 	<input type="checkbox"/>	<ul style="list-style-type: none"> • Likely to reveal the identity of an individual 	<input type="checkbox"/>	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation 	<input type="checkbox"/>	<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings 	<input type="checkbox"/>	<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 	<input type="checkbox"/>	<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:</p>	
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Officers

Signed: Title: Andy Nepean Public Realm Operations Manager

Signed: Title:

In consultation with:

Signed: *M. J. Falbot* Portfolio Holder

Dated: 9/3/23.