



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:	7 June 2023.
Decision Maker (Officer):	Damian Williams Corporate Director (Operations and Delivery).
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 (Operations and Delivery), Damian Williams, has delegated power to authorise the grant of a Licence to Occupy in respect of a compound area at Dovedale Gardens, Clacton-on-Sea, CO15 5EJ to Cadent Gas Limited, whereby they will have the right to use the compound area for an 8-week period, for the purposes of vehicle, welfare and plant storage in connection with works to an existing gas pipeline within the same area.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Portfolio Holder for Assets.
Ward Member(s) consulted?	No.
Is it a Key Decision?	No.
Is it subject to call-in?	No.
Decision Made:	To agree to the grant of the Licence to Occupy to Cadent Gas Limited, in respect of having a compound area at Dovedale Gardens, Clacton-on-Sea, CO15 5EJ.

Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Officers received a request from Cadent Gas Limited to have a compound area at Dovedale Gardens, Clacton-on-Sea, CO15 5EJ for an 8-week period starting from 12 th June 2023, in order to facilitate works that need to be carried out to an existing gas pipeline within the same area. Officers have now agreed a set of satisfactory terms and conditions in principle and are looking to complete a Licence to Occupy in order to allow the required works to proceed.
Highlight any associated risks/finance/legal/equality considerations:	<p>Cadent Gas Limited have agreed to pay to TDC a recurring fee for each additional week they remain in occupation, should they need longer than the original 8-week period.</p> <p>Cadent Gas Limited have agreed to make good and reinstate all damage that is caused by them or by any party that has been authorised to carry out work in the compound area on their behalf.</p>
Details of any Alternative Options Considered and rejected (together with reasons):	Alternative options are to not provide consent for the works, however Officers have not found reason to believe that consent should be withheld.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	N/A
If relevant, a note of the dispensation granted by the Monitoring Officer:	
Reason Decision, or supporting Report, is not published:	Not applicable – Decision to be published
<i>Tick one or more of the specific exemptions,</i>	If Report is not to be published – tick one of the following boxes:
<u>and</u>	<input type="checkbox"/> The report supporting the Decision contains confidential information
	<input type="checkbox"/> The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
	<input type="checkbox"/> • Relates to an individual
	<input type="checkbox"/> • Likely to reveal the identity of an individual

<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>	<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>

Officer

Signed: 

Title: Corporate Director for (Operations and Delivery)

Dated: 8/6/23

