



Cllr M Barry
C/o Town Hall
Station Road
Clacton on Sea
Essex
CO15 1SE

Public Realm
Northbourne Depot
Vista Road
Clacton on Sea
Essex CO15 6AY

Tel: (01255) 686639
Email: anepean@tendringdc.gov.uk

Our Ref: KC/Tokely Road
Please ask for: Andy Nepean

27 July 2023

Dear Councillor Barry

RE: REQUEST FOR THE RELEASE OF SECTION 106 CONTRIBUTIONS FOR RENEWAL OF PLAY EQUIPMENT AT TOKELY ROAD PLAY AREA, FRATING

Tendring District Council have requested to release £142486.22 of S106 contributions, for the renewal of the play area at Tokely Road Play Area.

This is following development on the adjacent site it has now become necessary to upgrade the current equipment to accommodate the additional residents.

In accordance with the Council's scheme of delegated powers I propose to allocate £142486.22 from Section 106 contributions for this additional provision from the following Planning application.

Application No:	Amount to be Allocated:
18/00194/FUL	£142486.22

Therefore, if you concur with the foregoing I should be pleased if you would sign and return the attached pro-forma to me as soon as possible. The decision will be published in accordance with the new procedures. Please forward the signed Concurrence to me directly at the above address. I will then forward this to our finance department.

Yours sincerely

Andrew Nepean
Public Realm Operations Manger

Mr A Nepean
Public Realm Operations Manager
Northbourne Depot
Vista Road
Clacton on Sea
Essex
CO15 6AY

Dear Mr Nepean

Delegated Power Ref: Part 3, Delegated Powers, page 40 Clause 4.3.3

RE: REQUEST FOR THE RELEASE OF SECTION 106 CONTRIBUTIONS FOR RENEWAL OF PLAY EQUIPMENT AT TOKELY ROAD PLAY AREA, FRATING

I refer to your letter dated 1 March 2023 concerning the action you propose to take exercising the above delegated power in consultation with myself concerning the allocation of £142486.22 from Section 106 funds, as specified to renew the fence to the tennis court.

* I concur / ~~do not concur~~ with the action you propose.


Councillor M Barry
Leisure and Public Realm

Dated

* Please delete as appropriate.

Additional comments (if any):

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:	27 July 2023
Decision Maker (Officer):	Andrew Nepean Public Realm Operations Manager
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	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).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr M Barry
Ward Member(s) consulted?	Yes
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To release S106 from developer contributions to provide new play equipment at Tokely Road, Frating this is following development on the adjacent site.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Section 106 funding request, approved by Planning Services.
Highlight any associated risks/finance/legal/equality considerations:	None
Details of any Alternative Options Considered and rejected (together with reasons):	

<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>	<p>Not applicable – Decision [and report] to be published</p> <p>If Report is not to be published – tick one of the following boxes:</p> <p><input type="checkbox"/> The report supporting the Decision contains confidential information</p> <p><input type="checkbox"/> The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p> <ul style="list-style-type: none"> <input type="checkbox"/> • Relates to an individual <input type="checkbox"/> • Likely to reveal the identity of an individual <input type="checkbox"/> • Relating to financial or business affairs of a person or organisation <input type="checkbox"/> • Relates to a claim for legal professional privilege in legal proceedings <input type="checkbox"/> • 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"/> • 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:

In consultation with:



Title: Public Realm Operations Manager

Portfolio Holder Leisure and Public Realm