Tendring District Council

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:	15 March 2024
Decision Maker (Officer):	Damian Williams, Corporate Director (Operations and Delivery).
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). The Corporate Director (Operations and Delivery) is authorised to agree to an assignment of a Lease.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	No.
Ward Member(s) consulted?	No.
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To agree to the assignment of the Lease of The Colonnade Kiosk, Walton.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Officers received a request to assign the Lease from the current tenant of The Colonnade Kiosk, Walton to a third party. Officers met with the potential assignee to perform identity checks and obtain all relevant documents to complete due diligence. Following completion of this and successful reference checks, officers are

	satisfied that the potential assignee satisfies TDC's requirements to take on the Lease for the remainder of the term.	
Highlight any associated risks/finance/legal/equality considerations:	No risks have been identified.	
Details of any Alternative Options Considered and rejected (together with reasons):	Alternative options are to not agree to the assignment. However, TDC as the Landlord, are not to unreasonably withhold consent for a request to assign the Lease. Officers have not found reason to believe that consent should be withheld in this request.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) **If relevant, a note of the dispensation granted by the Monitoring Officer:**	None	
Reason Decision, or supporting Report, is not published: *Tick one or more of the specific exemptions,* ***and*** *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).*		Not applicable
	If Report is not to be published – tick one of the following boxes:	
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• Relates to an individual
		• Likely to reveal the identity of an individual
	X	• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings
		• 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
		• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

	And 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

Officer **Damian Williams**

Signed: Title: Corporate Director for (Operations and Delivery)

Dated: 18/3/24