

## 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

<b>Date of Decision:</b>	12 <sup>th</sup> March 2024
<b>Decision Maker (Officer):</b>	Kieran Charles – Sport & Leisure Operations Manager
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	<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 the Clacton Leisure Centre, 3G Pitch 5 Year Maintenance Schedule to the Sport &amp; Leisure Operations Manager.</p>
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Councillor Mick Barry
<b>Ward Member(s) consulted?</b>	N/A
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	<p>A) The Portfolio Holder for Public Realm agrees to the award and entering into contract with Replay Maintenance to carry out this 3G Pitch 5 Year Maintenance Schedule.</p> <p>B) The Portfolio Holder for Leisure and Public Realm approves the associated use of £32,475.00 for the 5 year contract, excluding VAT from the CLC Revenue account.</p>
<b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b>	<p>As part of our current 3G Pitch warranty it outlines that TDC are required to ensure that the 3G pitch is being used for its sole purpose and maintained in accordance with the Framework Operator's maintenance instructions.</p> <p>The current initial years maintenance agreement is coming to an end, so therefore TDC have conducted a procurement for a 5-year maintenance agreement. Failing to do so will invalid our</p>

	warranty and exposes TDC to being liable for any repairs or maintenance costs to the 3G Pitch over the current warranty of 8 years for synthetic turf surface system, 15 years for shock pad and 20 years sub-base, base, and drainage system cover.
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	Failing to arrange a service contract will invalid TDC warranty and exposes TDC to being liable for any repairs or maintenance costs to the 3G Pitch.
<b>Details of any Alternative Options Considered and rejected (together with reasons):</b>	No other options have been considered due to the invalidation of warranty.
<b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</b>  <b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b>	N/A
<b>Reason Decision, or supporting Report, is not published:</b>	✓ Not applicable – Decision to be published.
<i>Tick one or more of the specific exemptions,</i>  <b><u>and</u></b>  <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>	<b>If Report is not to be published – tick one of the following boxes:</b>
	<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"/> <ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul>
	<input type="checkbox"/> <ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul>
	<input type="checkbox"/> <ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul>
	<input type="checkbox"/> <ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul>
	<input type="checkbox"/> <ul style="list-style-type: none"> <li>• 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</li> </ul>
	<input type="checkbox"/> <ul style="list-style-type: none"> <li>• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</li> </ul>
<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	

	Reasons:
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**Officers**

Signed: K. Charles

Title: Sport & Leisure Operations Manager

Signed:

Title:

**In consultation with:**

Signed:

**Portfolio Holder for Leisure and Public Realm**

Signed:

Signed:

**Section 151 Officer (if required)**

Signed:

**Monitoring Officer (if required)**

**Dated:**