

### 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>	2703/2024
<b>Decision Maker (Officer):</b>	Lee Heley, Corporate Director, Place and Economy
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	Cabinet Decision 6 <sup>th</sup> October 2023 - Minute No. 38 (d)  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 3.43). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii))).
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Cllr Ivan Henderson, Deputy Leader of the Council and Portfolio Holder for Regeneration and Tourism
<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>	To enter into a contract with Right of Light Consulting for the provision of rights of light services for the Carnarvon Terrace project which is being delivered as part of the wider Clacton Civic Quarter Levelling Up Fund scheme, and for the Homes in Dovercourt project, which is being delivered as part of the Dovercourt Town Centre Improvement Corridor scheme.  The services have been procured via the Quotation Rules as set out in Tendring District Council's constitution, and have a total cost of £14,250 (Carnarvon Terrace) and £7,450 (Homes in Dovercourt) plus VAT.
<b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b>	On 6 October 2023 Cabinet considered a report titled 'Levelling Up Fund and Capital Regeneration Projects - Progressing the Projects to Planning Permission'. As part of that report, Cabinet delegated authority to the Corporate Director Place and Economy in consultation with the Portfolio Holder for Economic Growth, Regeneration and

	<p>Tourism to procure appropriate resources and commission a project team to carry out the associated work including for the design briefs.</p> <p>This appointment allows the 'rights of light' aspect of the design briefs to be progressed.</p>										
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Finance</b></p> <p>The total project costs of the Carnarvon Terrace scheme were calculated to be £19,743,739. This is broken down as follows:</p> <p>Request to Levelling Up Fund: £16,855,239  TDC Match Funding Contribution: £2,078,500  Brownfield Land Release Funding: £420,000  Electric Vehicle Fund: £390,000 (not yet secured)</p> <p>The total project costs of the Dovercourt Town Centre Improvement Corridor scheme were calculated to be £3,548,751. This is broken down as follows:</p> <p>Request to Levelling Up Fund: £3,332,251  TDC Match Funding Contribution: £216,500</p> <p><b>Legal</b></p> <p>The services have been procured via the Quotation Rules as set out in Tendring District Council's constitution.</p>										
<p><b>Details of any Alternative Options Considered and rejected (together with reasons):</b></p>	<p>Not appointing a consultant. Taking this approach would mean the works did not progress.</p>										
<p><b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</b></p> <p><b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b></p>	<p>N/A</p>										
<p><b>Reason Decision, or supporting Report, is not published:</b></p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><b><u>and</u></b></p>	<table border="1"> <tr> <td data-bbox="576 1709 635 1742">x</td> <td data-bbox="635 1709 1372 1742">Not applicable – Decision [and report] to be published</td> </tr> <tr> <td colspan="2" data-bbox="576 1742 1372 1816"><b>If Report is not to be published – tick one of the following boxes:</b></td> </tr> <tr> <td data-bbox="576 1816 635 1883"></td> <td data-bbox="635 1816 1372 1883">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="576 1883 635 1984"></td> <td data-bbox="635 1883 1372 1984">The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</td> </tr> <tr> <td data-bbox="576 1984 635 2016"></td> <td data-bbox="635 1984 1372 2016"> <ul style="list-style-type: none"> <li>Relates to an individual</li> </ul> </td> </tr> </table>	x	Not applicable – Decision [and report] to be published	<b>If Report is not to be published – tick one of the following boxes:</b>			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:		<ul style="list-style-type: none"> <li>Relates to an individual</li> </ul>
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<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"> <li>• Likely to reveal the identity of an individual</li> </ul>
	<ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul>
	<ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul>
	<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>
	<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>
<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: <span style="color: red;">[insert]</span></p>	

**Officer**

Signed: *Lee Kelay*

Title: Corporate Director Place and Economy

**In consultation with:**

Signed: [via email]  
Tourism

Title: Portfolio Holder for Economic Growth, Regeneration &

**Dated:**