



## 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>	29 February 2024		
<b>Decision Maker (Officer):</b>	Gary Guiver Director of Planning		
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	<p>Part 3, Schedule 3 – Delegation of Executive Functions delegated to Officers paragraph 4.4 (1) <i>With the exception of the matters which the Leader of the Council has determined are to be discharged by the Cabinet or individual Portfolio Holders, as detailed in the Cabinet Scheme of Delegation, the Chief Executive and the Corporate Directors have delegated authority to discharge all executive functions within their respective service areas as set out in Article 12, having authority to act on all such matters. The Chief Executive shall determine from time to time what the service responsibilities of the Deputy Chief Executive and each Corporate Director and Head of Service shall be.</i></p> <p>(2). <i>The delegation of powers to officers is underpinned by the principle and culture of consultation and liaison with Members, as appropriate and the ability for officers to refer matters to the relevant decision maker i.e. individual Portfolio Holder or a meeting of the full Cabinet, where it is felt that this is appropriate due to the nature of an issue</i></p>		
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Concurrence has been obtained in consultation with the Portfolio Holder for Housing & Planning; Deputy Leader of the Tendring Independents Group, Cllr. A Baker.		
<b>Ward Member(s) consulted?</b>	N/A		
<b>Is it a Key Decision?</b>	Yes		
<b>Is it subject to call-in?</b>	No		
<b>Decision Made:</b>	<p><b>To procure an advice note from Rapleys &amp; HDH Planning on the likely Housing Requirement for the Local Plan review and apply an exemption to the procurement process for the following reasons.</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 5%; vertical-align: top;">(c)</td> <td>The matter is one of urgency as determined by the appropriate Corporate Director/Head of Department following consultation with the responsible Portfolio Holder or the Leader of the Council.</td> </tr> </table>	(c)	The matter is one of urgency as determined by the appropriate Corporate Director/Head of Department following consultation with the responsible Portfolio Holder or the Leader of the Council.
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<b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b>	<p data-bbox="560 831 1530 965">The Council is required to understand housing needs for the extended Local Plan period and to fully explore the avenues that might justify the exceptional approach of departing from the Standard Methodology set out in government guidance.</p> <p data-bbox="560 999 1530 1133">Due to the sensitivities around this piece of work, it is imperative to award this work to a company without a conflicting interest and with a knowledge of the unique demographic and economic factors that have influenced objectively-assessed housing need calculations previously.</p>		
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	N/A		
<b>Details of any Alternative Options Considered and rejected (together with reasons):</b>	<ol data-bbox="560 1368 1530 1760" style="list-style-type: none"> <li>1. Do nothing. The Council would have to accept the application of the government's Standard Method for calculating local housing need without exploring whether or not there could be any exceptional justification (as allowed in current national planning policy) for applying an alternative method. Furthermore, if an alternative method could be justified, the Council will face challenges when defending its approach to future housing growth when the Local Plan is examined by a Government Inspector – if not based on clear and robust evidence.</li> <li>2. Procure the technical advice note detailed above.</li> </ol>		
<b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer,</b>	N/A		

<p>which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>																							
<p><b>Reason Decision, or supporting Report, is not published:</b></p> <p><i>Tick one or more of the specific exemptions, <b>and</b> 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>	<table border="1"> <tr> <td data-bbox="549 465 603 510">√</td> <td data-bbox="603 465 1527 510">Not applicable – Decision [and report] to be published</td> </tr> <tr> <td colspan="2" data-bbox="549 510 1527 555" style="color: red;">If Report is not to be published – tick one of the following boxes:</td> </tr> <tr> <td data-bbox="549 555 603 582"></td> <td data-bbox="603 555 1527 582"></td> </tr> <tr> <td data-bbox="549 582 603 622"></td> <td data-bbox="603 582 1527 622">N/A</td> </tr> <tr> <td data-bbox="549 622 603 658"></td> <td data-bbox="603 622 1527 658"></td> </tr> <tr> <td data-bbox="549 658 603 694"></td> <td data-bbox="603 658 1527 694"></td> </tr> <tr> <td data-bbox="549 694 603 730"></td> <td data-bbox="603 694 1527 730"></td> </tr> <tr> <td data-bbox="549 730 603 766"></td> <td data-bbox="603 730 1527 766"></td> </tr> <tr> <td data-bbox="549 766 603 801"></td> <td data-bbox="603 766 1527 801"></td> </tr> <tr> <td data-bbox="549 801 603 837"></td> <td data-bbox="603 801 1527 837"></td> </tr> <tr> <td data-bbox="549 837 603 873"></td> <td data-bbox="603 837 1527 873"></td> </tr> </table>	√	Not applicable – Decision [and report] to be published	If Report is not to be published – tick one of the following boxes:					N/A														
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**Officers**

Signed:



Gary Guiver

Title: Director of Planning

Paul Woods

Title: Planning Policy Team Leader

**In consultation with:**

Title: Cllr. Andy Baker

**Dated: 29 February 2024**