



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:	30 th April 2024
Decision Maker (Officer):	Damian Williams, Corporate Director for Operations and Delivery.
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<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 (Operations and Delivery), Damian Williams, has delegated power to authorise the grant of a Licence to Occupy in respect of a compound area at Clays Road, Walton-on-the-Naze, Essex, to Costain who have been appointed as a sub-contractor by Cadent Gas Limited, whereby they will have the right to temporarily use the compound area for the purpose of welfare and storage in connection with gas works in the local area.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Portfolio Holder for Assets.
Ward Member(s) consulted?	No.
Is it a Key Decision?	No.
Is it subject to call-in?	No.
Decision Made:	To agree to the grant of the Licence to Occupy to Costain, in respect of having a compound area at Clays Road, Walton-on-the-Naze, Essex.

<p>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</p>	<p>Officers received a request from Costain to have a compound area at Clays Road, Walton-on-the-Naze, Essex, in order to facilitate necessary gas works in the local area. Officers have now agreed a set of satisfactory terms and conditions in principle and are looking to complete a Licence to Occupy in order to allow the desired works to proceed.</p>														
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Costain have agreed to pay to TDC a recurring fee for each additional week they remain in occupation, should they need longer than the original period.</p> <p>Costain have agreed to make good and reinstate all damage that is caused by them or by any party that has been authorised to carry out work in the <u>compound area on their behalf.</u></p>														
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>Alternative options are to not provide consent for the works, however Officers have not found reason to believe that consent should be withheld.</p>														
<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</i></p>	<table border="1"> <tr> <td data-bbox="582 1451 630 1523"></td> <td data-bbox="630 1451 1372 1523">Not applicable – Decision [and report] to be published</td> </tr> <tr> <td data-bbox="582 1523 630 1601"></td> <td data-bbox="630 1523 1372 1601">If Report is not to be published – tick one of the following boxes:</td> </tr> <tr> <td data-bbox="582 1601 630 1675">X</td> <td data-bbox="630 1601 1372 1675">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="582 1675 630 1787"></td> <td data-bbox="630 1675 1372 1787">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="582 1787 630 1832"></td> <td data-bbox="630 1787 1372 1832"> <ul style="list-style-type: none"> • Relates to an individual </td> </tr> <tr> <td data-bbox="582 1832 630 1877"></td> <td data-bbox="630 1832 1372 1877"> <ul style="list-style-type: none"> • Likely to reveal the identity of an individual </td> </tr> <tr> <td data-bbox="582 1877 630 1977">X</td> <td data-bbox="630 1877 1372 1977"> <ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation </td> </tr> </table>		Not applicable – Decision [and report] to be published		If Report is not to be published – tick one of the following boxes:	X	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"> • Relates to an individual 		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual 	X	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
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<i>test (which is in favour of disclosure).</i>	<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
	<ul style="list-style-type: none"> • 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
	<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	<p>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</p> <p>Reasons: Report contains confidential information.</p>

Officer

Damian Williams

Signed:



Title: Corporate Director (Operations and Delivery)

Dated:

3/6/24

