

## 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>	9 July 2024
<b>Decision Maker (Officer):</b>	Andy Nepean – Public Realm Manger
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	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).
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Cllr M Barry
<b>Ward Member(s) consulted?</b>	No
<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 15 year licence agreement for MER to provide a fully funded electric vehicle charge points at Orwell Place Car Park, Dovercourt.
<b>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</b>	MER are the owners and suppliers of the electric charge points at Orwell Place, Dovercourt. The decision is made to enter into a 15 year agreement for them to provide the handling service for transactions and ongoing care and maintenance of the equipment. Paying Tendring District a percentage of profit once all expenses have been deducted..
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	The associated risks are negligible if option two is adopted and the ownership and responsibility of service and equipment will remain with MER.
<b>Details of any Alternative Options Considered and rejected (together with reasons):</b>	Option 1 TDC would acquire the charge point machines and be responsible for all of the costs, MER would operate the devices on behalf of TDC, retaining a fee as a percentage of takings.

<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><b><u>and</u></b></p> <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>	<table border="1"> <tr> <td data-bbox="528 510 587 546"></td> <td data-bbox="587 510 1334 546">Not applicable – Decision [and report] to be published</td> </tr> <tr> <td data-bbox="528 546 587 613"></td> <td data-bbox="587 546 1334 613">If Report is not to be published – tick one of the following boxes:</td> </tr> <tr> <td data-bbox="528 613 587 680"></td> <td data-bbox="587 613 1334 680">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="528 680 587 786"></td> <td data-bbox="587 680 1334 786">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="528 786 587 822"></td> <td data-bbox="587 786 1334 822"> <ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul> </td> </tr> <tr> <td data-bbox="528 822 587 857"></td> <td data-bbox="587 822 1334 857"> <ul style="list-style-type: none"> <li>• Likely to reveal the identity of an individual</li> </ul> </td> </tr> <tr> <td data-bbox="528 857 587 960"></td> <td data-bbox="587 857 1334 960"> <ul style="list-style-type: none"> <li>• Relating to financial or business affairs of a person or organisation</li> </ul> </td> </tr> <tr> <td data-bbox="528 960 587 1066"></td> <td data-bbox="587 960 1334 1066"> <ul style="list-style-type: none"> <li>• Relates to a claim for legal professional privilege in legal proceedings</li> </ul> </td> </tr> <tr> <td data-bbox="528 1066 587 1236"></td> <td data-bbox="587 1066 1334 1236"> <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> </td> </tr> <tr> <td data-bbox="528 1236 587 1375"></td> <td data-bbox="587 1236 1334 1375"> <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> </td> </tr> <tr> <td colspan="2" data-bbox="528 1375 1334 1480"> <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> </td></tr> <tr> <td colspan="2" data-bbox="528 1480 1334 1543"> <p>Reasons: n/a</p> </td></tr> </table>		Not applicable – Decision [and report] to be published		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:		<ul style="list-style-type: none"> <li>• Relates to an individual</li> </ul>		<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: n/a</p>	
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**Officers**

Signed: 

**Title: Public Realm Operations Manager**

**In consultation with:**

**Portfolio Holder Leisure and Public Realm**