

## 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>	18 <sup>th</sup> July 2024
<b>Decision Maker (Officer):</b>	Jeanette Thomasson Public Health Improvement Coordinator
<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 Assistant Director Partnerships Anastasia Simpson has delegated operational matters relating to the Active Outdoor Gym to Jeanette Thomasson Public Health Improvement Coordinator.</p>
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Cllr Gina Placey- Portfolio Holder for Partnerships Cllr Mick Barry- Portfolio Holder for Leisure and Public Realm
<b>Ward Member(s) consulted?</b>	Yes- for the purpose of delivering the project
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	<p>That the relevant portfolio holders as listed above agree to the award of contract to Kompan Ltd for the sum of £64,999.99.</p> <p>That the portfolio holders agree to enter into a contract with Kompan Ltd for the installation through to completion of the Active Outdoor Gym at York Road, Holland on Sea</p>
<b>Reason for Decision (if a report was produced to</b>	Following the receipt of funding from Sport England through the Local Delivery Pilot Scheme for an Active Outdoor Gym to be located in York Road, Holland on Sea. The funding was awarded to install a gym

<p><b>support the Decision, refer to or attach it):</b></p>	<p>targeting our ageing population in Tendring to build strength and balance, reducing the risk of future falls and to aid with rehabilitation.  Funding of £70,000 was awarded:  £65,000 for the installation and supply of equipment  £3,000 towards the cost of ongoing maintenance  £2,000 towards gym activation.</p> <p>A report went to Management Team outlining the acceptance of funding and to progress the project from Sport England and subsequent installation of the Active Outdoor Gym on 17<sup>th</sup> October 2023.</p> <p>Following a report to Management Team on 17<sup>th</sup> October 2023, concurrences were sought from the then Portfolio Holder for Partnerships and the Portfolio Holder for Environment &amp; Public Space, to accept the funding, and an officer decision was published on 7<sup>th</sup> December 2023.</p> <p>Following procurement rules, with advice from the procurement team at Essex County Council, an open tender process was followed. As a result, the contract is to be awarded to Kompan Ltd for the sum of £64,999.99.</p> <p>Concurrence to award the contract to Kompan Ltd has now been sought from Cllr Placey and Cllr Barry.</p> <p>.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>That the costs increase above the agreed amount once work is underway. This can be avoided by regular discussions with the contractor and making alterations to ensure the project remains within budget.</p>
<p><b>Details of any Alternative Options Considered and rejected (together with reasons):</b></p>	<p>Not to accept the award of funding and leave the area without the outdoor gym. As the gym is fully funded by Sport England and as Tendring has an ageing population, at increased risk of falls, the installation of the gym will be a positive asset.</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>N/A</p>

<p><b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b></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> <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>	<p>Not applicable – Decision [and report] to be published</p>
	<p>The report supporting the Decision contains confidential information</p>
	<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>
	<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:</p>	

**Officers**

Signed: *Jeanette Thomasson*

Title: Public Health Improvement Coordinator

Signed: *John Fox*

Title: Head of Health & Community

**In consultation with:**

Signed: Cllr Gina Placey

**Portfolio Holder For Partnerships**

Signed: Cllr Mick Barry

**Portfolio Holder for Leisure & Public Realm**

Signed:

**Monitoring Officer (if required)**

**Dated: 18<sup>th</sup> July 2024**