



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:	1 st October 2024
Decision Maker (Officer):	Damian Williams – Corporate Director (Operations and Delivery)
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	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).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	N/A
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To agree the granting of a Wayleave for ducting, apparatus and associated cables as agreed in accordance with the Wayleave Agreement, in relation to property situated in Standley Road and Eagle Avenue, Walton on the Naze, CO14 8PT
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Following a request from BT for a wayleave to add additional cables to an existing cable run. The details of this transaction are in accordance with the previous general decision taken with regard to granting wayleaves to BT or Openreach dated 19 th January 2021.

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>If the request was denied, the internet capability of a small number of properties in this area may be affected.</p>																						
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>The option was considered to not grant the Wayleave, however this land is not used for any other purpose and it would be detrimental to residents of the area if the work was not permitted.</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 test (which is in favour of disclosure).</i></p>	<table border="1"> <tr> <td data-bbox="582 940 630 996" style="text-align: center;">X</td> <td data-bbox="638 940 1380 996">Not applicable – Decision [and report] to be published</td> </tr> <tr> <td colspan="2" data-bbox="582 1008 1380 1075">If Report is not to be published – tick one of the following boxes:</td> </tr> <tr> <td data-bbox="582 1086 630 1153"></td> <td data-bbox="638 1086 1380 1153">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="582 1164 630 1265"></td> <td data-bbox="638 1164 1380 1265">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 1276 630 1310"></td> <td data-bbox="638 1276 1380 1310"> <ul style="list-style-type: none"> • Relates to an individual </td> </tr> <tr> <td data-bbox="582 1321 630 1355"></td> <td data-bbox="638 1321 1380 1355"> <ul style="list-style-type: none"> • Likely to reveal the identity of an individual </td> </tr> <tr> <td data-bbox="582 1366 630 1456"></td> <td data-bbox="638 1366 1380 1456"> <ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation </td> </tr> <tr> <td data-bbox="582 1467 630 1568"></td> <td data-bbox="638 1467 1380 1568"> <ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings </td> </tr> <tr> <td data-bbox="582 1579 630 1792"></td> <td data-bbox="638 1579 1380 1792"> <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 </td> </tr> <tr> <td data-bbox="582 1803 630 1937"></td> <td data-bbox="638 1803 1380 1937"> <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 </td> </tr> <tr> <td colspan="2" data-bbox="582 1948 1380 2016"> <p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the</p> </td> </tr> </table>	X	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"> • Relates to an individual 		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual 		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation 		<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><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the</p>	
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	exemption outweighs the public interest in disclosing the information.
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Officer

Damian Williams

Signed: 

Title: Corporate Director (Operations and Delivery)

Dated: 2/10/24

