

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:	12 December 2024
Decision Maker (Officer):	Kieran Charles – Sport & Leisure Operations Manager
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 were considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39). The Corporate Director Lee Heley has delegated operational matters relating to the Spectator Seating Repairs at Clacton Leisure Centre to the Sport and Leisure Operations Manager.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Mick Barry, The Portfolio Holder for Leisure and Public Realm Cllr Mark Stephenson, The Portfolio Holder for Finance and Governance Cllr Peter Kotz, The Portfolio Holder for Assets
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	A) The Portfolio Holder for Leisure and Public Realm concurs to the appoint, award and enter into contract for £7,616.27, excluding VAT via a PO arrangement with Audience Systems LTD to carry out the Spectator Seating Repairs at Clacton Leisure Centre. B) The Portfolio Holder for Finance and Governance and The Portfolio Holder for Assets concurs with a procurement exemption and to award the contract to Audience Systems LTD given the comprehensive nature of their proposal, their knowledge from servicing our seating and limited companies covering this age and style of seating.

Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	During to a recent report, the inspectors has identified increasing gaps within both the Sports Hall and Swimming Pool Hall seating, this is due to age and natural movement, as well as non-confirming conditions of some of the fixings and seating brackets (due to wear and tear). All Safety related works must be conducted for the seating system to receive certification. This certificate is issued in-line with P.U.W.E.R regulations and may also be used to satisfy insurance requirements. The total cost of these works is up to £7,616.27 excluding VAT and is funded from the Cabinet meeting 21st October 2024 - Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder. Cabinet approved the proposed adjustments to the 2024/25 budget, as set out in Appendix 1H to the Portfolio Holder's report (A.2), the report approved the budget adjustments of £79,000 granted for repairs and maintenance for Clacton Leisure Centre which a proportion is allocated to fund Clacton Leisure Centre, Spectator Seating Repairs.	
Highlight any associated risks/finance/legal/equality considerations:	Failing to conduct these works, will result in the seating being condemned due to lack of maintenance and or posing a considerable risk of entrapment as it moves further away from the brackets. This issue may affect TDC's reputation and income, particularly as the swim school and sport hall hire rely on the availability of the seating areas.	
Details of any Alternative Options Considered and rejected (together with reasons):	Not to repair and the seating to be condemned due to posing a considerable risk of entrapment as it moves further away from the brackets.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	N/A	
Reason Decision, or supporting Report, is not published: <i>Tick one or more of the specific exemptions,</i> <u>and</u>	☒	Not applicable – Decision 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:

<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>		• Relates to an individual
		• Likely to reveal the identity of an individual
		• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings
		• 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
		• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<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 Reasons:		

Officers

Signed: K. Charles

Title: Sport & Leisure Operations Manager

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder for Leisure and Public Realm

Signed:

Portfolio Holder for Finance and Governance

Signed:

Portfolio Holder for Assets

Signed:

Section 151 Officer (if required)

Signed:

Monitoring Officer (if required)

Dated: