

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:	21 March 2025
Decision Maker (Officer):	Lee Heley, Corporate Director (Place and Economy)
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?	Councillor Mark Stephenson, Leader Councillor Ivan Henderson, Deputy Leader Portfolio Holder for Economic Growth, Regeneration, and Tourism.
Ward Member(s) consulted?	No
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To award a graphic design commission to Graphitas to support development of the Clacton Town Board website.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	To provide graphic design support for the Clacton Town Board, contributing towards the creation of a website.
Highlight any associated risks/finance/legal/equality considerations:	Financial considerations: Budget has been assigned to this project by the Clacton Town Board from the capacity funding it has received from government as part of the Plan for Neighbourhoods. This budget is held by Tendring District Council (TDC), which acts as

	the accountable body; and therefore TDC procurement procedure rules were followed in this process. TDC has allocated funding to the website project, of which this is a part (see Portfolio Holder Decision here: Decision - Clacton Town Board Capacity Funding Allocation). This is a very small contract award. An exemption to procurement was applied to this under Section 2.1 (b) of the Procurement Procedure Rules: the goods are proprietary items of which there is only one supplier, or are sold by all suppliers at a fixed price. This is because the design work commissioned is based on an existing piece of work by Graphitas, to ensure consistency across brands. Equality: N/A. Legal considerations/risk: There is sufficient mitigation within the TDC standard contract should this prove not to be the case.	
Details of any Alternative Options Considered and rejected (together with reasons):	Not commissioning design work; this was ruled out as work had already been undertaken to develop a concept design but finalising the work for ongoing use requires expertise not available in-house. Using an alternative supplier; this was rejected because the design work commissioned is based on an existing piece of work by Graphitas, to ensure consistency across brands.	
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:	☒	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

<i>Tick one or more of the specific exemptions,</i> <u>and</u> <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>		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• 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: 

Title: Communications Manager

Signed: Lee Heley

Title: Corporate Director (Place and Economy)

Dated: 21/3/2025