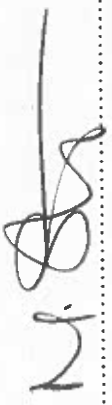


RECORD OF EXECUTIVE DECISION

TITLE OF THE DECISION: CHANGES TO THE RESPONSIBILITIES OF THE CABINET AND THE LEISURE AND THE LEISURE & PUBLIC REALM PORTFOLIO HOLDER

Date	Decision Maker	Decision	Reason(s) for Decision	Alternative Options Considered	Conflicts of Interest Declared (and Dispensations granted by the Monitoring Officer)	Consultation with relevant Ward Member(s) Yes/No	Subject to Call-in? Yes/No
Friday 11 th April 2025	Leader of the Council (Councillor Mark Stephenson)	To amend the responsibilities and delegated powers of the Cabinet and of the Leisure and Public Realm Portfolio Holder in relation to the Traffic Regulation Order process as follows:- (1) Paragraph 9 (would be deleted from the Cabinet's collective Responsibility; (2) the delegated power number 2 to the Leisure and Public Realm Portfolio Holder would be amended to the following: "The selection and rejection of proposals for the making of traffic regulation orders being submitted to the North Essex Parking Partnership will be authorised by the Portfolio Holder, whether objections have been received to initial	Currently, the Cabinet has a delegated power as follows:- <i>Paragraph 9 - Power to consider objections received and then determine proposed Traffic Regulation Orders under the Road Traffic Regulations Act 1984 (as amended). All such objections to be determined at a public meeting of the Cabinet.</i> This means that if any objections are received, consideration should go to Cabinet and not be determined by the Portfolio Holder on their own. Currently, the Leisure & Public Realm Portfolio Holder has a delegated power as follows:- 2. Proposals for and	To not make the change. This was not felt to be appropriate or in the Council's best interests.	None	Not Applicable Cabinet considered these proposed changes at its meeting held on 17 March 2025 (minute 146 refers) and resolved inter alia that it:- "3. supports the Leader of the Council's proposal to amend the Scheme of Delegation to Portfolio Holders, especially in relation to the process regarding Traffic Regulation Orders, as set out in Appendix K"	No

		proposals. Reasons for such selection or rejection will be published following consultation with the relevant ward councillor. Such delegation cannot be exercised for proposed traffic regulation orders within the Portfolio Holder for Leisure and Public Realm's ward and in such cases, would be referred to the Leader for determination."	approve the making of traffic regulation orders where no objections are received. This covers the situation where no objections are received. In both circumstances, a Decision would be required with reasons for selecting the Traffic Regulation Orders (TROs) and proceeding, if objections were received, these would be set out in a Cabinet Report. <u>Reasons for the Change</u> On the basis that the initial process in the selection of TROs does require local consultation to be carried out, the proposals are sent onto the North Essex Parking Partnership to undertake the formal process, including consultation. Therefore, upon review, the Leader of the Council does not feel that initial objections to a proposal should be considered by the Cabinet, in its strategic responsibility. Any Executive			
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			Decision made either by Cabinet or an individual Portfolio Holder is subject to call in, upon certain criteria applying. This delegation would not apply to any TROs within the relevant Portfolio Holder's ward, and in such cases, these will be referred to the Leader to make the decision.			
URGENT DECISIONS ONLY (If non-urgent go to "Agreement to Decision" below):-						
GENERAL EXCEPTION APPLIES? (Rule 14 Access to Information Procedure Rules)	YES/NO	If yes, has at least 5 clear days notice been given to the Chairman of the relevant overview and scrutiny committee?			YES/NO	
SPECIAL URGENCY APPLIES? (Rule 15 Access to Information Procedure Rules)	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?			YES/NO	
EXEMPTION FROM CALL-IN APPLIES? (Rule 18i Overview and Scrutiny Procedure Rules)	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?			YES/NO	
URGENT & OUTSIDE BUDGET OR POLICY FRAMEWORK? (Rule 6 Budget and Policy Framework Procedure Rules)	YES/NO	If yes, why is it not practical to convene a quorate meeting of full Council?				
		If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?			YES/NO	
AGREEMENT TO DECISION:-						
Signed:-		Date:-		Delegated Power Reference (in Part 3 of the Constitution):-		
 Leader of the Council		11/4/2025 11/04/2025		Schedule 3 Responsibility for Executive Functions - 3. GENERAL PRINCIPLES REGARDING DECISION MAKING BY THE CABINET - 1. The Leader of the Council is responsible for approving the delegation of executive functions to either: (i) The Cabinet collectively; (ii) An individual Member of the Cabinet (Portfolio Holder)		

Original signed copy to be retained by Service.

Electronic copy to be sent to democraticservices@tendringdc.gov.uk for publication.