

## 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>	25/06/2025
<b>Decision Maker (Officer):</b>	Lee Heley, Corporate Director, Place and Economy
<b>Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):</b>	Cabinet Decision 6 <sup>th</sup> October 2023 - Minute No. 38 (d)  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 3.43). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii))).
<b>Identify which Portfolio Holder(s)/Committee Chairman consulted?</b>	Cllr Ivan Henderson, Deputy Leader of the Council and Portfolio Holder for Regeneration and Tourism
<b>Ward Member(s) consulted?</b>	n/a
<b>Is it a Key Decision?</b>	No
<b>Is it subject to call-in?</b>	No
<b>Decision Made:</b>	To purchase insurance for the Rights of Light Indemnity Insurance for (CAT) Carnarvon Terrace site which is being delivered as part of the wider Clacton Civic Quarter Levelling Up Fund scheme.  The insurance policy has been procured via the Quotation Rules as set out in Tendring District Council's constitution, and have a total cost of premiums is £15,000 (Carnarvon Terrace) plus VAT.  The supplier is: <b>WTW</b> On behalf of Willis Limited, 51 Lime Street, London, EC3M 7DQ (registered number 181116)
<b>Reason for Decision (if a report was produced to</b>	On 6 October 2023 Cabinet considered a report titled 'Levelling Up Fund and Capital Regeneration Projects - Progressing the Projects to Planning Permission'. As part

<b>support the Decision, refer to or attach it):</b>	of that report, Cabinet delegated authority to the Corporate Director Place and Economy in consultation with the Portfolio Holder for Economic Growth, Regeneration and Tourism to procure appropriate resources and commission a project team to carry out the associated work including for the design briefs.	
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<p><b>Finance</b></p> <p>The total project costs of the Carnarvon Terrace scheme were calculated to be £19,743,739. This is broken down as follows:</p> <p>Request to Levelling Up Fund: £16,855,239  TDC Match Funding Contribution: £2,078,500  Brownfield Land Release Funding: £420,000  Electric Vehicle Fund: £390,000 (not yet secured)</p> <p>This decision provides insurance cover upto £7.8million for potential Rights of Light injury claims.</p> <p><b>Legal</b></p> <p>The insurance has been procured via the Quotation Rules as set out in Tendring District Council's constitution.</p>	
<b>Details of any Alternative Options Considered and rejected (together with reasons):</b>	Not appointing an insurance provider. Taking this approach could risk injunction and/or project delays. There would be an added risk of compensation payments of upto £185,000+VAT + legal costs [as an estimate].	
<b>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</b>  <b>If relevant, a note of the dispensation granted by the Monitoring Officer:</b>	N/A	
<b>Reason Decision, or supporting Report, is not published:</b>  <i>Tick one or more of the specific exemptions,</i>  <u><b>and</b></u>	<input checked="" type="checkbox"/>	Not applicable – Decision [and report] to be published
	<b>If Report is not to be published – tick one of the following boxes:</b>	
	<input type="checkbox"/>	The report supporting the Decision contains confidential information
	<input type="checkbox"/>	The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Relates to an individual</li> <li>• Likely to reveal the identity of an individual</li> </ul>

<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>		<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: <span style="color: red;">[insert]</span></p>	

**Officer**

Signed:

Title: Deputy Chief Executive & Corporate Director, Place and Wellbeing

**In consultation with:**

Signed: [via email]  
Tourism

Title: Portfolio Holder for Economic Growth, Regeneration &

**Dated:**