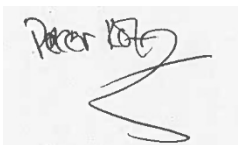


RECORD OF EXECUTIVE DECISION

A. TITLE OF THE DECISION :- PRE-LOCAL GOVERNMENT REORGANISATION (LGR) COMMUNITY ASSET TRANSFER: PROGRAMME OF WORK

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
27 January 2026	Cllr. Peter Kotz – Portfolio Holder for Assets and Community Safety	a) to note the content of the report and agree the principle of moving from informal to formal engagement with Harwich Town Council, Frinton & Walton Town Council, Brightlingsea Town Council and the Harwich Society on the subject of Community Asset Transfer – the bodies that have to date expressed an explicit interest in exploring the potential of transfer in the context of LGR; b) to agree the Proposed Programme of Work in respect of pre-LGR Community Asset Transfer set out within the report and instruct the Corporate Director – Planning and Community to proceed with	To progress from what has previously been informal discussion with Harwich Town Council, Frinton & Walton Town Council, Brightlingsea Town Council and the Harwich Society about the potential for the transfer of TDC assets to a formal process with clearly defined stages and governance arrangements and an understanding of potential resource implications – if those transfers are going to be considered ahead of Local Government Reorganisation. This follows from an initial discussion with TDALC (Tendring Association of Local Councils) in early 2025 where Town and Parish Councils were invited to	To continue discussions with interested bodies about Community Asset Transfer on an informal basis without putting in place a defined programme of work and governance arrangements and considering the resource implications would make it unlikely for any transfer of assets to be achieved in the timescales envisaged, and before the new shadow unitary authority with decision making powers over asset transfers would come into being.	N/a	N/a – Although a number of relevant Ward Members have been involved in informal discussions to date with the Town Councils where they also sit on the Town Council.	Yes

		the implementation of that programme; c) to instruct the Corporate Director – Planning and Community to carry out a review of the Council's existing framework of strategy, policies, programmes and procedures in respect of Council-owned assets and for an updated framework to be brought before Cabinet for consideration and approval in line with the proposed programme of work between April and June 2026; and d) to note and agree that resource implications will be revisited once there is a clearer indication from the participating bodies as to which TDC assets are being considered for transfer and that any decision on the budget for appointing external expertise in respect of valuation, business case development/analysis and legal support will be taken by the Cabinet in due course, as would any subsequent decision about the transfer of specific assets.	discuss whether there might be an appetite for the transfer of certain assets ahead of LGR either on a freehold or leasehold basis in the interest of ongoing effective, efficient and sustainable operation and given that the prospect of Local Government Reorganisation has raised concerns in some quarters about the risk of localism being diluted and the possibility of less attention, priority, funding and support being given to projects, services and facilities operating at a local level. The transfer of TDC assets to these bodies might enable them to be managed effectively and efficiently a more local level in the public interest and reduce the likelihood or risk of them being repurposed or disposed of by a future unitary authority in response to competing financial pressures (such as education, transport and adult social care).	An alternative to moving towards formal discussions about Community Asset Transfer with Harwich Town Council, Frinton & Walton Town Council, Brightlingsea Town Council and the Harwich Society could be to abandon the idea of a managed process of exploring the transfer of groups of assets, and simply leave those bodies to come forward with proposals to obtain individual assets or groups of assets, which can be considered against the Council's current Community Asset Transfer policy and property dealing procedures in the normal, as opposed to a collaborative, way. The advantage of this could be financial in that the TDC would not necessarily need to make any special resource provision; but the disadvantage would be that it would be less likely the			
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				transfer of assets would be achievable within the timeframes remaining in the run-up to LGR and the formation of the shadow unitary authority.			
URGENT DECISIONS ONLY (If non-urgent go to “Agreement to Decision” below):- N/a							
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:-  Decision Maker		Date:- 27 January 2026		Delegated Power Reference (in Part 3 of the Constitution):- 4.3			

Original signed copy to be retained by Service.

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