

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:	13 March 2026
Decision Maker (Officer):	Jointly by the Corporate Director (Law and Governance) and the Assistant Director (Corporate Policy & Support) (in the stead of the Chief Executive)
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	The Chief Executive's authority for the decision comes from the following parts of the Council's Constitution - Article 12.01(a); Part 3, Schedule 2, Delegation number 6 (Part 3.6) and Part 3, Schedule 4 - powers pursuant to Section 41 of the Local Government Act 1972 (Part 3.52). The Chief Executive, by email of 6 March 2026 delegated (in his absence), decision making on his behalf regarding the annual State of Tendring District Statement and the issuing of Pre-Election Period guidance, once these had been discussed at the Standards Committee (on 11 March 2026) to the decision makers referred to above.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	None, however, the Standards Committee was consulted at its meeting held on 11 March 2026.
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	1. To approve and apply the attached Pre-Election Protocol to the operation and proceedings of the Council in the period from the publication of the Notice of Election for the Essex County Council Councillors in the District of Tendring at 4pm on 27

	March 2026 to the close of Polls at that Election at 10pm on 7 May 2026. 2. To circulate the attached to all Tendring District Councillors and to alert all staff to the Protocol ahead of its application in order to ensure that it can be applied as set out. 3. To circulate the Protocol to Town and Parish Councils in order to inform them of the position.										
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	To ensure that the Council can apply both the text and the spirit of the Code of Recommended Practice on Local Authority Publicity in respect of the forthcoming period referenced when there will be elections to the Essex County Council held in the District.										
Highlight any associated risks/finance/legal/equality considerations:	The principal risk is a breach of the Code of Recommended Practice on Local Authority Publicity and Pre-Election Period guidance, which is a requirement under Section 2 of the Local Government Act 1986 (as amended in 1988).										
Details of any Alternative Options Considered and rejected (together with reasons):	Not issuing the guidance was considered and discounted as it would not assist Members and Officers to work within the period of heightened sensitivity associated with the Election referenced.										
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>	<table border="1"> <tr> <td>X</td><td>Not applicable – Decision [and report] to be published</td></tr> <tr> <td colspan="2">If Report is not to be published – tick one of the following boxes:</td></tr> <tr> <td>☐</td><td>The report supporting the Decision contains confidential information</td></tr> <tr> <td>☐</td><td>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</td></tr> <tr> <td>☐</td><td>• Relates to an individual</td></tr> </table>	X	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	☐	The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:	☐	• Relates to an individual
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☐	• Relates to an individual										

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).		• 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
And 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: Lisa Hastings Title: Corporate Director (Law and Governance)

 Keith Simmons Title: Assistant Director (Corporate Policy and Support)

Dated: 12/03/20256