

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:	27/05/2026
Decision Maker (Officer):	Deputy Chief Executive and Corporate Director for Place & Wellbeing
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Cabinet Decision 6th 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))).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Ivan Henderson, Deputy Leader of the Council and Portfolio Holder for Regeneration and Tourism
Ward Member(s) consulted?	Not required
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To add to the existing scope of service of the Planning Consultant, BeFirst, for the Carnarvon Terrace as part of the Local Regeneration Fund scheme, relating to additional services resulting from proposed amendments to the scheme. The original services were procured via the Quotation Rules as set out in Tendring District Council's constitution, and have a total cost of £2,250 plus VAT.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Planning consent was granted for the scheme in July 2025. Since this time it has been established that it is not feasible to relocate existing BT services in the footpath at the side of Carnarvon Terrace, meaning an amendment to the position of the vehicular entrance is required.

	The additional fees of £2,250 is for additional services carried out by the consultant to confirm the appropriate route for regularising the above amendments with the planning consent. The works include engagement with the LPA and ECC Highways, which confirmed the proposed amendments are considered to be minor material and therefore need to be pursued via a S73 application, which has a determination period of 13 weeks, determination by planning committee, and requires a Deed of Variation to the approved Unilateral Undertaking. The full scope of the Section 73 application is subject to confirmation with the main contractor once appointed for the PCSA stage, which will be subject to a future decision.
Highlight any associated risks/finance/legal/equality considerations:	The extension is made under Section 2.1 (c): Exemption from Procurement Rules, for urgent matters and is made in consultation with the relevant Portfolio Holder. The original services were procured in line with the Quotation Rules. The additional fee is within the budget allocation made to the project.
NEW : Details of Local Government Reorganisation and/or Devolution considerations	The appointment duration concludes prior to the timescales of Local Government Reorganisation. Reassignment terms are incorporated within the Council's standard terms of appointment, which allows for the appointment to be transferred to a future authority, if required.
Details of any Alternative Options Considered and rejected (together with reasons):	Option 1 – Not to extend the consultant's appointment: Taking this approach would mean the works did not progress as Planning approval and conditions discharge is a statutory requirement. Option 2 – Not to extend the consultant's appointment at this time: swift action to confirm the appropriate route to amending the planning consent is crucial for project management. Failing to do so would result in heightened risk to the project.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	Not applicable

If relevant, a note of the dispensation granted by the Monitoring Officer:		
Reason Decision, or supporting Report, is not published: <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>		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
		• 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: [insert]		

Officers

Signed:

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

In consultation with:

Signed:

Portfolio Holder For Economic Growth, Regeneration and Tourism

Dated: