

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:	21/07/2026
Decision Maker (Officer):	Andrew Wilesmith – Head of Sport and Leisure
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.4 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.48). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.4 (4(ii) – Part 3.48). The Corporate Director, Place and Wellbeing has delegated operational matters relating to the supply and delivery of Heating & Air Handling service contract at Clacton Leisure Centre, Walton on the Naze Lifestyles and Dovercourt Bay Lifestyles to the Head of Sport and Leisure
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Mick Barry
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	A) To incorporate additional assets into the Heating & Air Handling Service Contract by way of Deed of Variation. These assets were not included in the original specification and have been identified now as required as part of the servicing and maintenance elements within the contract. B) As a result of the variation, there is an additional charge of £1,931.54 excluding VAT, for the entire duration of the contract. This brings to total contract value to £48,321.31.
Reason for Decision (if a report was produced to	A decision was published on 30 June 2026 titled "Heating & Air Handling Compliance Service Contract", which approved the award of, and entry into, a contract with Lindsey Group for the

support the Decision, refer to or attach it):	provision of Heating and Air Handling Services at Clacton Leisure Centre, Walton-on-the-Naze Lifestyles and Dovercourt Bay Lifestyles. The contract term is two years, commencing on 1 August 2026 and expiring on 31 July 2028, with an option to extend for a further 12 months. Following execution of the contract by both parties, it was identified that a number of assets were not included within the specification and scope of the maintenance contract. To ensure that all relevant assets are covered by the service provision and to maintain compliance across the facilities, it is necessary to enter into a Deed of Variation to incorporate the omitted assets into the existing contract.
Highlight any associated risks/finance/legal/equality considerations:	Risks By not entering into a Deed of Variation, this will result in gaps in maintenance, increasing the risk of equipment failure, service disruption, non-compliance with statutory requirement and additional maintenance costs. Approval of this variation will mitigate these risks by ensuring that all assets are included in the maintenance programme. Finance The addition of the omitted assets will increase the contract value by £1,931.54 exc VAT. The additional expenditure can be met from the existing maintenance budget. Legal The proposed Deed of Variation will amend the existing contract to include the omitted assets. Legal Services will review and complete the Deed of Variation to ensure the amendment is appropriately documented.
NEW : Details of Local Government Reorganisation and/or Devolution considerations	N/A
Details of any Alternative Options Considered and rejected (together with reasons):	To not enter into a Deed of Variation, creating gaps in maintenance, increasing the risk of equipment failure, service disruption, non-compliance with statutory requirement and additional maintenance costs. Procure a separate contract for the omitted assets, which is unlikely to represent value for money given the limited scope of the omitted assets. Additionally, this would lead to inconsistencies in the service provided across all three facilities.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer,	N/A

which related to the decision) 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 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:		

Officers

Signed: 

Title: Head of Sports and Leisure

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder for Leisure and Public Realm

Signed:

Dated: 21/07/2026