

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:	22 July 2026
Decision Maker (Officer):	Andrew Nepean
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 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Mark Stephenson
Ward Member(s) consulted?	Yes
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To release £8000 of S106 money for the improvements to yacht pond and surrounding open space under project 315
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Brightlingsea Town Council would like to release S106 money allocated for open space improvements in Brightlingsea. This will be used to improve pump with in the boating lake/yacht pond along with the surrounding open space.
Highlight any associated risks/finance/legal/equality considerations:	None.

NEW : Details of Local Government Reorganisation and/or Devolution considerations	Greater Essex is part of the Government's Devolution Priority Programme which is operating at a timescale that is intended to see: (a) a Mayoral County Combined Authority established with a new Greater Essex Mayor being elected in May 2026; and (b) new unitary authorities exercising all the powers currently administered by Essex County Council and the 12 District Councils (and the smaller unitaries of Thurrock and Southend) coming into being on 1 April 2028. Submissions of proposals for the new unitaries that should be created in (b) above is subject to the deadline of 26 September 2025. Central Government will then make the actual decision on which new unitaries will be created. The Order that will bring into being the new unitary councils will require all existing Councils to prepare for and facilitate the economic, effective, efficient and timely transfer of the existing councils' functions, property, rights and liabilities during the transitional period to 1 April 2028.	
Details of any Alternative Options Considered and rejected (together with reasons):	Any unspent S106 contributions will need to be returned to the developer.	
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>		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:

<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>		• 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: Public Realm Manager

In consultation with:

Signed:

Governance Portfolio Holder

Leader of the Council and Corporate Finance &

Signed:

Section 151 Officer (if required)

Dated: