

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:	15 July 2026
Decision Maker (Officer):	Gary Guiver
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?	N/A
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To appoint HDH Planning & Development Ltd to undertake an update to Tendring District Council's Viability Study in support of the Local Plan Review evidence base. This work includes a review of Local Plan policies and their viability over the plan period.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Tendring District Council is commissioning an update to the Viability Study to form a key part of the evidence base for the Local Plan Review, to ensure that policies within the Local Plan are robust and deliverable and are capable of withstanding scrutiny at Examination in Public (EIP). The appointment of consultants with existing knowledge of the District and access to relevant baseline evidence and policy data

	represents value for money by reducing project lead-in times and avoiding unnecessary duplication of work.
Highlight any associated risks/finance/legal/equality considerations:	Finance: Budget to be met from the Local Plan Review evidence base budget. Risk: Program risk if key milestones are not met, which could affect the Local Plan Review timetable. Risk managed through progress meetings and a work programme. Equality/Accessibility: The final outputs must be compliant with Web Content Accessibility Guidelines (WCAG) 2.2 level AA as set out in the project brief. No direct equality impacts arise from the procurement decision itself.
Details of Local Government Reorganisation and/or Devolution considerations	The updated Viability Study will form part of the Local Plan Review evidence base, informing and justifying the policies set out throughout the Local Plan itself, and may be relied upon at Regulation 19 and Examination in Public (EIP). Any future local government reorganisation and/or devolution could change plan-making responsibilities, evidence-base governance and the geographic scope of strategic planning. However, this commission supports the Council's current Local Plan Review programme and will remain relevant evidence for the plan-making authority(ies) progressing the plan, subject to any future re-scoping that may be required.
Details of any Alternative Options Considered and rejected (together with reasons):	The two alternative options would be (1) not to update the Viability Study ahead of submitting the Regulation 19 version of the Local Plan, and (2) undertaking the work in-house. These options were rejected because the Local Plan includes new or updated policies which require a robust, independent, and up-to-date assessment capable of scrutiny at EIP. Due to the required expertise, viability outputs are best met through external commission.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	N/A

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>	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
		• 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: Gary Guiver

Title: Corporate Director – Planning and Community

Signed: Kate Patterson

Title: Planning Policy Officer

Dated: 15/07/2026