

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:	28 th July 2026
Decision Maker (Officer):	James Hill – Open Space and Transport Manager
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 Adrian Smith – Portfolio Holder for Environment and St Bartholomew's Ward Member Cllr Mick Barry – Portfolio Holder, Leisure and Public Realm
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No

Decision Made:	To approve the utilisation of £75,000 held within the Brook Park West commuted sum reserve to support the Council's maintenance obligations associated with the site, specifically: 1. The release of £25,000 during 2026/27 to fund the purchase of a cut and collect ride-on mower required to maintain Brook Park West in accordance with the approved Landscape Management and Maintenance Plan. 2. The retention of the remaining £50,000 within the reserve and its phased release into the Open Spaces revenue budget over years 2–10 to support ongoing maintenance and operational costs associated with the site. The equipment will be procured in accordance with the Council's Procurement Procedure Rules and Financial Procedure Rules.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	During 2024/25, the Council received a commuted sum of £75,000 in respect of the future maintenance of Brook Park West, Clacton-on-Sea. The approved Landscape Management and Maintenance Plan require amenity grass areas to be cut regularly throughout the growing season, with grass arisings collected and removed from site. The Open Spaces Service is now responsible for maintaining these areas and requires appropriate equipment to deliver the required maintenance standards efficiently and effectively. The purchase of a dedicated cut and collect ride-on mower will enable the Council to fulfil its maintenance obligations, reduce reliance on external contractors, improve service efficiency and ensure compliance with the approved management plan. The phased release of the remaining commuted sum will provide an ongoing revenue contribution towards future maintenance costs and help ensure the long-term sustainability of the site. The proposal represents the most effective use of the commuted sum and ensures that the funding is utilised for the purpose for which it was originally provided.

Highlight any associated risks/finance/legal/equality considerations:	Financial The proposal utilises funding already received by the Council specifically for the future maintenance of Brook Park West. No additional budget growth is required. Operational Risks Failure to provide suitable equipment may prevent the Council from delivering the maintenance standards required by the approved management plan, potentially leading to deterioration in the quality and appearance of the site and increased future costs. Mitigation • Procurement of a suitable cut and collect ride-on mower. • Phased release of the remaining commuted sum to support future maintenance liabilities. • Dedicated funding provision to ensure ongoing maintenance standards are achieved. Legal The commuted sum will be used directly for the maintenance obligations associated with Brook Park West and therefore for the purpose for which the funding was received. Equality No adverse equality impacts have been identified as a result of this decision.
Details of any Alternative Options Considered and rejected (together with reasons):	Option 1 – Continue using existing equipment Rejected as existing machinery does not provide the capability to collect and remove grass arisings efficiently, which is a requirement of the approved maintenance plan. Option 2 – Employ external contractors to undertake the work Rejected as this would result in higher long-term costs and reduce operational flexibility.

	Option 3 – Retain the entire commuted sum within reserves Rejected as this would not provide the equipment required to meet the site's immediate maintenance obligations and would delay delivery of the maintenance standards expected.																		
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:																			
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>	<table border="1"> <tr> <td></td><td>Not applicable – Decision 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> <tr> <td></td><td> • Likely to reveal the identity of an individual </td></tr> <tr> <td></td><td> • Relating to financial or business affairs of a person or organisation </td></tr> <tr> <td></td><td> • Relates to a claim for legal professional privilege in legal proceedings </td></tr> <tr> <td></td><td> • 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 </td></tr> </table>		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
	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:

Open Space, Bereavement and Transport Services Manager

In consultation with:

Signed:

Portfolio Holder for Enviroment

Signed:

Portfolio Holder for Leisure and Public Realm

Signed:

Section 151 Officer (if required)

Dated: 28/7/2026