

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:	05 October 2026
Decision Maker (Officer):	Gary Guiver, Corporate Director (Planning and Community)
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?	Concurrence has been obtained from the Portfolio Holder for Housing and Planning, Councillor Andy Baker.
Ward Member(s) consulted?	No. The decision concerns administrative arrangements relating to the examination of the emerging Local Plan and does not specifically affect any individual ward.
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To enter into and sign the Service Level Agreement between Tendring District Council and the Planning Inspectorate relating to the examination of the Tendring Local Plan Review. The signed Service Level Agreement is attached to this decision.
Reason for Decision (if a report was produced to	The Service Level Agreement establishes the respective roles, responsibilities and arrangements

<p>support the Decision, refer to or attach it):</p>	<p>between Tendring District Council and the Planning Inspectorate in connection with the submission, examination and reporting stages of the Local Plan Review examination process. The agreement provides a clear framework for liaison between the parties, the appointment and operation of the Programme Officer, examination procedures, hearing arrangements and cost recovery.</p> <p>On 1 September 2026, Full Council approved the Tendring District Local Plan Review Submission Version for Regulation 19 consultation and noted that a final decision to submit the Local Plan to the Secretary of State would be required following that consultation. Council also noted the need for submission to take place before 31 December 2026 in order to proceed under the current plan-making system. The Service Level Agreement forms part of the practical arrangements necessary to support the examination process should the Council subsequently resolve to submit the Local Plan for independent examination.</p> <p>Entering into the agreement supports the efficient management of the forthcoming examination and reflects established practice for local plan examinations.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>The agreement is a standard Planning Inspectorate document used for local plan examinations and does not create legal relations between the parties. Inspector costs associated with examination of the Local Plan will be met by the Council in accordance with the arrangements set out in the agreement and budget provision made for the Local Plan Review process. No significant equality implications have been identified arising from this decision.</p>
<p>NEW : Details of Local Government Reorganisation and/or Devolution considerations</p>	<p>On 7th September 2026, the Secretary of State for Housing, Communities and Local Government announced in Parliament that a review of the Local Government Reorganisation programme was commencing and that the decision made in March 2026 for Greater Essex (and other areas) had been withdrawn in light of new legal advice. Following this announcement, local authorities received correspondence from the Minister of Housing, Communities and Local Government requesting that until this review has concluded, Councils cease work on implementing the decisions that have previously</p>

	<p>been announced. The timetable for completion of the review is unknown at this time.</p> <p>This decision is not impacted by MHCLG's request, as it relates to the Council's ongoing statutory responsibility to prepare and maintain an up-to-date Local Plan and to make appropriate arrangements for its independent examination. The proposed Service Level Agreement with the Planning Inspectorate supports the discharge of those existing planning functions and does not relate to, or prejudice, any future decisions regarding Local Government Reorganisation.</p>	
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>The alternative option would be not to enter into the Service Level Agreement. This option was rejected because the agreement provides an agreed framework for managing the examination process and supports effective liaison between the Council and the Planning Inspectorate. Not entering into the agreement could create uncertainty regarding examination procedures, responsibilities and programme management and would be inconsistent with established examination practice.</p>	
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	<p>N/A</p>	
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and</i></p>	☒	Not applicable – Decision [and report] to be published
	<p>If Report is not to be published – tick one of the following boxes:</p>	
	☐	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:
	☐	<ul style="list-style-type: none"> • Relates to an individual
	☐	<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
	☐	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation

<i>outweighs the public interest test (which is in favour of disclosure).</i>		
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • 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
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<p><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</p> <p>Reasons:</p>		

Officers

Signed: P WOODS

Title: Planning Policy Manager

Signed: G GUIVER
Community)

Title: Corporate Director (Planning &

Dated: 05/10/2026