

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:	05/10/2026
Decision Maker (Officer):	Kai Aberdeen – General Theatre Manager - Technical
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>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).</p> <p>The Corporate Director, Lee Heley, has delegated operational matters relating to the Princes Theatre's procurement of a new heating system to The General Theatre Manager - Technical.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr. Mark Stephenson – Leader of the Council
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To approve an exemption from the Council's Procurement Procedure Rules and authorise the award of a contract to supply, install and commission a replacement boiler for the Princes Theatre to Olympus Mechanical Services Ltd.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	<p>The continued provision of heating within the Princes Theatre and its dressing rooms is essential to ensure the comfort, welfare and safety of customers, performers and staff, particularly as seasonal temperatures begin to fall.</p> <p>To minimise disruption to theatre operations and avoid any impact on performances, events and customer experience, it is necessary to procure and install a replacement boiler as a matter of urgency.</p> <p>The preferred contractor is already mobilised on site undertaking works within the Town Hall building, having been appointed through a compliant procurement process and having provided all required assurances, insurances and documentation. Their existing presence on site enables the works to be coordinated and completed at the earliest opportunity, reducing operational risks, mobilisation costs and potential delays associated with engaging an alternative contractor.</p>

	<p>To ensure value for money is demonstrated, two quotations have been obtained and assessed prior to awarding the works. Given the urgency of the requirement and the contractor's ability to mobilise immediately, an exemption from the Council's Procurement Procedure Rules is considered justified and represents the most efficient and cost-effective approach.</p> <p>The proposed contractor is already undertaking works on site and has successfully completed Tendring District Council's due diligence requirements through its current contract arrangements.</p> <p>Due to the urgency of the situation, with forecast temperatures expected to reduce significantly over the coming days and a full schedule of theatre bookings in place, it has been determined that the works should be awarded to Olympus Mechanical Services Limited to ensure the heating system is restored as quickly as possible and disruption to services is minimised.</p> <p>To demonstrate value for money, a comparative quotation was obtained from an alternative supplier. The quotation submitted by Olympus Mechanical Services Limited was the lower of the two quotations received and therefore represents the most economically advantageous option. Combined with the contractor's ability to mobilise immediately and its established presence on site, this provides a clear justification for awarding the contract directly.</p> <p>The existing boiler, which is more than 20 years old, has developed a perforation in the condensing flue pipe. The component cannot be repaired or replaced, as the manufacturer no longer produces the part. In addition, upon further investigation the boiler is no longer considered safe for continued operation and does not comply with current Gas Safe requirements. As a result, replacement of the boiler plant is the only viable option.</p> <p>This decision has been taken in recognition of the operational and customer service risks associated with a loss of heating. Maintaining adequate heating throughout the theatre and dressing room areas is critical to preserving customer experience, supporting performer welfare, ensuring staff comfort, and enabling the Princes Theatre to continue operating effectively during the colder months.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>The risks associated with this decision are considered low. The primary risk would be not undertaking the required works, which could result in a loss of heating to the theatre and dressing rooms during colder weather. This could adversely affect customer experience, performer welfare, staff comfort, and the theatre's ability to operate effectively. Failure to replace the boiler could also lead to financial and reputational consequences arising from service disruption or event cancellation.</p>

<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>Option 1 - Repair the Existing Flue This option is not viable. The existing flue has developed a perforation and cannot be repaired in a manner that complies with current Gas Safe regulations. In addition, replacement parts are no longer manufactured or supported.</p> <p>Option 2 - Do Not Replace the Boiler This option is not recommended. Failure to replace the boiler would leave the theatre without a reliable heating system, potentially impacting customer experience, performer welfare, staff comfort, and the continued operation of the venue during colder weather.</p> <p>Option 3 (Chosen Option) - Replace the Existing Boiler Replace the current obsolete boiler with a modern, compliant equivalent. This option provides a safe, reliable, and energy-efficient heating solution that will meet the theatre's operational requirements and provide heating to the venue and dressing rooms for many years to come.</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>✓</p>	<p>Not applicable – Decision to be 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 outweighs the public interest test (which is in favour of disclosure).</i></p>	<p>If Report is not to be published – tick one of the following boxes:</p> <table border="1"> <tr> <td data-bbox="582 1265 702 1332"></td> <td data-bbox="710 1265 1436 1332">The report supporting the Decision contains confidential information</td> </tr> <tr> <td data-bbox="582 1332 702 1444"></td> <td data-bbox="710 1332 1436 1444">The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</td> </tr> <tr> <td data-bbox="582 1444 702 1478"></td> <td data-bbox="710 1444 1436 1478">• Relates to an individual</td> </tr> <tr> <td data-bbox="582 1478 702 1512"></td> <td data-bbox="710 1478 1436 1512">• Likely to reveal the identity of an individual</td> </tr> <tr> <td data-bbox="582 1512 702 1624"></td> <td data-bbox="710 1512 1436 1624">• Relating to financial or business affairs of a person or organisation</td> </tr> <tr> <td data-bbox="582 1624 702 1713"></td> <td data-bbox="710 1624 1436 1713">• Relates to a claim for legal professional privilege in legal proceedings</td> </tr> <tr> <td data-bbox="582 1713 702 1892"></td> <td data-bbox="710 1713 1436 1892">• 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> <tr> <td data-bbox="582 1892 702 2004"></td> <td data-bbox="710 1892 1436 2004">• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</td> </tr> </table>			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
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And 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: General Theatre Manager - Technical

In consultation with:

Signed:



Deputy Corporate Director - Place and Economy

Signed:



Leader of the Council

Dated: