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:	01 October 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 Annette Feeney as independent Programme Officer for the Examination of the Tendring Local Plan.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	The Planning Inspectorate expects a Local Plan examination to be supported by an independent Programme Officer. Annette Feeney has extensive experience of supporting Local Plan examinations and has the specialist knowledge, independence and availability necessary to undertake the role. Appointing an experienced Programme Officer reduces the risk of procedural delay and provides

	assurance that the examination process will be administered in accordance with Planning Inspectorate expectations.
Highlight any associated risks/finance/legal/equality considerations:	Costs will be met from the existing Local Plan budget. Failure to appoint an independent Programme Officer would prevent submission and examination of the Local Plan and could result in significant programme delays and additional costs. The appointment is supported by a procurement exemption approved in accordance with the Council's Contract Procedure Rules.
NEW : Details of Local Government Reorganisation and/or Devolution considerations	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programme was commencing and that the decision made in March 2026 for Greater Essex (and other areas) had been withdrawn in light of new legal advice.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 been announced. The timetable for completion of the review is unknown at this time. This proposal is not impacted by MHCLG's request, as it relates to the Council's statutory plan-making functions and not to the implementation of Local Government Reorganisation proposals. The appointment of an independent Programme Officer is necessary to facilitate the examination of the Local Plan and ensure compliance with Planning Inspectorate expectations. The proposal can therefore proceed irrespective of the outcome of the Government's review of Local Government Reorganisation.
Details of any Alternative Options Considered and rejected (together with reasons):	Option 1 - Do not appoint a Programme Officer This option was rejected. The Planning Inspectorate expects an independent Programme Officer to be appointed to support the examination process. Failure to appoint a suitably qualified and independent Programme Officer would prevent the effective administration of the examination and could result in delays to the progression of the Local Plan. Option 2 - Use an existing member of Council staff

<table>
<tr><td></td><td colspan="2">This option was rejected. The Programme Officer role requires specialist knowledge and experience of Local Plan examinations and must be undertaken independently of the Council's plan-making team. Existing staff do not possess the necessary level of specialist experience and assigning the role internally could raise concerns regarding independence and impartiality.

<u>Option 3 - Undertake a competitive procurement exercise</u>
This option was considered but rejected. The Programme Officer role is a highly specialised service provided by a small number of individuals with relevant Local Plan examination experience. A procurement exemption has been approved in accordance with the Council's Contract Procedure Rules on the basis that the proposed appointee has extensive relevant experience, is available to support the planned examination timetable, and offers continuity and reduced risk in the administration of the examination process. Undertaking a wider procurement exercise would be unlikely to secure a materially different outcome, could delay appointment of the Programme Officer, and may impact the Local Plan examination programme.</td></tr>
<tr><td>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:</td><td colspan="2">N/A</td></tr>
<tr><td rowspan="6">Reason Decision, or supporting Report, is not published:

Tick one or more of the specific exemptions,

<u>and</u></td><td>X</td><td>Not applicable – Decision [and report] 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>
</table>

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).		• 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]	

<u>Officers</u>

Signed: P Woods Title: Planning Policy Manager

Signed: G Guiver Title: Corporate Director (Planning & Community)

Dated: 01/10/26