

Publication of Decisions taken by ECC Officers

11 August 2016

The Council is required to publish most decisions taken by officers on its website.

Executive Director Decisions

Non-key decisions with financial implications with a value of between £500,000 and £2m can only be taken by an Executive Director. They must consider a written report with legal and financial advice and they must consult the Cabinet Member before taking a decision. The report and decision has to be published on the Council's website. The report must be on the Council's standard report template and needs legal and financial approval.

Other Officer Decisions

Non-key Decisions with financial implications of less than £500,000 can be taken by an Executive Director. Executive Directors have authorised other officers to take decisions with a value of under £500,000. These delegations are set out in a list maintained by the Monitoring Officer. Decisions must be published.

Accordingly, each function needs have in place appropriate arrangements for the recording of officer decisions made in their areas. This is a significant task so to make matters more manageable we have agreed a set of parameters to help officers decide which decisions will need to be captured by these rules. There are no exemptions in law but these rules are designed to help officers implement what would otherwise be an even more burdensome task. Accordingly, a record will need to be kept of the following decisions as a minimum:

1. A decision relating to expenditure above £50k in aggregate in either revenue or capital.
2. A decision to make a statutory order or issue a statutory notice.
3. A decision to enter into a contract or legal agreement.
4. A non-key decision to close or significantly reduce levels of service at a public facing service or facility.
5. A decision to open a new service or facility or to significantly increase the level of service offered.

6. A decision to go out to tender for a particular service, product or set of works or to award a contract therefor or to terminate a contract.
7. A decision to enter into any type of agreement relating to land or buildings such as a license, lease or easement or to enter any land or building on any sort of register which might affect its use or value.
8. A decision to issue legal proceedings or decide a court settlement.

The record must be kept in the following form set out in the Appendix (below).

The record should be kept by each Executive Support Officer on behalf of their Executive Director's function and should include decisions made by officers within the function including Directors, Heads of Service and other Managers.

The record itself should be sent to Democratic Services periodically so they can be loaded onto the Council's website. The record(s) should be sent to:

Executive.Decisions@essex.gov.uk

This is the only corporate requirement for recording decisions taken by officers below £500k. There is no corporate requirement for a detailed report for these decisions. However, if the decision is controversial or sensitive then it would be good practice to record the decision and the reasons behind it in more detail.

If there are any conflicts of interest, as required by the form, please consult with the Monitoring Officer.

You do not need to include the following types of decision:

1. Administrative, operational and day-to-day matters.
2. Decisions on individual care packages, where services are being selected from an existing contract or framework.
3. Decisions relating to staffing.
4. Decisions relating to planning consents or licenses granted under licensing legislation where these are published elsewhere.

List of Decisions taken by Officers in Economy Investment & Public Health Functional Area

To be kept by every Executive Support Officer on behalf of each function. Decisions taken with a value of over £500,000 do not have to be listed here as they can only be taken by an Executive Director and must be the subject of a published report.

Date	Name and Job Title of the Officer taking the decision	Decision taken	Reasons for decision <i>NB: If there is a report which sets out the reasons then please refer to the report i.e. date, title, author</i>	Options considered <i>NB: If there is a report which sets out the reasons then please refer to the report i.e. date, title, author</i>	Any conflict of interests and details of any dispensation granted
22/07/2022	Tom Walker, Executive Director Economy Investment & Public Health	Vary the Clacton PFI agreement to accommodate the expansion of Clacton County High School (Sigma Trust) & the Tendring Education Centre	To ensure sufficiency of permanent school places in the locality (i.e. to meet basic need), alterations are required to the school buildings and external areas to accommodate an additional 300 pupils at Clacton County High school and 500 pupils at Tendring Education Centre	22/7/2022, Clare Kershaw, Report Title: Approval to vary the Clacton PFI agreement to accommodate the expansion of Clacton County High School (Sigma Trust) & the Tendring Education Centre	n/a
13/06/2023	Douglas Parrant - Head of Digital Connectivity	Braintree DC are part funding the Openreach 4.3 broadband improvement contract. Decision agreed to vary Braintree's contribution down to £322,776.05	Delivery on the Openreach 4.3 contract has delivered less premises than originally contracted. The reduction in premises is a result of valid and	Existing funding agreement specified the number of premise and overall cost. There was no alternate acceptable proposal for Braintree to not alter their	No conflict.

			<p>authorised change requests that have followed all contractual processes.</p> <p>The reduction in Braintree's contribution is a proportional change related to the reduction in premises.</p>	contribution but receive less premises.	
17/08/2023	Rod Cullen Housing Growth Lead	Next Step Accommodation (NSAP) Funding 1 year extension	<p>Essex County Council has developed a partnership with four Essex housing authorities: Braintree, Chelmsford, Epping Forest and Rochford to provide 44 units of rough sleeper accommodation under the government's Next Step Accommodation Programme (NSAP). This funding is for 3 years, coming to an end on the 31st March 2024. Government are proposing a £209,792, 1-year extension of this funding, to continue the provision of 44 units of rough sleeper accommodation up to 31st March 2025</p>	<p>Progress with the acceptance of the £209,792 DLUHC NSAP funding extension covering: Braintree, Chelmsford, Epping Forest and Rochford District Councils and for authority to be given to Director for Sustainable Growth to approve: the awarding of grant variations, covering this extensions to their current contracts, to Braintree District Council, Chelmsford City Council, Epping Forest District Council and CHES Homelessness for the provision of 44 units of rough sleeper supported accommodation.</p>	No conflict

14/08/2023	Ben Finlayson Director of Property, Investment and Delivery	Surrender and Regrant of Lease, Little Darwins Pre-School, Rettendon Primary School	<p>1.1 This report deals with a lease surrender and the simultaneous grant of a new lease of an existing standalone nursery at Rettendon Primary school. The lease is due to expire in 2025 but parties wish to progress a new lease now. The grant of the lease will allow for the operation of the nursery to continue and for early years places to continue to be provided at this Primary School.</p>	<p>1.2 This proposal will result in new agreed lease terms reflecting repair responsibilities correctly and the new technology installed. This also allows the lease to be in place sooner rather than waiting for lease expiry so will give certainty of income and service. Putting a new lease in place now will remove the potential risk of any void period by contractually committing ECC premises ensuring continuity of rental payments and continuity of provision of early years places. The tenant is willing to proceed now and with suitable terms being agreed it is recommended that</p>	No conflict
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