

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 Development Management and Design 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 |
|-------------|--|---|--|--|--|
| 29.4.21 | Vicky Duff Network Assurance Manager | Authority under Section 115B of the Highways Act 1980 to give to consent to Finchingfield Parish Council providing one wayfinder sign and post at Stephen Marshall Avenue, Finchingfield | N/A | N/A | N/A |
| 29.4.21 | Vicky Duff Network Assurance Manager | Authority under Section 142 of the Highways Act 1980 to give consent to Mrs Helen Simmons of 217 Priests Lane, Shenfield, Brentwood for planting 1 flowering cherry tree within the verge fronting 217/219 Priests Lane, Shenfield, Brentwood | N/A | N/A | N/A |

| 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 |
|-------------|--|--|--|--|--|
| 29.4.21 | Olive Porter Network Assurance Officer | Authority under Section 50 of the New Roads and Street Works Act 1991 to grant a Licence for installation of a foul sewer connection at Cock Green Road, Felsted | N/A | N/A | N/A |
| 29.4.21 | Vicky Duff Network Assurance Manager | Authority under Section 96 of the Highways Act 1980 to give consent to West Horndon Parish Council installing 3 planters in Station Road, West Horndon | N/A | N/A | N/A |
| 29.4.21 | Vicky Duff Network Assurance Manager | Authority under Section 96 of the Highways Act 1980 to give consent to Black Notley Parish Council installing 9 planters in Mary Ruck Way, Brian Valley Avenue, Dewlands, Crabb Apple Drive and Bulford Lane, Black Notley | N/A | N/A | N/A |

| 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 |
|-------------|--|--|--|--|--|
| 27.4.21 | Vicky Duff Network Assurance Manager | Authority under Section 115B of the Highways Act 1980 to give consent to Colchester Borough Council to install 4 x parklets along the southern side of the High Street, Colchester | N/A | N/A | N/A |
| 26.4.21 | Olive Porter Network Assurance Officer | Authority under Section 50 of the New Roads and Street Works Act 1991 to grant a Licence for installation of a foul sewer connection at Downham Road, South Hanningfield | N/A | N/A | N/A |
| 26.04.21 | Olive Porter Network Assurance Officer | Authority under Section 50 of the New Roads and Street Works Act 1991 to grant a Licence for installation of a foul water connection at St Marys View, Saffron Walden | N/A | N/A | N/A |
| 21.04.21 | Olive Porter Network Assurance Officer | Authority under Section 50 of the New Roads and Street Works Act 1991 to grant a Licence for installation of a HV electric connection at Highmead, Love Lane, Spring Gardens, Burrows Way, | N/A | N/A | N/A |

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|-------------|--|--|--|--|--|
| | | Ridgewell, Great Wheatley Road, A129 High Road, A127 Southend Arterial Road and A1245 Chelmsford Road, Rayleigh | | | |
| 21.04.21 | Olive Porter Network Assurance Officer | Authority under Section 50 of the New Roads and Street Works Act 1991 to grant a Licence for installation of five electricity connections at Nelson Road, Clacton on Sea | N/A | N/A | N/A |
| 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 |
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