



CABINET

DATE:	Friday, 6 October 2023
TIME:	10.30 am
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:	
Councillor M Stephenson	- Leader of the Council; Portfolio Holder for Corporate Finance & Governance
Councillor I Henderson	- Deputy Leader of the Council; Portfolio Holder for Economic Growth, Regeneration & Tourism
Councillor A Baker	- Portfolio Holder for Housing & Planning
Councillor M Barry	- Portfolio Holder for Leisure & Public Realm
Councillor M Bush	- Portfolio Holder for Environment
Councillor P Kotz	- Portfolio Holder for Assets
Councillor G Placey	- Portfolio Holder for Partnerships

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DATE OF PUBLICATION: THURSDAY, 28 SEPTEMBER 2023

AGENDA

1 Apologies for Absence

The Cabinet is asked to note any apologies for absence received from Members.

2 Minutes of the Last Meeting (Pages 1 - 22)

To confirm and sign the minutes of the last meeting of the Cabinet held on Friday 21 July 2023.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests, and the nature of it, in relation to any item on the agenda.

4 Announcements by the Leader of the Council

The Cabinet is asked to note any announcements made by the Leader of the Council.

5 Announcements by Cabinet Members

The Cabinet is asked to note any announcements made by Members of the Cabinet.

6 Matters Referred to the Cabinet by the Council - A.1 - E-Petition: Beach Hut Lease Changes (Pages 23 - 32)

To formally report the receipt of an e-petition submitted to the Council requesting that the Cabinet reconsiders its decision for all Beach Hut licences to be changed to leases.

7 Matters Referred to the Cabinet by the Council - A.2 - E-Petition: Requested changes to the operation of the Council's Waste Management Functions (Pages 33 - 38)

To formally report the receipt of an e-petition submitted requesting changes to the operation of the Council's waste management functions.

8 Matters Referred to the Cabinet by the Council - A.3 - E-Petition: 'Brightlingsea Stench' (Pages 39 - 46)

To formally report the receipt of an e-petition submitted requesting that Tendring District Council carries out a further investigation into the phenomenon of the 'Brightlingsea Stench'.

9 Matters Referred to the Cabinet by a Committee - Reference from the Planning Policy & Local Plan Committee - A.4 - Conservation Area Character Appraisals and Management Plans for Ardleigh, Great Holland and Tendring Village (Pages 47 - 230)

To enable the Cabinet to consider the recommendations made to it by the Planning Policy & Local Plan Committee in relation to the Ardleigh, Great Holland and Tendring village Conservation Area Appraisals and Management Plans prepared for the Council by Essex Place Services.

10 Leader of the Council's Items - A.5 - Financial Performance Report 2023/24 - General Update at the end of July 2023 (Pages 231 - 274)

To provide a general update and overview of the Council's financial position against the 2023/24 budget and looking ahead to 2024/25 and beyond.

11 Cabinet Members' Items - Report of the Economic Growth, Regeneration & Tourism Portfolio Holder - A.6 - Levelling Up Fund and Capital Regeneration Projects - Progressing the Projects to Planning Permission (Pages 275 - 290)

To consider the next steps for the Levelling Up Fund (LUF) Project in Clacton-on-Sea and Capital Regeneration Project in Dovercourt and to draw down £1,898,421 from the £2.295m LUF budget for the procurement of professional services to progress the respective project plans through to the submission of applications for planning permission.

12 Management Team Items - Report of the Monitoring Officer - A.7 - Section 5 Update (Pages 291 - 304)

To update Cabinet on the actions taken in response to a breach of a statutory reporting deadline.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Cabinet is to be held in the Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 10.30 am on Friday, 10 November 2023.

Information for Visitors

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**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 21ST JULY, 2023 AT 10.30 AM
IN THE COMMITTEE ROOM AT THETOWN HALL, STATION ROAD, CLACTON-ON-
SEA, CO15 1SE**

Present:	Councillor M E Stephenson	Leader of the Council & Portfolio Holder for Corporate Finance and Governance (Chairman)
	Councillor I J Henderson	Deputy Leader of the Council & Portfolio Holder for Economic Growth, Regeneration & Tourism
	Councillor A P H Baker	Portfolio Holder for Housing & Planning
	Councillor M Barry	Portfolio Holder for Leisure & Public Realm
	Councillor M Bush	Portfolio Holder for Environment
	Councillor P Kotz	Portfolio Holder for Assets
	Councillor G R Placey	Portfolio Holder for Partnerships

Group Leaders Present by Standing Invitation: Councillors J B Chapman BEM (Leader of the Independents Group), G V Guglielmi (Leader of the Conservative Group) and G G I Scott (Leader of the Liberal Democrats Group)

In Attendance: Ian Davidson (Chief Executive), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Corporate Director (Place & Economy)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), Keith Durran (Committee Services Officer) and Chanelle Field (Communications Assistant)

14. APOLOGIES FOR ABSENCE

No apologies for absence were submitted on this occasion.

15. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 23 June 2023, be approved as a correct record and be signed by the Chairman.

16. DECLARATIONS OF INTEREST

In the interests of transparency and for the public record, Councillor Placey (Partnerships Portfolio Holder) stated, in relation to Agenda Item 9 – Report A.3 – Creation of a Subsidy Scheme for the purposes of direct grant funding to Citizens Advice Tendring (CAT) that, until recently, she had been the Chairman of the Trustees of the CAT.

17. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

King's Fund

The Leader of the Council (Councillor Mark Stephenson) reported that, at the recent LGA Conference, the King's Fund had announced its recent paper on health and local government working together for positive outcomes in local communities in which Tendring District Council (TDC) had been mentioned as an exemplar. Furthermore, at the previous day's East of England Local Government Association (EELGA) meeting which he had attended with the Chief Executive, TDC had featured heavily in relation to its partnership working.

The Chief Executive (Ian Davidson) then referred to some of the challenges the District was facing and the work that TDC had undertaken, with its partners, to address those including the work in primary schools to support pupils' mental health and the work in Jaywick Sands with the Education Board. The key was the work in collaboration with Essex County Council colleagues and the Health Alliance, which was an exemplar. The work was all about tackling the historic challenges in the District of high deprivation and health inequalities and it was now having a positive impact. For example, the District's Health Index for the first time had had a positive increase of 4.8% (compared to the England average of +0.8%). Many local authorities had suffered a decline. Therefore, TDC residents in the long term would see their health inequalities reduce.

Mr Davidson had also referred to the fact that the District of Tendring had had the second highest number of suicides in the country. That was no longer the case as the number had significantly reduced due to a focus on problem schools and particular areas of the population. He welcomed the King's Fund report, which was an endorsement of the importance of partnership working, shared approaches to understanding community needs and the collective focusing of resources.

18. ANNOUNCEMENTS BY CABINET MEMBERS

Proposed closure of Railway Ticket Offices

The Deputy Leader of the Council and Portfolio Holder for Economic Growth, Regeneration & Tourism (Councillor I J Henderson) referred to the ongoing consultation by the Train Operators on the proposed closure of over 1,000 railway ticket offices around the country. Some would be within the District of Tendring including at Manningtree, Clacton and possibly Frinton Railway Stations.

Councillor Henderson stated that he had been contacted by members of the public within his local area who had informed him that they found it very useful to use the Ticket Office at Manningtree especially older members of the public and those with disabilities who wanted to make sure that they had access to both platforms and trains. In addition, for those who did not like to make electronic payments, manned ticket offices provided somebody who could provide access on the best route of travel and the cheapest tickets available. He felt that it was a real shame and concern that these experienced ticket office staff would be lost.

Councillor Henderson also expressed his concern at the short three weeks only duration of this consultation. He felt that this was unfair to the general public. As the consultation was due to end on Wednesday 26 July 2023 he urged all Members of the Council to respond on behalf of their residents. He drew attention to the fact that within the Greater Anglia rail franchise region, 16% of rail users (compared to the national average of 12%) used ticket offices and that there was a real danger of these rail users being seen as "not mattering anymore".

The Leader of the Conservative Group (Councillor Guglielmi) stated that he fully supported Councillor Henderson's stance. He referred to Greater Anglia's announced intention that the ticket office staff would be redeployed onto the platforms but stated that he was sceptical that this would happen. He pointed out the fact that, the ticket machines would, at some time, malfunction. They also could not give advice or answer questions or suggest the cheapest way to travel.

Councillor Guglielmi suggested that a combined response be sent on behalf of all the local authorities in Essex. He also suggested that TDC's response be circulated to the town and parish councils and local community groups in the District in order to make as many residents as possible aware of this consultation.

The Leader of the Liberal Democrats Group (Councillor Scott) highlighted the problems that the elderly often had with using modern technology and that these machines in not being able to do "ticket splitting" to provide cheaper options would thereby penalise the lower income households. He also mentioned that many of the machines did not take cash and that if they malfunctioned then the passenger ran the risk of then receiving a fine from the ticket collector on the train. He advocated a reinstatement or provision of "Permit to Travel" machines as a backup system. Overall, therefore he felt that this proposal was not a sensible approach.

The Housing & Planning Portfolio Holder (Councillor Baker) stated that it was "outrageous" that only a three-week period for consultation had been permitted for an issue of such importance. He believed that this proposal was merely an excuse for Train Operators to save money given the fact that rail use had not returned to pre-Covid 19 levels. This was at the same time as the public was being urged to use sustainable transport, as an aid in the fight against 'climate change'.

The Leader of the Council (Councillor M E Stephenson) assured Members that all of the points raised would be picked up in this Council's response to this consultation.

Clacton Air Show

The Deputy Leader of the Council and Portfolio Holder for Economic Growth, Regeneration & Tourism (Councillor I J Henderson) reminded Members that this year's Clacton Air Show (to be held on Thursday 24th and Friday 25th August 2023) marked its 30th Anniversary and therefore it was a special one to celebrate. Highlights of this event would include:-

- Battle of Britain Memorial Flight;
- Red Arrows;
- RAF Tutor display team;
- Fleet Air Arm (RN) Swordfish.

Councillor Henderson also drew attention to Thursday's twilight flights and displays, which would include:-

- "Tigers" Army Parachute Display Team;
- "Otto" helicopter pyrotechnic display;
- "Firebirds".

He urged the public to visit www.clactonairshow.com for the continually updated information as to display flight times and public parking arrangements et cetera.

Green Flags

The Leisure and Public Realm Portfolio Holder (Councillor Barry) was very pleased to announce that parks and gardens around Tendring had kept their prestigious Green Flag Awards. The District had maintained all four of its Green Flags for open spaces at Clacton Seafront Gardens, Weeley Crematorium and Gardens, Cliff Park in Dovercourt and Crescent Gardens in Frinton.

Councillor Barry stated that these awards were testament to the hard work of council staff and many volunteers, who were passionate about their local area, in maintaining these parks and gardens to such a high standard in all weathers. He was pleased for them that Keep Britain Tidy had rewarded their efforts with these four prestigious Green Flags which recognised not only how beautiful a place was, but also the behind the scenes and community efforts as well.

19. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no matters referred to the Cabinet by the Council on this occasion.

20. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF CHILDREN MISSING FROM EDUCATION

Cabinet considered the recommendations submitted to it by the Community Leadership Overview & Scrutiny Committee following that Committee's scrutiny of children missing from education at its meeting held on 7 March 2023.

That Committee had recommended to Cabinet -

- a) *that representations be again made to see Academies provide access to sites in the locality where those that are home schooled can take examinations in a range of subjects close to home;*
- b) *that efforts be made to encourage further enhancement of a positive relationship between home educators and the County Council's education service. Including in policy development and home visits; and*
- c) *to support the collaborative work that was being talked about to identify those that are not attending school or being effectively home educated and taking the necessary steps to get them back into education.*

Cabinet had before it the following comment submitted by the Portfolio Holder for Partnerships:-

"I would like to thank the Committee for their comments and recommendations. I have asked Officers to raise these matters at the next meeting of the Tendring Education Strategic Board, Attendance sub-group."

Having duly considered the recommendations submitted to Cabinet by the Community Leadership Overview and Scrutiny Committee, together with the response of the Partnerships Portfolio Holder thereto:-

It was moved by Councillor Placey, seconded by Councillor I J Henderson and:-

RESOLVED that the recommendations made by the Community Leadership Overview & Scrutiny Committee be noted and that the response of the Partnerships Portfolio Holder thereto be endorsed.

21. LEADER OF THE COUNCIL'S ITEMS - A.2 - TREASURY MANAGEMENT PERFORMANCE 2022/23

Cabinet considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.2), which reported on the Council's treasury management activities and Prudential Indicators for 2022/23.

Members were reminded that borrowing and investments had been undertaken in accordance with the 2022/2023 Annual Capital and Treasury Strategy that had been approved by full Council at its meeting held on 29 March 2022.

Summary of the Council's Borrowing Position:

Amount Outstanding at the end of March 2023	Average Interest Rate Paid in 2022/23	Total Interest paid in 2022/23
£0.136m (General Fund)	7.082%	£0.010m
£34.563m (HRA)	3.555%	£1.262m

Cabinet was advised that no external borrowing had been undertaken in 2022/2023 for either the General Fund (GF) or Housing Revenue Account (HRA).

Summary of the Council's Investment Position:

Value of Investments held at the end of March 2023	Average Interest rate on Investments 2022/23	Interest Earned on Investments 2022/23
£79.211m	1.774%	£1.630m

It was reported that the amount of interest earned from investments had increased greatly during the year due to the successive bank base rate rises of either 0.25% or 0.50% from 0.75% at the start of 2022/23 to 4.25% at the end of the year. As most investments were fixed for 6 months at a time, the increases had not fed immediately through to the investments held but had allowed for a 'laddering' of deposits to lock in the increase. Estimated income had increased through the quarterly financial performance and budget reports during the year - from £0.087 million at the start of the year to £1.150 million at the end of the year, with the outturn figure being £1.630 million as set out in the table above.

Cabinet was aware that the Council continued to hold one property within its Commercial Investment Portfolio, which had a balance sheet value at 1 April 2022 of £2.108 million. This 'book value' had been increased by the Council's appointed valuers to £2.364 million at the end of 2022/23. However, this was an 'accounting' valuation and

not a direct value that would be achieved on the market if it was sold. Rental income of £0.224 million had been earned on the property in 2022/23, in line with estimates.

As reported to Cabinet in November 2022, during 2022/23 the Treasury Management limit of £1.000 million that could be held across the Council's various current accounts on any one day had been exceeded on 24 June 2022, when a total of £1.074 million had been held across the various current accounts. This was due to the unexpected receipt late in the day on 24 June 2023 of £0.130 million which had been expected on 27 June 2023 and there had been insufficient time to move the money to an alternative bank account/investment. On 2 August 2022, the limit for the bank current accounts had again been exceeded with £1.007 million held, due to the unexpected receipt late in the day of a payment from a developer of Section 106 monies of £0.177 million. Although Planning informed Finance of when they billed for Section 106 payments, in practice they were rarely paid to us on the day expected, which had the case in this instance. As no prior notification of this payment had been received, no alternative arrangements could be made in time. In response to those two occurrences, additional 'headroom' was now provided against the relevant current accounts held with Lloyds Bank PLC in order to enable more money to be received into the accounts without the risk of exceeding the limit.

In addition to the above, an adjustment / intervention had also been required in respect of the amount held within Money Market Funds during the year.

Cabinet was made aware that the impact of inflation was continuing in 2023/24, with further interest rate rises in May and June 2023, such that the bank base rate was now 5% and that the latest interest rate forecast from the Council's treasury management advisers suggested a further increase to 5.5% in autumn 2023 and then steady reductions in the rate during 2024/25 and 2025/26. Investment income budgets would be reviewed as part of the quarterly Financial Performance Reports and long-term financial planning processes.

In order to demonstrate compliance with the Treasury Management and Prudential Codes:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that -

- a) the Treasury Management performance position for 2022/23 be noted; and
- b) the Prudential and Treasury Indicators for 2022/23 be approved.

22. LEADER OF THE COUNCIL'S ITEMS - A.3 - CREATION OF A SUBSIDY SCHEME FOR THE PURPOSES OF DIRECT GRANT FUNDING TO CITIZENS ADVICE TENDRING

Earlier on in the meeting, as reported under Minute 16 above, and in the interests of transparency and for the public record, Councillor Placey (Partnerships Portfolio Holder) had stated, in relation to this matter that she had, until recently, been the Chairman of the Trustees of the CAT.

Cabinet considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.3), which sought:-

- (i) to create an Addressing Health Inequality – Advice, Support And Mental Health Subsidy Scheme 2023/24 and grant funding directly to Citizens Advice Tendring (CAT) as part of the core funding under a Service Level Agreement and the Mental Health Hub;
- (ii) an approved Addressing Health Inequality – Advice, Support and Mental Health Subsidy Scheme which would ensure that the Council was compliant with the Subsidy Control Act 2022 by providing justification for direct granting funding to CAT should the funding fall under the new legal definition of a subsidy; and
- (iii) to agree an updated Service Level Agreement (SLA) with Citizens Advice Tendring (CAT) for 2023/24 and to provide funding in relation to the Mental Health Hub.

Cabinet was reminded that [the Subsidy Control Act 2022](#) (“the Act”) had come into force in January 2023 and set out the UK’s subsidy control rules for public authorities. A ‘subsidy’ was where a public authority provided support to an enterprise that gave them an economic advantage, meaning equivalent support could not have been obtained on commercial terms. Subsidies could give recipients an unfair advantage over their competitors or be an inefficient use of public money if they did not bring about net positive change.

Members were informed that the Council was held responsible to consider the effect of the funding that they would award. Subsidies should only be given in the public interest to address a market failure or equity concern, and if awarded, should be done in a way that minimises any negative impact on competition and investment to help ensure that public money was used in an effective and efficient way.

The Government’s introduction to subsidy control stated: *“To minimise these risks and increase the likelihood that subsidies achieve positive outcomes, the UK subsidy control regime regulates subsidies given in the UK to prevent any excessively distortive or harmful effects. The regime is designed to be flexible, to allow public authorities to support business growth and innovation, promoting competition and investment in the UK. Under the regime, public authorities can deliver subsidies that are tailored to local needs to deliver their strategic priorities.”*

It was reported that the [UK subsidy control statutory guidance](#), issued by the Secretary of State under Section 79 of the Act, in November 2022 and updated in June 2023, explained public authorities’ legal obligations under the regime and provided a framework for designing and giving subsidies in a way that was consistent with the Act. In Chapter 3, the guidance advised that, if a financial assistance measure met the legislation definition of a subsidy, it would need to be assessed against the seven subsidy control principles. Subsidy schemes must be assessed against the subsidy control principles and could not be made unless the public authority decided the scheme was consistent with the principles.

The seven subsidy control principles (“the Principles”) were:

Principle A: Common Interest

Subsidies should pursue a specific policy objective in order to remedy an identified market failure or address an equity rationale (such as local or regional disadvantage, social difficulties or distributional concerns).

Principle B: Proportionate and Necessary

Subsidies should be proportionate to their specific policy objective and limited to what is necessary to achieve it.

Principle C: Designed to change economic behaviour of beneficiary

Subsidies should be designed to bring about a change of economic behaviour of the beneficiary. That change, in relation to a subsidy, should be conducive to achieving its specific policy objective, and something that would not happen without the subsidy.

Principle D: Costs that would be funded anyway

Subsidies should not normally compensate for the costs the beneficiary would have funded in the absence of any subsidy.

Principle E: Least distortive means of achieving policy objective

Subsidies should be an appropriate policy instrument for achieving their specific policy objective and that objective cannot be achieved through other, less distortive, means.

Principle F: Competition and investment within the UK

Subsidies should be designed to achieve their specific policy objective while minimising any negative effects on competition and investment within the United Kingdom.

Principle G: Beneficial effects should outweigh any negative effects

Subsidies' beneficial effects (in terms of achieving their specific policy objective) should outweigh any negative effects, including in particular negative effects on competition and investment within the United Kingdom, and international trade and investment.

Cabinet was advised that the direct funding Tendring District Council proposed to grant to Citizens Advice Tendring (CAT) was considered a 'subsidy' for the reasons set out within the report, and consequently, had been assessed against the Principles using the recommended framework and template, as set out in Appendix A to the Leader's report. To be able award any financial assistance directly to CAT, Cabinet must be satisfied that the proposed Scheme was consistent with the Principles.

Members were informed that the Addressing Health Inequality – Advice, Support and Mental Health Subsidy Scheme 2023/24 ("the Scheme") would seek to provide a comprehensive advice and support service and a Mental Health Hub provision, which was freely accessible to residents via trusted providers on a competent basis delivering a wide range of support to an appropriate quality standard. The Scheme would operate for one year.

It was felt that this Scheme met the Principles, as it sought to achieve a policy objective within the Council's Corporate Plan i.e. to deliver health and wellbeing for effective

services and improved public health; it was proportionate to deal with increasing demand for services by a local trusted organisation and it would positively affect the recipient's activity to ensure they continued to provide a comprehensive advice and a Mental Health Hub service.

It was also considered that, without funding, the recipient would not be able to meet the demand for services to the public and it was an appropriate policy instrument as the Council did not provide such services, and this activity would be delivered by a competent, trusted and accessible organisation. It was not considered that the subsidy would have a negative effect on competition, as there were specific requirements around comprehensive, competent local free and impartial provision by a trusted organisation, which residents were happy to regularly access. The benefits outweighed any negative effects as there was increasing demand for the service to help address health inequalities in an area of high deprivation and there were specific requirements needed for delivery of this provision.

Cabinet was made aware that the Subsidy Control Act 2022 imposed transparency obligations on public authorities awarding subsidies to promote accountability and enable the public to see how money was spent. Public authorities must ensure that the details of subsidies they awarded, or subsidy schemes they made, were uploaded to the UK subsidies database ([GOV.UK - Public user search page \(beis.gov.uk\)](https://www.gov.uk/guidance/public-user-search-page)). It was therefore recommended that the Addressing Health Inequality – Advice, Support and Mental Health Subsidy Scheme 2023/24 be approved using the completed subsidy control assessment as evidence. Subject, to its approval, the proposed funding for CAT would then be awarded, and published on the UK subsidies database on behalf of Tendring District Council in order to be compliant with the Act when granting the funding.

Members were assured that any grant of funding to CAT would be consistent with previous years, in that it was supported by an annual Service Level Agreement, also agreed by Cabinet. This arrangement supported the provision of free, confidential and impartial advice to residents across a wide range of issues. Since 2013/14, the core grant awarded each year had been £144,000, payable in two instalments of £72,000.

That funding would also support a Mental Health Hub that CAT had operated for a number of years which was a single point of access for a holistic assessment and intervention for vulnerable residents who had poor mental health. The Hub provided a broad range of support for those who attended including an opportunity for volunteering which might help lead to employment. In order to grant this funding, TDC must ensure that in doing so it would be compliant with subsidy control regulations.

Data produced by CAT showed that during the past year, although client numbers had remained the same, the number of issues dealt with by telephone and email had risen by 57% (8765 to 13,739) as people arrived with multiple and complex issues for example around energy and the cost of living crisis and the ongoing effects of the pandemic. In addition, 4000 residents had chosen to drop-in at their face-to-face venues.

CAT had also operated the Mental Health Hub ("the Hub") for eight years, which was a single point of access for a holistic assessment and intervention for vulnerable residents who had poor mental health. The Hub was funded by Tendring District Council, Essex County Council, the Police, Fire and Crime Commissioner and the Integrated Care

Board. The lead commissioner was the Integrated Care Board and they provided and held the Service Level Agreement on behalf of all the other funders. The contribution from Tendring District Council was £28,000 per year.

It was acknowledged that the Act might have wider implications across the Council and therefore, it was recommended that the Council undertook a review during 2023/24 of all of its grant funding to establish whether it wished to produce a wider Subsidy Scheme covering a range of initiatives and functions and to consider alternative options.

In order to:-

- (1) ensure that the Council is following its legal obligations under the Subsidy Control Act 2022 and statutory guidance;
- (2) enable CAT to continue to support Tendring residents and offer value for money; and
- (3) enable a review to be undertaken of all grant funding and present options for consideration.

It was moved by Councillor M E Stephenson, seconded by Councillor Baker and:-

RESOLVED that -

- (a) the Addressing Health Inequalities – Advice, Support and Mental Health Subsidy Scheme for 23/24, assessed as being consistent against the Seven Principles as set out in Appendix A to item A.3 of the report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance, be approved;
- (b) the Assistant Director (Partnerships), in consultation with the Leader of the Council and the Monitoring Officer, be authorised to finalise the administrative requirements for the production of the Subsidy Scheme in accordance with the Act and Statutory Guidance, prior to any awards;
- (c) subject to (a) and (b) above, Citizens Advice Tendring be awarded direct grant funding of £144,000 and £28,000 for 2023/24 and notification of such is published on the Government's database;
- (d) a Service Level Agreement with Citizens Advice Tendring (CAT) from 1st April 2023 until 31st March 2024 be entered into on the terms and conditions as set out in the updated agreement shown in Appendix B to the aforesaid report; and
- (e) a review of grant funding across the Council be approved and a report following the review considering the options available during 2023/24 be presented to Cabinet in readiness for 2024/25.

23. LEADER OF THE COUNCIL'S ITEMS - A.6 - DEVELOPING A NEW CORPORATE PLAN 2024-2028

Cabinet considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.6), which sought its approval to commence the process of preparing a new Corporate Plan for the period 2024-2028.

Members recognised that the District of Tendring had amazing opportunities and some deep-seated challenges and that the Council's Corporate Plan would reflect this as the Council's focus. It also needed to recognise the Council's challenging financial position, with financial sustainability being the key for delivery. The Council also recognised that it was a deliverer, influencer and facilitator, which would be the only way it could achieve its ambitious Corporate Plan aspirations.

Corporate Planning and Performance Management

Cabinet was aware that the Council had an established set of arrangements to set out its long and medium term aims and to monitor progress in delivering them. This included a long term Corporate Plan (agreed by Full Council), Annual Priorities and Projects in line with the Corporate Plan (agreed each year by Cabinet), and quarterly performance reporting. In addition, Departmental Plans were prepared annually at an operational management level.

An overview of the performance system was as follows:

Timescales/Term	Performance Document/Plan	Key Objectives
4 years	Corporate Plan Developed by Cabinet and agreed by Full Council.	Long term Council aims /priorities 'Plan on a page' Strategic Vision/Values of the organisation
1 year	Highlight Priorities Developed and agreed by Cabinet	Specific deliverable actions with milestones Performance Standards
Quarterly Reporting	Performance Standards Deliverables developed / agreed by Cabinet	Reports provided to Cabinet and available for Overview and Scrutiny Committees Reports include the deliverables, targets, metrics and measures
Annually	Departmental Plans	Operational plans at officer level in consultation with the relevant Portfolio Holders

A new Corporate Plan

Through this report, approval of the process of preparing a new Corporate Plan was sought.

With the election of a new Council, the formation of a new Administration and given that the current Corporate Plan ran to 2024, this was felt to be an appropriate time to begin preparatory work to develop a new Corporate Plan for agreement by the Council. It was acknowledged that it would take a number of months in order to allow proper consideration and scrutiny of the proposed content before the Council could be asked to formally agree the plan.

Cabinet was therefore requested to confirm at this stage that the overall approach to the Corporate Plan, Priorities and Projects and Performance Management and reporting should continue on the current basis and that the Corporate Plan itself should again be:

- a “Plan on a Page”;
- with Community Leadership underpinning its themes; and
- a clear statement of the Council’s overall vision and values.

Public Consultation

Due to the proposed timeline and limited in-house capacity it was recommended that an external social research company be used, which would enable the Council to capture Tendring District specific data not only to assist the Council with developing its Corporate Plan but with future priority setting and decision-making.

In order for Officers to be authorised to undertake the consultation outlined and to alert Councillors, stakeholders and the public to the process of adopting a Corporate Plan for 2024-28:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that Cabinet -

- (1) notes and endorses the initial emerging themes for a Corporate Plan (Our Vision) for 2024-28, as set out at Appendix A to item A.6 of the report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance;
- (2) requests Officers to undertake consultation with the public, stakeholder organisations, Councillors and staff on the initial emerging themes referred to in (1) above;
- (3) receives the outcome of that consultation at the meeting of Cabinet on 10 November 2023 with a view to development of finalised Corporate Plan (Our Vision) themes for 2024-28 being then recommended to Council on 28 November 2023; and
- (4) endorses engaging a social research company to support the consultation referred to in (2) above and, in view of the limited capacity within the Council, authorises that the costs of that support (up to £25,000) be met from corporately accrued vacancy savings to date in 2023/24, where this will not impact on service delivery.

24. LEADER OF THE COUNCIL'S ITEMS - A.8 - OVERVIEW OF THE FINANCIAL OUTTURN 2022/23 AND PROPOSED ALLOCATION OF THE GENERAL FUND VARIANCE FOR THE YEAR

Cabinet considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.8), which sought its approval of the allocation of the overall 2022/23 General Fund revenue variance.

The Leader of the Council, acting in his capacity of Portfolio Holder for Corporate Finance and Governance had agreed the overall outturn position for 2022/23 on 10 July 2023, with a high level summary of the General Fund revenue position as set out below:-

Variance for the year before carry forward requests	(£19.131m)
Less revenue carry forwards requested by Services	£15.779m
Variance for the year after requested carry forwards	(£3.352m)

The favourable variance for the year of £3.352m was currently being held in the Revenue Commitments Reserve.

Cabinet was made aware of an emerging issue that was likely to have an impact on this overall variance for the year, which related to the Crematorium Replacement Capital Project. In summary, £0.558m of the overall favourable variance of £3.352m above related to the underspend against the associated capital scheme, which was due to the original capital programme incorrectly including the costs of the 10 year maintenance contract associated with the new cremators. Following an associated review, it had been identified that £0.240m of the overall favourable above was required to 'top up' the existing maintenance budget to meet the cost of this on-going contract.

After taking into account the above, the remaining favourable variance was therefore £3.112m.

It was proposed to continue to hold the remaining favourable variance for the year of £3.112m within the Revenues Commitment Reserve and to consider its allocation alongside the Financial Performance Reports later in the year, which would include the development of the financial forecast for 2024/25 and beyond. This approach would enable future investment to be aligned alongside other key financial decisions associated with delivering options and actions to support the Council's long-term financial sustainability.

There were also a number of carry forwards that had been requested by Services which totalled £25.703m (£15.779m relating to revenue budgets and £9.924m relating to capital schemes). It had been intended to have reviewed all of the carry forwards requested by Services in order to identify those to be agreed or otherwise for reporting to this meeting of Cabinet. However, that review remained in progress and so it was now proposed to delegate their approval or otherwise to the Portfolio Holder for Corporate Finance and Governance in consultation with the Section 151 Officer. This review would also seek the input from relevant Senior Officers and Portfolio Holders. Following this review and associated decision, it was proposed that the total amount

relating to any carry forwards not subsequently approved would be added to the general favourable variance for the year of £3.112m highlighted above and retained within the Revenues Commitment Reserve for consideration later in the year as proposed.

In order to allocate the overall General Fund favourable outturn variance for 2022/23 along with the associated delegations of authority:-

It was moved by Councillor M E Stephenson, seconded by Councillor Kotz and:-

RESOLVED that -

- (a) the high level Financial Outturn Position set out in this report and the initial favourable General Fund Revenue variance of £3.352m for the year, which is currently held within the Revenue Commitments Reserve be noted;
- (b) £0.240m of the overall favourable variance of £3.352m be used to meet the additional maintenance costs of the new cremators over the associated 10 year maintenance period;
- (c) the remaining favourable variance for the year of £3.112m be retained within the Revenue Commitments Reserve for further consideration during 2023/24;
- (d) the approval of the carry forwards from 2022/23 be delegated to the Portfolio Holder for Corporate Finance and Governance, in consultation with the Section 151 Officer;
- (e) the value of any of carry forwards not subsequently approved be added to the general variance set out in (c) above; and
- (f) the Council's Section 151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, be authorised to adjust the outturn position for 2022/23 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2022/23 accounts.

25. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING AND PLANNING PORTFOLIO HOLDER - A.4 - ELMSTEAD NEIGHBOURHOOD PLAN AND NEIGHBOURHOOD DEVELOPMENT ORDER - PROPOSAL FOR PUBLIC CONSULTATION

Cabinet considered a report of the Housing & Planning Portfolio Holder (A.4), which sought its agreement for Officers to carry out a six week public consultation on Elmstead Parish Council's new Neighbourhood Plan and Neighbourhood Development Order, as part of the statutory plan-making process.

It was reported that Elmstead Parish Council had submitted the final version of its Neighbourhood Plan and Neighbourhood Development Order (NDO) to Tendring District Council (TDC). The Neighbourhood Plan and the NDO had been prepared by the Parish Council having regard to the technical evidence, feedback from community engagement activities and the ongoing advice of TDC Officers.

Members were informed that, as part of the statutory plan-making process, the Neighbourhood Plan and NDO must be published for at least six-weeks formal

consultation and thereafter undergo an independent examination and a local referendum before it could be formally adopted by the District Council.

Cabinet was advised that, upon adoption, the Neighbourhood Plan (with any changes required as a result of the consultation and examination process) would form part of the 'Development Plan' alongside the Tendring District Local Plan and would be a material consideration in the determination of planning applications.

Members were made aware that, as well as submitting a Neighbourhood Plan, the Parish Council was also submitting a NDO which would have the power to grant planning permission for specific development in a particular area. The Parish Council were using their NDO to gain outline planning permission to demolish the village hall and to replace it with up to nine apartments.

Members noted that the documents submitted by Elmstead Parish Council included the Neighbourhood Plan and NDO itself, a Consultation Statement, a 'Basic Condition Statement' and a number of other supporting documents including a Habitat Regulation Assessment and a Strategic Environmental Assessment.

It was reported that the decisions involved in the process of making a Neighbourhood Development Plan and NDO were largely technical, or administrative, in nature, however certain decisions, for example, the decision to hold a referendum, or ultimately the decision to 'make' the Neighbourhood Plan and bring it into force could be key decisions and as such should include Members' involvement.

Having duly considered the contents of the submitted documentation and in order to allow this matter to move forward:-

It was moved by Councillor Baker, seconded by Councillor Bush and:-

RESOLVED that Cabinet -

- a) notes the contents of the submitted documentation at Appendix 1 (The Elmstead Neighbourhood Development Plan), Appendix 2 (Consultation Statement), Appendix 3 (Basic Condition Statement) and Appendix 4 (Neighbourhood Development Order); and
- b) authorises the Director (Planning) to carry out a six week public consultation on the Neighbourhood Plan, the NDO and other related documents, in accordance with Regulations 16 and 21 of the Neighbourhood Planning Regulations 2012, in due course.

26. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.5 - UPDATE ON THE TENDRING EDUCATION STRATEGIC BOARD

Cabinet considered a report of the Partnerships Portfolio Holder (A.5), which provided it with an update on the work of the Tendring Education Strategic Board (TESB).

Members were reminded that, established in 2020, the TESB aimed to work in partnership to raise the aspirations, attainment and skills levels of children and young people (CYP) across the District. The Board sat within the North East Essex Health and Wellbeing Alliance to support their work as a system to ensure that: "children get the

best start in life (Start Well domain),” as well as contributing positively to tackling the wider determinants of health.

The purpose of the TESB was to:

- *Raise educational outcomes for the children and young people of Tendring*
- *Positively impact on the wider society of Tendring through improvement of education*
- *Influence other programmes to specifically support CYP and their families*
- *Connect with other organisations to target funding and initiatives towards Tendring e.g. lottery funding, commissioned contracts*
- *Identifying and delivering collective solutions which increase the consistency of best practice and offer for CYP in Tendring*

The Board met quarterly, however priorities (set for the academic year) were progressed through the work of Task & Finish Groups. Memberships of those groups included school representatives, Board members and relevant partners, supported by ECC/TDC officers and partners.

During the 2022/23 academic year, the TESB had worked on the following agreed priorities:-

- Speech, Language & Communication
- Reading
- Skills
- Social, Emotional Mental Health
- Pupil Attendance

It was recognised that there were many strategies already in place within Tendring District schools which were having a positive impact on C&YP, however, the TESB aimed to identify the gaps and work collaboratively to address common identified areas of need.

Highlights of progress to date included:-

In its first year, the TESB had worked with the Department for Education (DfE) funded ‘Opportunity Areas Programme’ to deliver a Twinning Partnership Project in Tendring to support the delivery of its aims. The Tendring Twinning Partnership had been established to share delivery activities that had seen positive impacts in the Norwich and Ipswich Opportunity Areas. This partnership had brought additional funding into Tendring, and work continued into this academic year.

The Tendring Twinning project had two priorities, namely:-

- To improve language and communication development.
- To strengthen professional development and deployment of Teaching Assistants to support pupils’ learning behaviours and emotional literacy

Using DfE funding, to date, progress had been made in delivering those priorities by facilitating:

- *2 Communication Hubs Schools*

'Good' or 'Outstanding' primaries with an EYFS are funded to undertake the Eklan accredited Communication Friendly Setting (CFSe) Primary (5-11 yrs) Award, becoming centres of excellence in speech, language and communication.

- *Communication Champions*
Over 100 Teachers, TAs and EY Practitioners are funded to undertake Eklan Speech Language and Communication Level 3 accredited training (3-5 yrs or 5-11yrs) to become Communication Champions.
- *15 Teaching Assistants across 9 schools have undertaken Education Endowment Foundation (EEF) training to become Learning Behaviour Leads.*
- *29 TAs have undertaken specialist training from Educational Psychologists to become Emotional Literacy Support Assistants (ELSAs). Schools will then fund yearly costs for their ELSA to have ongoing ½ termly 2-hour group supervision sessions facilitated by two EPs.*

Skills

It was reported that this was a newly formed Task & Finish Group operating since October 2022. The work of this group had developed significantly recognising the need to work collaboratively across a wider network of partners, increasing capacity and to ensure the delivery of a broad spectrum of skills and development opportunities for C&YP.

The aims of the skills group was to:-

- Support young people in Tendring to reach their potential through good career guidance and inspiration and activities that support employability and the development of skills for local employers.
- Ensure good career guidance is available with effective pathways to facilitate Tendring jobs for Tendring children.
- Support the long-term Levelling Up ambition to increase household incomes by ensuring Tendring residents can access high value jobs provided by local employers.
- Work with external partners to develop a bespoke offer of support for supporting attainment through inspiration with links to our local employers and growth sectors to avoid gaps between aspiration and opportunity for young people in Tendring.
- Support Careers Leader development and information

Progress to date:

- *Establishing new Task & Finish group and membership and key linkages to other Boards/strategic groups e.g. Tendring Regeneration Board*
- *Planning for the delivery of the Future Skills Programme over the next 2 years, with the possibility of extending this for another 2 years beyond that (following a review).*
- *Mapping of what offers are currently in place and available, to identify gaps and what should be supported via the Future Skills Programme*
- *Planning for a hands on career/skills events for both Primary and Secondary schools working with partners who are keen to support the area e.g. Greater Essex Careers Hub, Into University, Make Happen, University of Essex, ECC Skills Team,*

Tendring District Council, NHS North East Essex Clinical Commissioning Group & Freeport Skills Partnership Board

Pupil Attendance

The TESB Task & Finish group was working on a number of aspects relating to pupil attendance. Membership of the group had been extended to include partners who supported vulnerable children, young people and families e.g Family Solutions.

The group had produced and circulated a survey for school staff across Tendring schools to gain feedback on attendance issues. In addition, the group had engaged with parent/carers to gain their feedback and a greater understanding of their experiences and issues. Analysis of those results was ongoing.

In addition to the above, the group had sought to gain feedback from pupils on their experiences of being absent from school, and those who had managed to return to school following a period of absence to help inform actions going forward. The group was planning for a home school liaison pilot – this role would build links between the school and families (this would be targeted to an identified number of schools and rural areas of the District) and help children return to the school after a period of absence.

In order to provide continued support from Tendring District Council for the work of the TESB and its priorities:-

It was moved by Councillor Placey, seconded by Councillor I J Henderson and:-

RESOLVED that the work of the TESB and associated priorities/projects, as listed within the Portfolio Holder's report, which will continue to be supported in the 2023/2024 academic year in alignment with the Corporate Plan priorities, be endorsed.

27. MANAGEMENT TEAM ITEMS - REPORT OF THE DEPUTY CHIEF EXECUTIVE & MONITORING OFFICER - A.7 - EXTERNAL AUDIT DELAYS CAUSING DELAYS TO THE PUBLICATION OF CERTIFIED ACCOUNTS FOR 2022/23

Members were informed of a breach of a statutory reporting deadline along with the associated circumstances and the actions being taken in response.

Cabinet considered a report of the Monitoring Officer issued under Section 5 of the Local Government and Housing Act 1989 to formally inform Members that the Council had, for reasons beyond its control, failed to publish its certified draft accounts for the 2022/23 financial year by the statutory deadline of 1 June 2023. The Council was required by law to consider this report and decide what action (if any) to take in response. This report was being presented to Cabinet and it would also be presented to Full Council in due course.

Members were informed that the Chief Executive and the Assistant Director (Finance and IT) & Section 151 Officer had both been consulted on this report, as required by the legislation.

Cabinet was advised that, under Section 5A of the Local Government and Housing Act 1989, it was a duty of a relevant authority's Monitoring Officer to prepare a report, if it at any time appeared to them that any proposal, decision or omission by the authority, by

any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any joint committee on which the authority were represented constituted, had given rise to, or was likely to, or would give rise to —

(a) *a contravention by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any such joint committee of any enactment or rule of law or of any code of practice made or approved by or under any enactment; or*

(b) *any such maladministration or failure as is mentioned in Part 3 of the Local Government Act 1974 (Local Commissioners).*

Members were made aware that the Accounts and Audit Regulations 2015 required Local Authorities in England to publish unaudited but certified Statement of Accounts in order to enable a 30-day period for the exercise of the public right to inspect those accounts, with that period covering the first 10 days of June.

Before that period started, the Council had to publish its draft accounts and a certificate by the Section 151 Officer confirming that they were satisfied that the Statement of Accounts presented a true and fair view of —

(a) *the financial position of the authority at the end of the relevant financial year; and*

(b) *that authority's income and expenditure for that financial year.*

Therefore, the failure to start the period for the exercise of public rights placed the Council in breach of its statutory duty under regulation 15 of the Accounts and Audit Regulations 2015. This has led to the Council having to place a notice on its website to explain the breach and it had led to this report.

Cabinet was reminded that the Council's current External Auditors had been appointed by Public Sector Audit Appointments Limited (PSAA), a company established by the Local Government Association to collectively procure auditors without authorities having to go through the extremely technical and legally complex statutory process of appointing their own auditor. This meant that only PSAA could remove / replace this Council's auditor. The Council had raised the continuing external audit delays with the Department for Levelling Up, Housing and Communities (DLUHC), PSAA, CIPFA and the FRC. At the present time, Local Authorities were waiting for the Government to make an announcement on their proposals to resolve this worsening national issue.

Members were aware that the Council's Statement of Accounts for previous years (2020/21 and 2021/22), at the present time, remained subject to being 'signed off' by the Council's External Auditor. The backlog of audits was a national issue which was estimated to reach 1,000 across the country by the end of 2023 and the current situation had been described as a crisis in the External Audit of Local Authorities that risked escalating even further without urgent and decisive action by the Government. The Monitoring Officer understood that the Government remained committed to exploring options in response to this national issue. The delays highlighted above were a well-publicised issue and in no way reflected any wrong doing by those Councils adversely affected.

In terms of the 'sign-off' of the 2020/21 accounts, the External Auditor had confirmed that they would not be able to formally complete this process until September 2023 at the earliest. At the present time it was unknown when they would be able to commence the audit of the 2021/22 accounts.

Although the external audit delays did not necessarily prevent the Section 151 Officer from certifying and publishing the accounts for 2022/23, given that there were now two years of accounts still waiting to be 'signed off' by the External Auditor, it did start to significantly compromise the ability to do so.

The Monitoring Officer understood from the Council's Section 151 Officer that:

- the delays in the external audit of the accounts highlighted above had also had direct and secondary impacts on the ability for Councils to meet the 31 May publication deadline for 2022/23;
- in terms of the direct impact, a number of issues relating to 2020/21 and 2021/22 remained subject to the external audit process, and based on current information it was very likely that a number of figures in the 2020/21 and/or 2021/22 accounts would be subject to amendment with the potential 'knock-on' impact in 2022/23. It was also important to highlight that some financial balances from 2021/22, that would need to be brought forward into the 2022/23 accounts were also likely to change;
- in terms of the secondary impact, the Council was still working with the External Auditor on the 2020/21 accounts which in turn had had an adverse impact on the capacity of Officers in preparing the 2022/23 accounts;
- taking the above into account, the Council had taken the difficult but pragmatic decision to delay the publication of its 2022/23 accounts;
- the Council would endeavour to publish its certified accounts and commence the required period of public inspection as soon as possible, with the scheduled date being the end of July 2023;
- the proposed delay should not impact on the ability for the public to inspect the Council's accounts or to raise questions directly with its External Auditor. However, it was acknowledged that any delay was undesirable and the rights became less meaningful and relevant as the delay lengthened;
- the Council's decision to delay the publication of the accounts should be seen as a practical response to matters outside of its control, rather than a reflection on the Council's important financial stewardship role. However, to provide additional assurance in the interim period, the External Auditor had provided a positive Draft Audit Completion Report for 2020/21 which had been considered by the Council's Audit Committee in March 2023, with no significant weakness identified to date in terms of the Council's use of resources.

In respect of the 5th bullet point above, it was recognised that the 2020/21 accounts would not be signed off until September 2023 at the earliest. However, the impact from the continuing External Delays needed to be balanced with the need for the Council to

be able to adequately demonstrate its financial stewardship and governance role, which included the right of the public to inspect the certified accounts in a timely manner.

With the above in mind it was proposed to certify and publish the 2022/23 accounts as soon as possible regardless of the 2020/21 accounts not being potentially signed off until the end of September 2023 and the 2021/22 accounts remaining subject to the external audit process.

In this regard the Council's Section 151 Officer had confirmed:

- they were able to certify that the 2022/23 provided a true and fair view of the Council's financial position given this largely reflected the confirmation that the accounts had been prepared in accordance with the associated code of practice and that the financial transactions had been recorded and presented correctly;
- the Council was aware of the external audit issues still outstanding for 2020/21, which were not expected to have a material impact on the 2022/23 position;
- the accounts were published 'subject to audit';
- the 2021/22 certified Draft Statement of Accounts were certified for publication ahead of the 2020/21 accounts being 'signed-off' by the External Auditor;
- the Narrative Statement within the Statement of Accounts would highlight the External Auditor delays for prior years' accounts and the risk of the potential impact on the 2022/23 position;
- the Annual Governance Statement would highlight the need to publish this Section 5A report.

It was noted that our current auditor's engagement as the Council's auditor ended with the audit of the 2022/23 accounts. The Council had appointed KPMG as its External Auditor for the 2023/24 financial year. However, it was unlikely that KPMG would be able to commence its audit until the Council's current auditors had completed their work. It was further noted that the Council's current auditors were understood to have withdrawn from Local Government audit work, at least for the short term.

In order to formally receive the Section 5 report from the Council's Monitoring Officer and to recommend its contents and response onto Full Council:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that -

- a) the Monitoring Officer's report and the response of the Council's Statutory Officers including the Section 151 Officer's aim to publish the 2022/23 Statement of Accounts by the 31 July 2023 and start the period of public inspection as soon as possible thereafter be endorsed;
- b) it is noted that this report will be presented to the next meeting of Full Council;
- c) the matter set out in this report be included within the Annual Governance Statement 2023, which will reviewed by the Audit Committee as part of their work programme;
- d) Officers be requested to provide an update to the next meeting of Cabinet in October 2023;

- e) Officers continue to work with partners and all relevant organisations to support a satisfactory resolution to the ongoing External Audit delays;
- f) the Chief Executive be requested to write to the Chief Executive of this Council's External Auditor to express Cabinet's regret at the on-going audit delays; and
- g) the Council's Finance Team be thanked for working to their continuing high standards, particularly given the current difficult circumstances with audit delays.

The Meeting was declared closed at 12.00 pm

Chairman

CABINET

6 OCTOBER 2023

REFERENCE FROM COUNCIL

A.1 E-PETITION: BEACH HUT LEASE CHANGES

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To formally report the receipt of an e-petition submitted to the Council requesting that the Cabinet reconsiders its decision for all Beach Hut licences to be changed to leases.

EXECUTIVE SUMMARY

An e-petition submitted by Dale Westall, as lead petitioner, was received on 30 June 2023. The petition was signed by 164 persons and stated:-

“We the undersigned petition the Council to have the Cabinet of the Council reconsider its decision that all Beach Hut licenses be changed to leases and further, we petition the Cabinet of the Council that Beach Hut Association members be shown the cost, length, and terms of the leases prior to them being put in place.”

Beach Hut Licensing is an executive function and therefore the Cabinet is the appropriate body to consider this matter.

In accordance with the Council's adopted Scheme for Dealing with Petitions the receipt of this Petition was reported, for Members' information, to the meeting of the Full Council held on 11 July 2023. This matter has now been investigated and a report prepared and presented to the Cabinet on the basis that the Petition contained between 30 and 500 signatures.

Having discussed the petition it will be for Cabinet to decide what action, if any, will be taken.

RECOMMENDATION(S)

It is recommended that:

That having duly considered the Petition together with the information provided in this report, the Cabinet decides what action, if any, it wishes to take.

REASON(S) FOR THE RECOMMENDATION(S)

To comply with the adopted scheme for dealing with petitions, as set out in the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED

There are several courses of action available to the Cabinet once the petition has been considered, including:

- *No action (with reasons as to why no action is proposed)*
- *Taking the action requested in the petition*
- *Taking an alternative or amended course of action to that requested in the petition (with reasons as to why such action is being taken)*
- *Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners*
- *Referring the petition to a Committee or Cabinet or an external person/body (such as the County Council or Government body or Public Services or the Ombudsman or Member(s) of Parliament)*
- *Holding a public meeting*
- *Holding an inquiry*
- *Providing a written response to the lead petitioner setting out the Council's views on the request in the petition*
- *Deferring consideration of the petition to a future Committee, Cabinet or Council meeting*
- *Calling for a referendum (if permitted under the legislation and subject to costs)*

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

In respect of the Corporate Plan 2020/24 Priority Themes the Cabinet's decision will contribute to:

- A Growing and Inclusive Economy (and specifically maximising our coastal and seafont opportunities).

OUTCOME OF CONSULTATION AND ENGAGEMENT

Beach Huts is an executive function that is delegated by the Leader of the Council to the Cabinet collectively and, individually, to the Leisure and Public Realm Portfolio Holder (depending on the nature of the decision required) in schedule 3 of part 3 of the Council's Constitution. The overall function of the Council's Executive is the discharge, in accordance with the Council's policy framework all functions of the Council (including "local choice functions") except those functions which cannot by virtue of the Local Authorities (Functions

and Responsibilities) (England) Regulations 2000 (as amended) and other legislation, be the responsibility of the Executive.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	NO	If Yes, indicate which by which criteria it is a Key Decision	<input type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	

YES The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

It's important to refer back to the legal requirements section of the February 2023 Cabinet Report, which confirms that in coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Cases assessing principles of Section 120 of Local Government Act 1972 confirm that the Council is obliged to ensure that the management of its assets are for the benefit of the District.

Option for Beach Hut Agreements - The proposal in the February report was to move away from Licence Agreements to Leases from 1 April 2024. Cabinet had the option however to maintain the status quo and continue to operate Beach Hut agreements through licences. A licence only grants a personal right to use and occupy the site and place the hut in accordance with certain conditions (see current clause 2), it is not transferrable. Some Beach Huts are being sold on the impression that the licence will be transferred to the new owner and this is legally not possible. An application has to be made for a new Licence and the Council has the right to refuse, especially if the Hut is not compliant with the conditions of the former licence but in particular, (see current clause 4.11) the Council has a waiting list for our Beach Hut sites. Licences offer less protection and permits the Council to make changes to terms and conditions, with minimum notice and providing notice to end agreements with 28 days' notice (see current clause 4.4.2).

A lease is a legal interest and grant of a right to the exclusive possession of land for a determinable period of time. It is important for both parties to understand the type of agreement into which they are entering. With Beach Huts changing hands for very significant values, the lease agreements would provide protection to those making sizeable investments. Despite huts being sold for tens of thousands of pounds, licences have no transferable value.

Furthermore, if licences were operated to their terms and conditions, there is no obligation on the Council to provide new licence agreements to any prospective new owner (see current clause 4.11). As such, any 'vacant' licence (following a hut sale) could be offered to those on a waiting list, held by the Council. This would be a significant risk to Beach Hut users, where as a lease would provide increased security of tenure and allow them to assign the benefit of their

lease to a new owner. If a decision is taken to continue with Licence Agreements, it is important that the lack of security this provides is clearly highlighted to potential hut owners when considering a purchase.

Ultimately, it is important to ensure the correct legal status is given to the occupation of the Beach Hut sites and in accordance with the intentions of the parties.

The Land Registration Act 2002, together with the Land Registration Rules 2003, sets the categories of leases that are either compulsorily or voluntarily registrable. Section 27(2)(b)(i) of the Land Registration Act 2002 requires leases granted out of existing registered titles, that are for a term of more than seven years from the date of the grant are compulsorily registrable at the Land Registry.

The decision to approve the Heads of Terms for the Leases has been delegated to the Portfolio Holder for Leisure and Public Realm and consultation prior to these decisions being made could be undertaken, should the Portfolio Holder wish to do so.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Not immediately applicable, although subject to Cabinet's response, consideration may have to be given in due course to the impact on the Council's financial position.

YES	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:
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No additional comments.

USE OF RESOURCES AND VALUE FOR MONEY

External Audit expect the following matters to be demonstrated in the Council's decision making:

- A) Financial sustainability: how the body plans and manages resources to ensure it can continue to deliver its services;*
- B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and*
- C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.*

As such, set out in this section the relevant facts for the proposal set out in this report.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	Not applicable in this instance.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Nothing in addition to those matters already set out in the report.

C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Not applicable in this instance.
MILESTONES AND DELIVERY	
Not applicable in this instance.	
ASSOCIATED RISKS AND MITIGATION	
Not applicable in this instance.	
OUTCOME OF CONSULTATION AND ENGAGEMENT	
<p>The Council's adopted Scheme for Dealing with Petitions states, inter alia:-</p> <ul style="list-style-type: none"> • Receipt of a petition will be formally acknowledged to the lead petitioner in writing or by email as appropriate, within five working days of its receipt. • The appropriate Ward Member(s) will be informed of receipt of a petition and when and how the petition will be considered. • When a petition is being considered by Cabinet or Council/Committee the lead petitioner will be invited to address the Cabinet or Council/Committee, outlining the reasons for the submission of the petition and what action they would like the Council to take. The lead petitioner (or his or her representative) will have a time limit of three minutes for their speech and the petition will then be discussed by Councillors. A Ward Councillor can, at the request of the lead petitioner, present the petition to Cabinet or Council/Committee on behalf of the relevant petitioners. • The lead petitioner will be informed, in writing, of the Cabinet or Council's decision and this information will also be published on the Council's website via the Minutes of the relevant meeting at which the petition was dealt with. If a further meeting is to be held to consider the issues raised in the petition, the lead petitioner will be supplied with the relevant details and will also be given the opportunity to attend and address that meeting and if appropriate, answer any questions posed at the meeting. 	
EQUALITY IMPLICATIONS	
<p><i>In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.</i></p> <p><i>The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, sexual orientation.</i></p> <p>Not applicable in this instance.</p>	
SOCIAL VALUE CONSIDERATIONS	

There are no social value considerations relevant to this report having regard to the Public Services (Social Value) Act 2012.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There is no impact on the Council's aim for its activities to be carbon neutral by 2030 including the actions, policies and milestones in its Climate Change Action Plan.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	None.
Health Inequalities	None.
Area or Ward affected	Most of the coastal Wards in the District.

PART 3 – SUPPORTING INFORMATION

ASSISTANT DIRECTOR (BUILDING & PUBLIC REALM)'S ASSESMENT AND ADVICE

The preceding Cabinet adopted the Beach Hut Strategy in February 2023. The broad aims of the strategy are to regularise the management arrangements around beach huts and to establish a sustainable legal, financial and practical position in relation to the operation. The transition from licences to leases is intended to address some key issues and should benefit the Council and hut owners alike.

For the Council:

- A five-year renewal cycle instead of one
- Clearer terms and framework for enforcement
- Addressing the uncertainties around the market for beach hut sales
- Regularising a position around third party lettings and hires

For the hut owners:

- Five-year security instead of one.
- A real legal estate that can be transferred or inherited.
- Clarity around responsibilities.

If the strategy overall is successful, all parties will benefit from greater certainty and ability to address issues that have concerned the parties at various of the beach hut locations. Officers recommend that the transition to leases is advisable and is likely to be advantageous to all of the parties.

The beach hut associations have been consulted on the draft lease for commercial huts and the Officer team is engaged in creating a finalised version that reflects the comments received, where appropriate. The team will consult similarly on the leases for non-

commercial users. Some resourcing issues have affected progress and ongoing programme is being reviewed. It is not planned that the transition to leases of itself will increase or decrease fees (rents). Of course, time and external factors will lead to general increases but these will not be driven by the nature of the agreement. Future fees (rents) will be set as part of the Council's annual review processes.

Leisure & Public Realm Portfolio Holder's Comments:

"I am aware that beach hut owners have been concerned by the proposed changes. I am also convinced that there is genuine need to get beach huts and coastal matters into a sustainable position and that availability of resources has for various reasons, challenged implementation during the current financial year.

I have asked the Officer team to refresh the timeline for the implementation of the strategy, including a phased transition to leases, and to review draft leases to make them as simple as possible, also review the presentation of strategy issues, including the development of simplified guidance and a frequently asked questions document. This in order to reassure hut owners to the extent possible, that changes are on balance positive for all involved."

BACKGROUND

An e-petition submitted by Dale Westall, as lead petitioner, was received on 30 June 2023. The petition was signed by 164 persons and stated:-

"We the undersigned petition the Council to have the Cabinet of the Council reconsider its decision that all Beach Hut licenses be changed to leases and further, we petition the Cabinet of the Council that Beach Hut Association members be shown the cost, length, and terms of the leases prior to them being put in place."

Beach Hut Licensing is an executive function and therefore the Cabinet is the appropriate body to consider this matter.

In accordance with the Council's adopted Scheme for Dealing with Petitions the receipt of this Petition was reported, for Members' information, to the meeting of the Full Council held on 11 July 2023. This matter was investigated and a report prepared and presented to the Cabinet on the basis that the Petition contained between 30 and 500 signatures.

Having discussed the petition it will be for Cabinet to decide what action, if any, will be taken.

PREVIOUS RELEVANT DECISIONS

Cabinet meeting on 4 November 2022 – Minute 71 – Cabinet Members' Item (Report of the Leisure & Tourism Portfolio Holder – A.4 – Tendring Beach Hut Strategy Revisited)

"RESOLVED that Cabinet approves the content of the revised draft Beach Hut Strategy for consultation purposes and authorises Officers to seek stakeholder comment on the document for a minimum six-week period."

Cabinet meeting on 17 February 2023 – Minute 119 – Cabinet Members' Item (Report of the Leisure and Tourism Portfolio Holder – A.10 – Tendring Beach Hut Strategy Revisited –

Following Consultation)

“RESOLVED that Cabinet –

- (a) notes the outcome of the public consultation undertaken on the draft Beach Hut Strategy, as set out in the Portfolio Holder’s report;
- (b) notes the outcome of the Task and Finish Review Working Group undertaken on behalf of the Resources and Services Overview and Scrutiny Committee and their recommendations received as considered earlier in the meeting;
- (c) in relation to (a) and (b) above, notes the changes made to the draft strategy as a result of the consultation exercise, including the process for issuing commercial beach hut leases (following the first round of consultation) and the consideration of a ‘buffer period’ in restricting future agreements to one per household;
- (d) notes the proposed changes to the revised draft Beach Hut Strategy, and approves the same for adoption;
- (e) delegates the approval of a revised Beach Hut design specification to the Assistant Director (Building & Public Realm), in consultation with the Portfolio Holder for Leisure and Tourism;
- (f) agrees the Heads of Terms for a new commercial lease (Appendix C) and delegates authorisation for the final lease agreement to the Corporate Director (Operations & Delivery), in consultation with the Portfolio Holder for Leisure and Tourism and the Head of Legal Services;
- (g) delegates agreement of an approved criteria, upon which applications for commercial licences can be made, to the Assistant Director (Building & Public Realm), in consultation with the Portfolio Holder for Leisure and Tourism;
- (h) agrees to set fees and charges for commercial leases at twice the value (double) of the comparative standard annual charge;
- (i) agrees to the overall principle of changing from licence agreements to leases from 1 April 2024, for a term of less than 7 years and based on the market valuation for the relevant location, recognising the increased administration and costs to all parties on leases for longer than 7 years with the respective fees and charges and detailed lease terms to be agreed by the Portfolio Holder for Leisure and Tourism; and
- (j) agrees that operational implementation of (i) above will be authorised by the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Leisure and Tourism and the Head of Legal Services, reflecting the resources required.”

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

E-Petition to the Council submitted by the Lead Petitioner (Mr Dale Westall).

Published Minutes of the Cabinet meetings held on 4 November 2022 and 17 February 2023.

APPENDICES

None.

REPORT CONTACT OFFICER(S)**Name****Bethany Jones****Job Title****Committee Services Officer****Email/Telephone****01255 686 587****bjones@tendringdc.gov.uk**

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CABINET

6 OCTOBER 2023

REFERENCE FROM COUNCIL

A.2 E-PETITION: REQUESTED CHANGES TO THE OPERATION OF THE COUNCIL'S WASTE MANAGEMENT FUNCTIONS

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To formally report the receipt of an e-petition submitted requesting changes to the operation of the Council's waste management functions.

EXECUTIVE SUMMARY

An e-petition submitted by Sharon Tyler, as lead petitioner, was received on 18 August 2023. The e-petition was active in the period from 5 May to 18 August 2023 and was validly signed by 33 persons. It states:-

"We, the undersigned, petition the Council to seek alternative solutions to waste collection in the District, specifically, that the issuing of lilac coloured rubbish bags to volunteer litter picking groups is changed so that these sacks do not go to landfill, wheelie bins are issued for household recycling doorstep collection and that more public bins are installed in Towns and along the Seafronts."

The petitioners' stated justification for this e-petition is that:-

"Wheelie bins for recycling rather than boxes would be more effective and make the collection process more efficient. Currently Veolia empty the boxes into a wheelie bin before emptying contents into the lorry. This is inefficient. The boxes and lids often get damaged and blown away or stolen meaning the Council must have a constant supply of new ones. Wheelie bins would be more efficient because the contents are kept safely inside until emptied and they are more robust. We also need more bins in the town and on the seafront that are separated by litter type to reduce what goes to landfill. There would be an initial cost for household recycling wheelie bins but this would be offset in cost savings made in dealing with litter more effectively. The lilac sacks from litter picking need to be changed so this litter doesn't go directly to landfill."

Waste management is an executive function and therefore the Cabinet is the appropriate body to consider this matter.

In accordance with the Council's adopted Scheme for Dealing with Petitions the receipt of this E-Petition was reported, for Members' information, to the meeting of the Full Council held on 26 September 2023. This matter has now been investigated and a report prepared and presented to the Cabinet on the basis that the Petition contained between 30 and 500 signatures.

Having discussed the petition it will be for Cabinet to decide what action, if any, will be taken.

RECOMMENDATION(S)

That, having duly considered the Petition together with the information provided in this report, the Cabinet decides what action, if any, it wishes to take.

REASON(S) FOR THE RECOMMENDATION(S)

To comply with the adopted scheme for dealing with petitions, as set out in the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED

There are several courses of action available to the Cabinet once the petition has been considered, including:

- *No action (with reasons as to why no action is proposed)*
- *Taking the action requested in the petition*
- *Taking an alternative or amended course of action to that requested in the petition (with reasons as to why such action is being taken)*
- *Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners.*
- *Referring the petition to a Committee or an external person/body (such as the County Council or Government body or Public Services or the Ombudsman or Member(s) of Parliament)*
- *Holding a public meeting*
- *Holding an inquiry*
- *Providing a written response to the lead petitioner setting out the Council's views on the request in the petition*
- *Deferring consideration of the petition to a future Cabinet meeting*
- *Calling for a referendum (if permitted under the legislation and subject to costs)*

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

In respect of the Corporate Plan 2020/24 Priority Themes the Cabinet's decision will contribute to:

- Delivering high quality services (and specifically minimise waste; maximise recycling).

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Waste Management is an executive function that is delegated by the Leader of the Council to the Cabinet collectively and, individually, to the Environment Portfolio Holder (depending on the nature of the decision required) in schedule 3 of part 3 of the Council’s Constitution. The overall function of the Council’s Executive is the discharge, in accordance with the Council’s policy framework all functions of the Council (including “local choice functions”) except those functions which cannot by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and other legislation, be the responsibility of the Executive.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Not immediately applicable, although subject to Cabinet’s response, consideration may have to be given in due course to the impact on the Council’s financial position.

USE OF RESOURCES AND VALUE FOR MONEY

External Audit expect the following matters to be demonstrated in the Council’s decision making:

- A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;*
- B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and*
- C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.*

As such, set out in this section the relevant facts for the proposal set out in this report.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	Not Applicable in this instance.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Nothing in addition to those matters already set out in the report.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Not Applicable in this instance.

MILESTONES AND DELIVERY

Not Applicable in this instance.

ASSOCIATED RISKS AND MITIGATION

Not Applicable in this instance.

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Council's adopted Scheme for Dealing with Petitions states, inter alia:-

- Receipt of a petition will be formally acknowledged to the lead petitioner in writing or by email as appropriate, within five working days of its receipt.
- The appropriate Ward Member(s) will be informed of receipt of a petition and when and how the petition will be considered.
- When a petition is being considered by Cabinet or Council/Committee...the lead petitioner will be invited to address the Cabinet or Council/Committee, outlining the reasons for the submission of the petition and what action they would like the Council to take. The lead petitioner (or his or her representative) will have a time limit of three minutes for their speech and the petition will then be discussed by Councillors. A Ward Councillor can, at the request of the lead petitioner, present the petition to Cabinet or Council/Committee on behalf of the relevant petitioners.
- The lead petitioner will be informed, in writing, of the Cabinet or Council's decision and this information will also be published on the Council's website via the Minutes of the relevant meeting at which the petition was dealt with. If a further meeting is to be held to consider the issues raised in the petition, the lead petitioner will be supplied with the relevant details and will also be given the opportunity to attend and address that meeting and if appropriate, answer any questions posed at the meeting.

EQUALITIES

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, sexual orientation.

Not Applicable in this instance.

SOCIAL VALUE CONSIDERATIONS

There are no social value considerations relevant to this report having regard to the Public Services (Social Value) Act 2012.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There is no immediate impact on the Council's aim for its activities to be carbon neutral by 2030 including the actions, policies and milestones in its Climate Change Action Plan.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Set out what consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are then set out below.

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

None

Health Inequalities

None

Area or Ward affected

All

PART 3 – SUPPORTING INFORMATION

ASSISTANT DIRECTOR (HOUSING & ENVIRONMENT)'S ASSESSMENT AND ADVICE

The submission of this petition is timely as the Council is embarking on a review of its waste and recycling and street sweeping services in light of the expiry of the current contractual arrangements early in 2026.

The review, involving the creation of a dedicated Board and an all-party councillor working group, will consider the strategy the Council wishes to adopt in respect of waste and recycling and the preferred methods of collection and materials to be collected for recycling. The introduction of wheeled bins for the collection of recycling is something that will be considered as part of this process.

The work undertaken by community litter picking groups is very much appreciated and enhances the service provided by the Council's contractors. The purple coloured bags provided to these groups is intended to differentiate the waste they collect from other waste that might be fly-tipped or inappropriately disposed of. Currently, all litter collected through litter picking and from public waste bins in the District is disposed of to landfill. This is something that will be included in the review of the services already mentioned. Separation of litter picking waste by community litter picking groups into recyclable and residual waste streams is technically possible however would require more work and time at the point of picking and a more complicated collection process.

Along with the level of litter bin provision in the district we will also be considering the feasibility of introducing on street recycling options although other government schemes brought forward in the Environment Act 2021 will place a greater obligation on producers and suppliers to provide recycling opportunities.

Environment Portfolio Holder's Comments:

"It is excellent and encouraging to see so many residents express their interest in how the Council collects and recycles waste in the District. It also highlights the excellent community spirited work undertaken by the many volunteer litter pickers, who I sincerely thank for their efforts in making our communities better places to live and work.

As highlighted by our Assistant Director earlier in this report we are entering an exciting period as we review how we want to collect, manage and recycle the waste produced in the District from 2026 onwards. We will feed the comments from this petition directly into that process."

BACKGROUND

An e-petition submitted by Sharon Tyler, as lead petitioner, was received on 18 August 2023. The e-petition was signed by 33 persons and states:-

“We, the undersigned, petition the Council to seek alternative solutions to waste collection in the District, specifically, that the issuing of lilac coloured rubbish bags to volunteer litter picking groups is changed so that these sacks do not go to landfill, wheelie bins are issued for household recycling doorstep collection and that more public bins are installed in Towns and along the Seafronts.”

The receipt of this E-Petition was reported, for Members’ information, to the meeting of the Full Council held on 26 September 2023.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

None

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

E-Petition to the Council submitted by the Lead Petitioner (Ms. Sharon Tyler).

APPENDICES

None

REPORT CONTACT OFFICER(S)

Name	Ian Ford
Job Title	Committee Services Manager
Email/Telephone	iford@tendringdc.gov.uk (01255) 686584

CABINET

6 OCTOBER 2023

REFERENCE FROM COUNCIL

A.3 E-PETITION: 'BRIGHTLINGSEA STENCH'

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To formally report the receipt of an e-petition submitted requesting that Tendring District Council carries out a further investigation into the phenomenon of the 'Brightlingsea Stench'.

EXECUTIVE SUMMARY

An e-petition submitted by Matthew Court, as lead petitioner, was received on 31 August 2023. The e-petition was active in the period from 1 August to 31 August 2023 and was validly signed by 110 persons. It states:-

"We the undersigned petition the Council to:-

- Immediately reopen the investigation into the persistent stench issue in Brightlingsea.*
- Engage external environmental experts, if necessary, to support and expedite the investigation into the source and nature of the problem.*
- Provide regular, transparent updates to the public on the progress of the investigation, findings, proposed solutions, and expected timelines.*
- Actively coordinate with the Environment Agency and any other relevant authorities to advocate for the needs of Brightlingsea residents and seek their intervention if required.*
- Implement temporary measures to mitigate the impact of the stench on the residents of Brightlingsea while a long-term solution is being found.*
- Form a community task force, including residents, council members, and experts, to ensure direct community participation in the ongoing efforts to resolve this issue.*
- Carry out a comprehensive assessment to understand the potential health impacts of the stench on Brightlingsea's residents."*

The petitioners' stated justification for this e-petition is that:-

"The persistent stench that has plagued the residents of Brightlingsea for over a year is more than just a nuisance; it's a matter of public health, well-being, and the quality of life for every person living and working in the affected area, including the school which has its main playing field nearby. It has turned what should be a pleasant environment into a place where people cannot even open their windows or spend time outside without discomfort.

The initial investigation by Tendring District Council was a step in the right direction, but the premature closure of the investigation without finding a source or solution is deeply disappointing and frankly, unacceptable. This decision gives the impression of a council that is either unable or unwilling to fully address the problem, which is a disservice to the people it is supposed to represent and protect.

This e-Petition is not just about the stench; it's about the role of Tendring District Council and councillors as our elected representatives. It's about how we, as a community, expect our concerns to be addressed, our voices to be heard, and our wellbeing to be prioritised. The actions listed in this petition reflect those expectations.

We understand that finding a solution may not be easy or immediate, but we insist that the council take these necessary steps, engage with the necessary bodies, utilise all available resources, and provide the leadership and representation that Brightlingsea needs and deserves. We look forward to seeing a renewed effort from the Council in tackling this ongoing issue and restoring the quality of life in this part of our beloved town.”

Pollution and environmental health is an executive function and therefore the Cabinet is the appropriate body to consider this matter.

In accordance with the Council's adopted Scheme for Dealing with Petitions the receipt of this E-Petition was reported, for Members' information, to the meeting of the Full Council held on 26 September 2023. This matter has now been investigated and a report prepared and presented to the Cabinet on the basis that the Petition contained between 30 and 500 signatures.

Having discussed the petition it will be for Cabinet to decide what action, if any, will be taken.

RECOMMENDATION(S)

That, having duly considered the Petition together with the information provided in this report, the Cabinet decides what action, if any, it wishes to take.

REASON(S) FOR THE RECOMMENDATION(S)

To comply with the adopted scheme for dealing with petitions, as set out in the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED

There are several courses of action available to the Cabinet once the petition has been considered, including:

- *No action (with reasons as to why no action is proposed)*
- *Taking the action requested in the petition*
- *Taking an alternative or amended course of action to that requested in the petition (with reasons as to why such action is being taken)*
- *Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners.*

- *Referring the petition to a Committee or an external person/body (such as the County Council or Government body or Public Services or the Ombudsman or Member(s) of Parliament)*
- *Holding a public meeting*
- *Holding an inquiry*
- *Providing a written response to the lead petitioner setting out the Council's views on the request in the petition*
- *Deferring consideration of the petition to a future Cabinet meeting*
- *Calling for a referendum (if permitted under the legislation and subject to costs)*

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

In respect of the Corporate Plan 2020/24 Priority Themes the Cabinet's decision will contribute to Community Leadership through partnerships:

- Health and Well-being.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Pollution and environmental health is an executive function that is delegated by the Leader of the Council to the Cabinet collectively and, individually, to the Environment Portfolio Holder (depending on the nature of the decision required) in schedule 3 of part 3 of the Council's Constitution. The overall function of the Council's Executive is the discharge, in accordance with the Council's policy framework all functions of the Council (including "local choice functions") except those functions which cannot by virtue of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and other legislation, be the responsibility of the Executive.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Not immediately applicable, although subject to Cabinet's response, consideration may have to be given in due course to the impact on the Council's financial position.

USE OF RESOURCES AND VALUE FOR MONEY

External Audit expect the following matters to be demonstrated in the Council's decision making:

- A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;*
- B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and*
- C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.*

As such, set out in this section the relevant facts for the proposal set out in this report.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	Not Applicable in this instance.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Nothing in addition to those matters already set out in the report.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Not Applicable in this instance.

MILESTONES AND DELIVERY

Not Applicable in this instance.

ASSOCIATED RISKS AND MITIGATION

Not Applicable in this instance.

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Council's adopted Scheme for Dealing with Petitions states, inter alia:-

- Receipt of a petition will be formally acknowledged to the lead petitioner in writing or by email as appropriate, within five working days of its receipt.
- The appropriate Ward Member(s) will be informed of receipt of a petition and when and how the petition will be considered.
- When a petition is being considered by Cabinet or Council/Committee...the lead petitioner will be invited to address the Cabinet or Council/Committee, outlining the reasons for the submission of the petition and what action they would like the Council to take. The lead petitioner (or his or her representative) will have a time limit of three minutes for their speech and the petition will then be discussed by Councillors. A Ward Councillor can, at the request of the lead petitioner, present the petition to Cabinet or Council/Committee on behalf of the relevant petitioners.
- The lead petitioner will be informed, in writing, of the Cabinet or Council's decision and this information will also be published on the Council's website via the Minutes of the relevant meeting at which the petition was dealt with. If a further meeting is to be held to consider the issues raised in the petition, the lead petitioner will be supplied with the relevant details and will also be given the opportunity to attend and address that meeting and if appropriate, answer any questions posed at the meeting.

EQUALITIES

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, sexual orientation.

Not Applicable in this instance.

SOCIAL VALUE CONSIDERATIONS

There are no social value considerations relevant to this report having regard to the Public Services (Social Value) Act 2012.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There is no immediate impact on the Council's aim for its activities to be carbon neutral by 2030 including the actions, policies and milestones in its Climate Change Action Plan.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Set out what consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are then set out below.

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

None

Health Inequalities

None

Area or Ward affected

Brightlingsea

PART 3 – SUPPORTING INFORMATION

ASSISTANT DIRECTOR (HOUSING & ENVIRONMENT)'S ASSESSMENT AND ADVICE

The Council has an ongoing investigation into complaints about unpleasant odour in Brightlingsea, most recently during the course of this Summer. Most of the reports received have been anecdotal with limited evidence provided as to where and when the odour is experienced and the impact it has on residents. Since the end of June 2023 there have been 12 individual complainants of which six provided their addresses in the area. None of these complainants have yet returned witness report diaries for consideration. There is not therefore any documented evidence as to the impact the odour is having on local residents.

The Council assesses odour complaints under the statutory nuisance regime set out in the Environmental Protection Act 1990 and so far it has not been possible for officers to witness an odour sufficiently strong and durable as to constitute a statutory nuisance.

The Council has been in correspondence with the Environment Agency (EA) over the matter, especially as they are the regulator for parts of a waste processing site in the Town that has the greatest potential to give rise to the type of odour that is being complained about. All waste processing activities on that site are being undertaken in accordance with their permits that put in place controls around emissions arising as a consequence of the processing activity.

Regular updates have been provided to the Town Council and officers have spent many hours following up reports and making random visits to the area, often out of hours, in an effort to witness the problem.

There is not currently any evidence that anyone has suffered any ill health as a result of the odour and as yet officers have yet to witness the odour or receive documented evidence of when it occurs and who it affects. Investigations will continue but it should be highlighted that even if a definitive source is found this alone may not be enough to justify further statutory action beyond advice and guidance.

Environment Portfolio Holder's Comments:

"This is a matter I have taken a personal interest in. I have visited the area twice, once with officers and representatives from Brightlingsea Town Council and a second time to meet with residents.

I have therefore witnessed first-hand the detailed and committed work our officers have put into trying to witness and locate the source of the odour. I have also heard from residents about how it affects them. I have experienced an odour very near to the waste processing site that I felt was to be expected given the nature of the activities undertaken on the site. Knowing that activities on the site are regulated both by the EA and the Council gives me reassurance. The odour I experienced was not one so strong or persistent that it could be experienced further away from that site.

As our Assistant Director has said, activities on the site are subject to environmental controls. The Council has been in correspondence with the EA and all activities are being undertaken in accordance with permit conditions that have been monitored and recorded, which include assessments as to whether odour is being generated. Should residents be able to furnish officers with witness report diaries evidencing the dates and times they are affected by the odour these will of course be followed up."

BACKGROUND

An e-petition submitted by Matthew Court, as lead petitioner, was received on 31 August 2023. The e-petition was signed by 110 persons and states:-

"We the undersigned petition the Council to:-

- Immediately reopen the investigation into the persistent stench issue in Brightlingsea.*
- Engage external environmental experts, if necessary, to support and expedite the investigation into the source and nature of the problem.*
- Provide regular, transparent updates to the public on the progress of the investigation, findings, proposed solutions, and expected timelines.*
- Actively coordinate with the Environment Agency and any other relevant authorities to advocate for the needs of Brightlingsea residents and seek their intervention if required.*

- *Implement temporary measures to mitigate the impact of the stench on the residents of Brightlingsea while a long-term solution is being found.*
- *Form a community task force, including residents, council members, and experts, to ensure direct community participation in the ongoing efforts to resolve this issue.*
- *Carry out a comprehensive assessment to understand the potential health impacts of the stench on Brightlingsea's residents."*

The receipt of this E-Petition was reported, for Members' information, to the meeting of the Full Council held on 26 September 2023.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

None

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

E-Petition to the Council submitted by the Lead Petitioner (Mr. Matthew Court).

APPENDICES

None

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CABINET

6 OCTOBER 2023

REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE

A.4 CONSERVATION AREA CHARACTER APPRAISALS AND MANAGEMENT PLANS FOR ARDLEIGH, GREAT HOLLAND AND TENDRING VILLAGE

(Report prepared by Ian Ford, Committee Services Manager)

PURPOSE OF THE REPORT

To enable the Cabinet to consider the recommendations made to it by the Planning Policy & Local Plan Committee in relation to the Ardleigh, Great Holland and Tendring village Conservation Area Appraisals and Management Plans prepared for the Council by Essex Place Services.

EXECUTIVE SUMMARY

The Planning Policy & Local Plan Committee (“the Committee”), at its meeting held on 27 July 2023 (Minute 7 refers), considered a comprehensive report (and appendices) of the Director (Planning) which had reported to it the Ardleigh, Great Holland and Tendring village Conservation Area Appraisals and Management Plans that had been prepared for the Council by Essex Place Services. The report had also sought the Committee’s recommendation to Cabinet that they be approved for public consultation purposes.

The Committee’s decision at its meeting held on 27 July 2023 was as follows:-

“RESOLVED that the Planning Policy and Local Plan Committee:

- a) endorses the new Conservation Area Appraisals and Management Plans for Ardleigh (Appendix 1 to item A.1 of the Report of the Director (Planning)), Great Holland (Appendix 2 thereto) and Tendring village (Appendix 3 thereto);
- b) recommends to Cabinet that the above documents forming Appendices 1, 2 and 3 be published for consultation with the public and other interested parties; and
- c) requests that in the event that future reviews of a Conservation Area or Areas within a Parish or Parishes coincides with that Parish or Parishes or other qualifying bodies formulating a Neighbourhood Plan then that Parish or Parishes or other qualifying bodies will be consulted by Officers at an earlier stage of the review(s) in order that the said Parish or Parishes or other qualifying bodies can take any material considerations arising therefrom forward as part of the Neighbourhood Plan process.”

Planning Portfolio Holder’s Comments

“I thank the Planning Policy and Local Plan Committee for its consideration of these latest Conservation Area Character Appraisals and Management Plans and I sincerely welcome, once again, its recommendation to Cabinet that these be published for public consultation. Reviewing all of the District’s Conservation Areas is one of the key actions in the Council’s Heritage Strategy and the progress so far has been very good, with now only three Conservation Areas remaining to be considered. Ensuring we have an up-to-date appraisal for each and every Conservation Area will enable residents, developers, planners and our Planning Committee to understand the key characteristics that make

each area special and which need to be preserved and enhanced when making planning applications and determining them. They will also enable us to reconsider the boundaries of each area and determine whether any Article 4 Directions are needed to provide an extra level of protection and control.”

RECOMMENDATION

That, subject to Cabinet’s consideration of the recommendations of the Planning Policy & Local Plan Committee arising from its meeting held on 27 July 2023, Cabinet resolves that the new Ardleigh, Great Holland and Tendring village Conservation Area Appraisals and Management Plans be approved for consultation with the public and other interested parties.

CURRENT POSITION

Cabinet is now requested to consider the recommendations submitted to it by the Planning Policy & Local Plan Committee.

The Director (Planning)’s Report and accompanying Appendices which were considered by the Planning Policy & Local Plan Committee at its meeting held on 18 April 2023 are attached as Appendices to this report.

BACKGROUND PAPERS

Published Minutes of the meeting of the Planning Policy & Local Plan Committee held on 27 July 2023.

APPENDICES

A4 Appendix 1 – Ardleigh Conservation Area Appraisal

A4 Appendix 2 – Great Holland Conservation Area Appraisal

A4 Appendix 3 – Tendring village Conservation Area Appraisal

A4 Appendix 4 – Report of the Director (Planning) (item A.1) to the meeting of the Planning Policy & Local Plan Committee held on 27 July 2023

Ardleigh Conservation Area Character Appraisal and Management Plan

Tendring
District Council



Client:
Tendring District Council

Date:
June 2023

Page 49



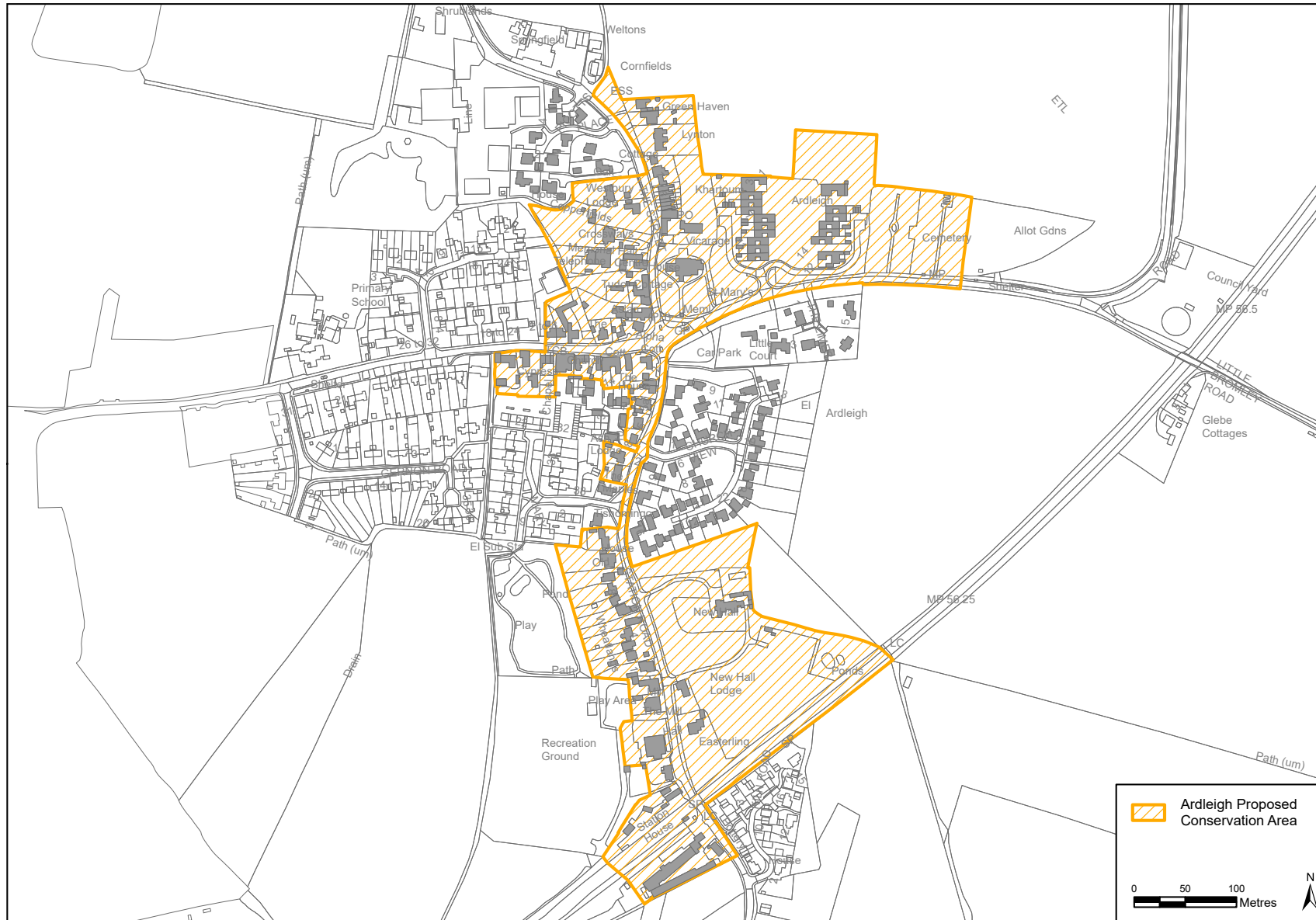


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1. Introduction

1.1 Summary

This Conservation Area Appraisal and Management Plan provides an overview of the Ardleigh Conservation Area, outlining its designation history, alterations to the boundary, and a description of its special interest. The appraisal will also consider buildings, greens, spaces, and features which contribute to the Conservation Area's character and appearance. It will also consider the significance of heritage assets within the area and the contribution that these, along with their setting, make to its character. The understanding of significance can be used to help manage future change.

Conservation Area designation provides broader protection than the listing of individual buildings as it recognises all features within the area which form part of its character and appearance and ensures that planning decisions take the enhancement and preservation of the area into consideration.

Ardleigh Conservation Area's significance is predominantly derived from its special historic and architectural interest. The village of Ardleigh is a settlement with medieval origins. The Conservation Area includes several listed buildings including the fourteenth-century Church of St Mary which, along the seventeenth-century Vicarage and The Lion Inn, and several cottages forms an important group of buildings and the central crossroads of the village. The historic building stock to the south of the Conservation Area, which includes the Phoenix Steam Mill, is a physical testament of the industrialisation of Ardleigh in the nineteenth-century following the construction of the railway line and station. Ardleigh is surrounded by rural and agrarian landscape which contributes to its significance as a historic, small rural village.

This Conservation Area Appraisal and Management Plan proposes to revise the boundary of Ardleigh Conservation Area to remove some modern residential development, include the nineteenth-century railways goods sheds, now called Ardleigh Studios, and to rationalise the boundary against existing plot boundaries. Ardleigh Conservation Area was first designated in 1981 with an appraisal first being adopted in 2006. Whilst the boundary of the Conservation has remained unaltered since its first designation, Ardleigh has seen significant changes in recent years the most notable of which is the modern residential development at along Station Road and Picotts Place.



Figure 1 Church Hall with The Vicarage in the background



1.2 Purpose of Appraisal

This document is to be used as a baseline to inform future change, development and design with regard to the sensitivities of the historic environment and its unique character and appearance.

The appraisal recognises designated and non-designated heritage assets within the Conservation Area which contribute to its special interest. It will consider if there are clearly defined Character Areas within Ardleigh and how these came to be developed. This includes an assessment of the building styles, forms, materials, scale, density, roads, footpaths, alleys, streetscapes, open spaces, views, landscape, landmarks, and topography. These qualities will be used to assess the key characteristics of each area, highlighting potential impacts future developments may have upon the significance of heritage assets and the character of Ardleigh. This assessment is based on information derived from documentary research and analysis of the individual character areas, as well as a review of the previous Conservation Area Appraisal for the area which was adopted in March 2006.

This appraisal will enhance the understanding of Ardleigh and its development, informing future design. Applications that demonstrate an understanding of the character and appearance of a Conservation Area are more likely to produce appropriate and responsive design with positive outcomes for agents and their clients.

It is expected that applications for planning permission will also consult and follow the best practice guidance outlined in Section 6.2.

1.3 Planning Policy and Guidance

The legislative framework for conservation and enhancement of Conservation Areas and Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (HMSO 1990). In particular section 69 of this act requires Local Planning Authorities to designate areas which they consider to be of architectural or historic interest as Conservation Areas, and Section 72 requires that special attention should be paid to ensuring that the character and appearance of these areas is preserved or enhanced. Section 71 also requires the Local Planning Authority to formulate and publish proposals for the preservation and enhancement of these areas.

The National Planning Policy Framework (NPPF) highlights good design as one of twelve core principals of sustainable development. Sustainable development relies on sympathetic design, achieved through an understanding of context, the immediate and larger character of the area in which new development is sited.

National planning policy in relation to the conservation and enhancement of heritage assets is outlined in chapter 16 of the Government's National Planning Policy Framework (DCLG 2021).

This assessment follows best practice guidance, including Historic England's revised *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2019) and *Good Practice Advice in Planning: 3 The Setting of Heritage Assets* (2017).



The Conservation Area which is the subject of this report is located within the area covered by Tendring District. Local planning policy is set out in the *Tendring District Local Plan 2013-2033 and Beyond Section 2 (2022)*.

Policies which are relevant to the historic environment include:

Policy SPL 3 - Sustainable Design

Policy PP 8 - Tourism

Policy PPL 3 - The Rural Landscape

Policy PPL 7 - Archaeology

Policy PPL 8 - Conservation Areas

Policy PPL 9 - Listed Buildings

Policy PPL 10 - Renewable energy generation and energy efficiency

1.4 Designation of the Conservation Area

Ardleigh Conservation Area was first designated in 1981 with an appraisal first being adopted in 2006. Whilst the boundary of the Conservation Area has remained unaltered since its first designation, Ardleigh has seen significant changes in recent years the most notable of which is the modern residential development along Station Road and Picotts Place, located to the north of the Conservation Area, and other modern dwellings occupying the land of the former Ardleigh Hall.

1.5 Proposed Boundary Revision

It is proposed to revise the boundary to remove the modern residential developments including Picotts Place and other modern dwellings constructed in the land formerly occupied by Ardleigh Hall. The Limes; Church View and Chapel Croft; and Forge Court are also proposed for removal from the Conservation Area boundary as they are of low historic interest and make a limited contribution to the character and appearance of the Conservation Area. Ribbon development has been constructed to the west side of Station Road, comprising of detached dwellings of varying designs. This infill development is neutral in its contribution to the Conservation Area but remains within the boundary due to its location and visual prominence in Station Road. Further assessment on neutral and negative features can be found in section 5.1 of this document.

It is proposed to extend the boundary to include the Ardleigh Studios (former goods sheds) located to the south of the railway line. These buildings appear to be mid-late nineteenth century in origin and contribute positively to the architectural interest and industrial history of the Conservation Area.

Minor alterations are also proposed to rationalise the Conservation Area boundary against existing plot boundaries.

2. Ardleigh Conservation Area

2.1 Context and General Character

The nucleated village of Ardleigh is centred around a crossroads located between Colchester and Manningtree (A137) to the west and east, and the north and south by Dedham and Brightlingsea (B1029) respectively. Ardleigh's historic core is concentrated around these crossroads. The railway line and associated buildings to the south, along with the industrial buildings along Station Road, reflects the expansion of the village throughout the nineteenth century. Today, pockets of twentieth-century development exist throughout, including the Patio Bungalows to the east of the St Mary's Church.

Ardleigh is rural in character, surrounded by flat countryside comprised of open and agrarian fields. St Mary's Church is a distinctive landmark at the centre of the village and forms part of the views encountered on approaches into the Conservation Area.



Figure 2 Aerial view of the Ardleigh Conservation Area showing it in its wider context



2.2 Origin and Evolution

The following section provides an overview of the history of Ardleigh Conservation Area and its environs.

Prehistory (-500000BC – 43AD)

Early prehistoric activity is suggested through chance finds of Palaeolithic flint tools though more tangible evidence has been found in the environs of the village for settlement during the Neolithic period. During the Bronze Age the surrounding landscape was transformed with the formation of ceremonial barrows and burial grounds within a large enclosure. The site, immediately south of the village, is recognised as one of the largest Bronze Age cemeteries yet discovered in Eastern England and has been designated a scheduled monument site. The cemetery covers a large area and comprises numerous ring ditch monuments (the ploughed remains left behind by barrows) and urnfields. Well over 200 cremation urns have been recovered by excavation and the cemetery appears to have been in continuous use for well over one thousand years. These cemeteries with their many barrows would have been important landmarks in the later prehistoric landscape attracting settlement and further ritual activity.

Roman (43 – 410)

The ritual significance of the area continued into the Late Iron Age and Roman period, with burials often respecting the prehistoric monuments. The rarity and nature of the objects buried with the bodies suggests individuals of high status and wealth living in proximity. Settlement within the area appears to have been based on a rural economy with small scale pottery production. In the early Roman period defences were built to protect the settlement for a short period, possibly in response to the Boudican rebellion of AD60.

Early Medieval (410 – 1066)

There is some continuation of use of the prehistoric cemetery in the Anglo-Saxon period as well as continued agricultural activity. By the end of the Anglo-Saxon period the Domesday Book identifies four manors within the parish, two settlements of similar size were in the lordship of the brothers Bondi and Alric and another held by Osbert with two mills. Pickett Hall is the closest manorial hall to the village which was held by Osbert before 1086.¹ It is likely that there was a settlement focus at Ardleigh village and Ardleigh Heath at this time and the village therefore appears to have its origins in the late Saxon period.²

Ardleigh is recorded under several different names in the medieval period; the name is thought to derive from Old English, 'leah' meaning wood or clearing.³

Medieval (1066 – 1540)

The medieval village is a nucleated one with a church and crossroads at its centre. A church is thought to have existed in 1087 and was ordained in 1237 although the earliest elements of the present church of St Marys are fourteenth century in date.⁴

The church nave is early-mid fourteenth century, the flushwork west tower and south porch are fifteenth century, the rest was heavily restored in 1885. Only the west bay of the nave survived restoration and many parts of the old church were reused in the rebuilt church.

Post Medieval (1540 – 1901)

The village grew slowly in the post-medieval period indicative of the continued agricultural nature of the area.

1 Powell-Smith, Ardleigh in Domesday book, Home. Available at: <https://opendomesday.org/place/TM0529/ardleigh>.

2 N.R. Brown, 1999. 'The Archaeology of Ardleigh, Essex, Excavations 1955–1980', East Anglian Archaeology 90

3 Essex Place-names Project (Essex Society for Archaeology & History), 2014

4 Rodwell, Historic Churches: A Wasting Asset, 1977 CBA Research Report No. 19

Eighteenth century

The Chapman and Andre Map of 1777 shows a small settlement centred around a crossroads referenced as Ardley. The church is located in the northeast quadrant of the crossroads surrounded by small dwellings that front the road. The medieval manor of Picotts is depicted on the map as Picketts Hall, located northwest of the Church on the periphery of the village. The fifteenth-century building, then known as Ardleigh Hall, burnt down in 1979. To the south of the crossroads is Bovill's Hall which is of fifteenth-century origin, but much altered and extended in the eighteenth and nineteenth century. Ardleigh is surrounded by large areas of open and undeveloped land. An eighteenth-century milepost lies near the Cemetery on Harwich Road which is visible on the Chapman and Andre map. This has been covered with a cast iron cover plate dated 1834.

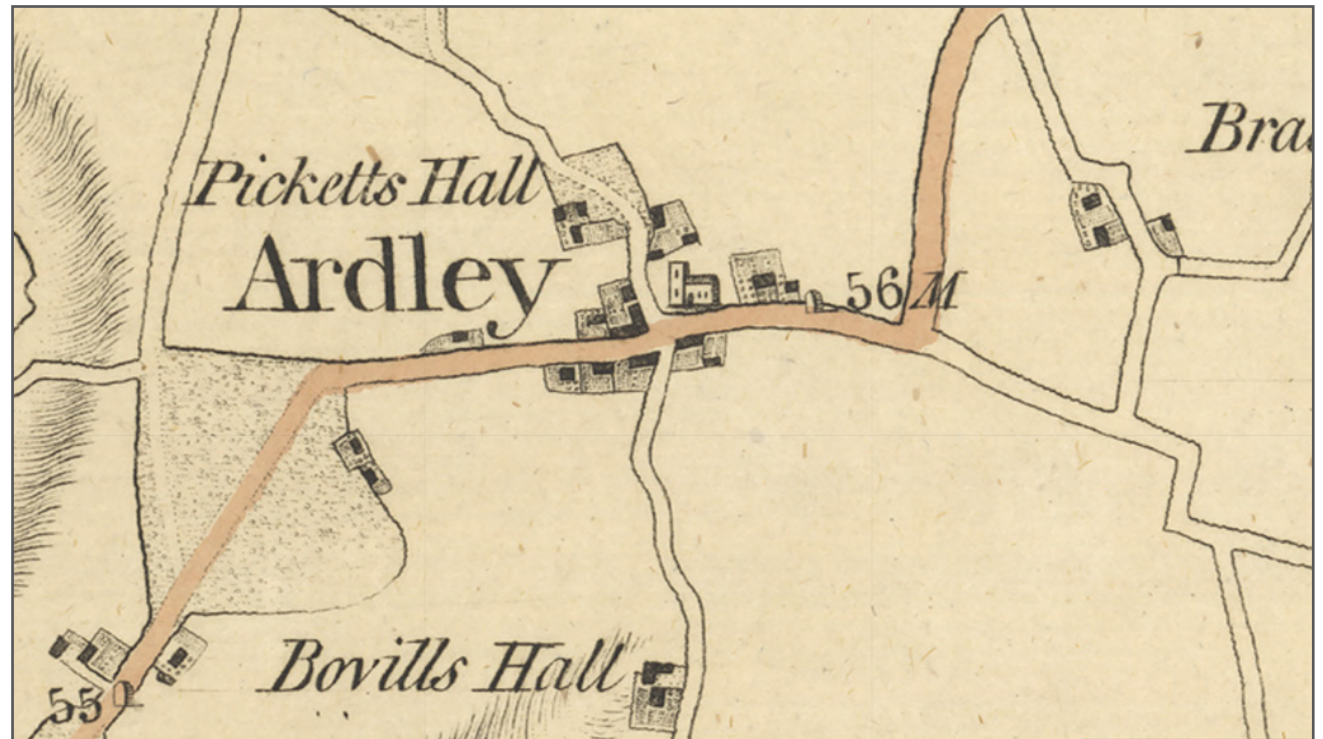


Figure 3 Chapman and Andre Map of 1777



Figure 4 First edition Ordnance Survey map of 1875

Nineteenth century

The nineteenth-century Ordnance Survey map (surveyed 1875) shows that the continuous expansion of Ardleigh from the late eighteenth century. Most notably, the construction of the railway line and station to the south of the village and the industrial expansion including Phoenix Mill, Mill House and Tavern House as well as New Hall. There has been a gradual expansion of residential development around the crossroads, particularly along The Street and Colchester Road. A boys and girls school has been constructed west of the village core.

The Ipswich-Colchester railway line opened for passenger service in 1846 by the Eastern Union Railways with three intermediate stations including, Ardleigh, Manningtree and Bentley.

Phoenix steam mill was built c.1850 close to, and immediately north of, the Colchester to Ipswich railway line along Station Road. It was one of the earliest mills in the county purpose-built for steam power and was an elegant building built in white brick. It had ceased grinding by c.1900.

The mill formed part of a small collection of industries, including the railway nursery and a maltings, concentrated around the level crossing and served by railway sidings branching either side of the former Eastern Union Railway. The upside included good sheds and handled horticultural, and seed traffics until the goods service was closed. The sidings no longer exist although some of the nineteenth century railway structures are still present and as such the industrial character of this area is still just recognisable through the few buildings that remain.



Figure 5 Postcard, circa 1918 (source: The Mills Archive Trust)

Modern (1901 – now)

The Ordnance Survey map published in 1923 shows Ardleigh little altered since the nineteenth century. The map notes Phoenix Mill as being disused. Ardleigh Railway Station was closed for passenger traffic by the British Railways Board in 1967. The most significant residential expansion of Ardleigh took place in the mid to late twentieth century, predominantly to the south of the crossroads set on cul-de-sac arrangements. Within the Conservation Area post-war developments include the Patio Bungalows, a group of mid-twentieth century single storey dwellings set within private and communal gardens; and numbers 1-2 The Terrace, a pair of brick built, two-storey semi-detached dwellings. There has also been some extension to the ribbon development of Colchester Road. The late twentieth-century development along Station Road has been built on previously undeveloped land which now links the historic core to the industrial area to the south.

Ardleigh is a traditional Essex village which has a strong link to its agricultural surroundings. The village has undergone gradual change however its rural character remains appreciable, and its historic building stock contributes to the architectural interest of the Conservation Area.



Figure 6 Third edition Ordnance Survey map of 1923



2.3 Designated Heritage Assets

There are seventeen designated heritage assets within the Ardleigh Conservation Area. This includes, the Grade II* Church, Grade II listed Steam Mill, K6 telephone box and several dwellings. The National Heritage List for England contains the full entry for each asset, this can be found on the Historic England [website](#).

These buildings, structures and features have been listed due to their special architectural or historic interest as defined by Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Further information about the listing process can be found on the Historic England [website](#).

Listed buildings are protected by government legislation and there are policies in place to ensure that any alterations to a listed building will not affect its special interest. It is possible to alter, extend or demolish a listed building but this requires listed building consent and sometimes planning permission.

2.4 Non-Designated Heritage Assets

Every building, space and feature within a conservation area makes a contribution to its character and special interest, be it positive, neutral or negative.

Heritage assets are defined in Planning Policy as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.'⁵

Not all heritage assets are listed, and just because a building is not included on the list does not mean it is of no heritage value. Buildings and other structures of the built environment such as fountains, railings, signs and landscaping can make a positive contribution to the appreciation of an area's historic interest and its general appearance.

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. At present there is no approved local list for Tendring District. This document has identified heritage assets which make a positive contribution to the Conservation Area and could be considered for local listing in the future.

5 NPPF, p67

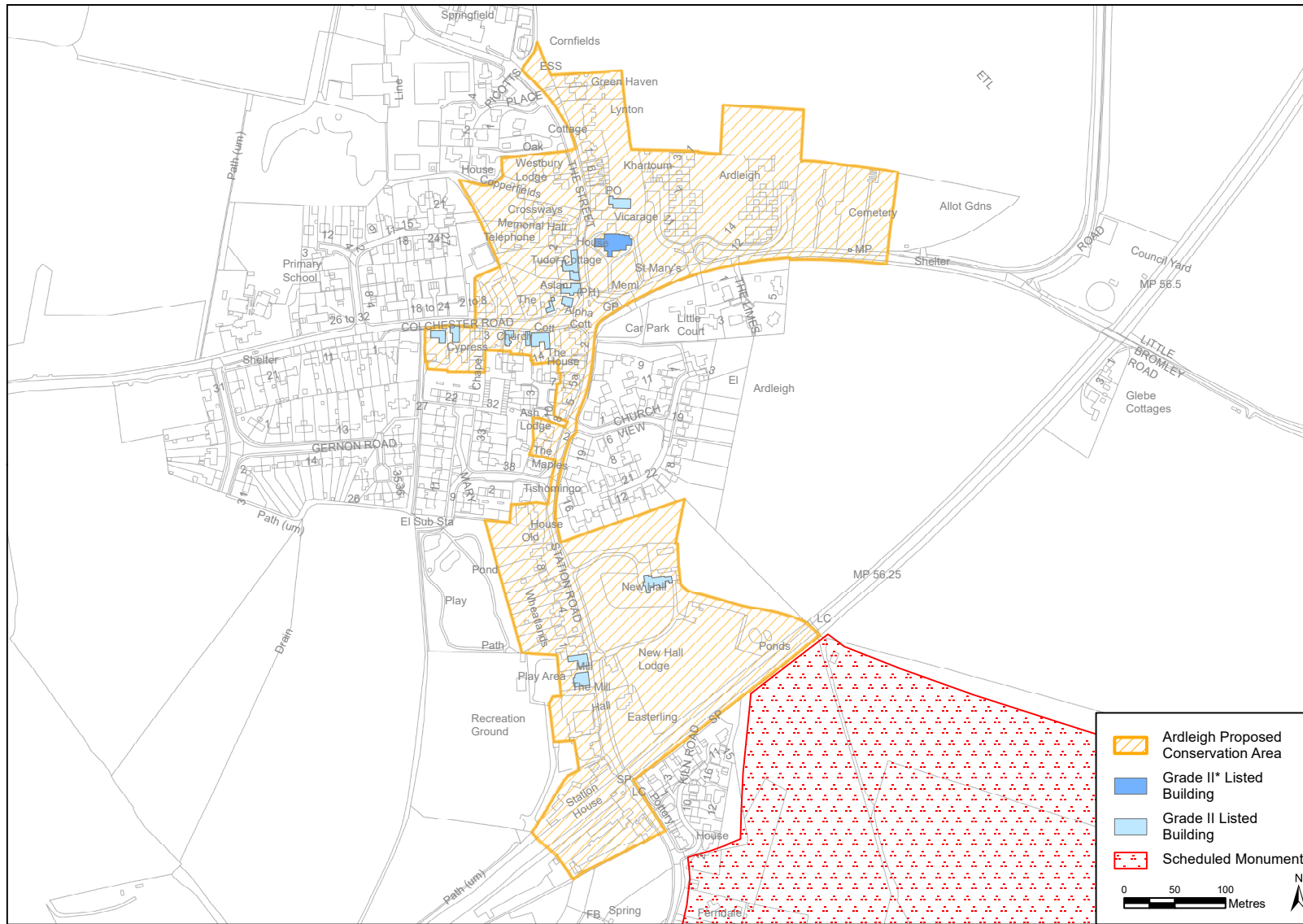


Figure 7 Map showing location of designated heritage assets within the Conservation Area



This list is not exhaustive, and further buildings may be identified as non-designated heritage assets through the planning application process. Buildings and features within the Conservation Area which are considered to be non-designated heritage assets include:

- The Hollies
- Numbers 1-6 The Street and Post Office
- Hall (west of the The Vicarage)
- The Dairy
- Numbers 1-3 Chapel Cottages, Colchester Road
- Number 5 Station Road
- Tavern House
- Station House
- Ardleigh Studios (former goods sheds)

2.5 Heritage at Risk

There are no buildings or features which are on the Historic England at-risk register within the Conservation Area.

2.6 Archaeological Potential

The Conservation Area has potential for the preservation of significant archaeological remains dating from the prehistoric to postmedieval period. The extensive and ongoing excavations which have taken place have revealed extensive multi-period archaeological remains to the south and southeast of the village. The area is particularly rich in Bronze Age, Iron Age and Roman remains and a number of currently undated cropmarks within and surrounding the Conservation Area are likely to date from these periods.

There have been few archaeological investigations within the Conservation Area. A geophysical survey west of Station Road, revealed features of probable prehistoric date including a trackway which corresponds with aerial photographic evidence of cropmark features. Fieldwalking recovered a small amount of possible Prehistoric finds from this area.

In the wider area extensive excavations and recorded cropmark features suggest the Conservation Area lies within a widespread settled landscape dating from the Neolithic period onwards. This includes extensive barrow cemeteries and urnfields dating to the Bronze Age. The full extent of the cemetery site has not been established and no associated settlement has yet been found however the size of the cremation cemetery would suggest a sizable community. Further cropmarks of ring ditches are located immediately adjacent to the Conservation Area boundary near New Hall while linear features and a circular feature were recorded within the Conservation Area prior to the development of residential housing at Chapel Court. Further cropmark features lie immediately west of the Conservation Area which may have prehistoric origin.

Large open areas surrounding New Hall have high potential for archaeological remains associated with the Bronze Age cemetery as well as Iron Age, Roman and Saxon occupation. Bronze Age burial urns may be located within ring ditch monuments or unenclosed. Iron Age and Roman burials may be high status and are likely to contain grave goods. Further settlement evidence dating from the Iron Age to Saxon period is possible within the Conservation Area.

The manor of Ardleigh is Saxon in origin, however the location of the original settlement is uncertain, although the vicinity of the Church and hall is the most likely location for the manorial centre. The later medieval church is likely to be on the site of earlier structures, below ground remains of which may survive within the churchyard.

The location of the associated medieval manorial hall is likely to be either within the area of the former Ardleigh Hall or closer to the Church. The fifteenth Ardleigh Hall was burnt down in 1979 and so below ground remains relating to earlier structures are to be expected.

The survival of the later medieval Church is an important, well-preserved resource, as is the historic core of the village, centred around the crossroads. Medieval and later settlement evidence is more likely to be sited along the street frontage, the garden areas may also contain evidence for ancillary activity, such as wells, cess-pits, yards and middens, as well as small-scale industrial activity.

The recovery of pottery, industrial remains, metal, glass and stone jewellery from excavated sites on the periphery of the Conservation Area would suggest good survival of most archaeological remains. Bone survival on gravel soils is poor, however cremated deposits within vessels have shown excellent preservation. Deep features have potential for waterlogged deposits which have shown preservation of wood and textiles as well as bone and faunal remains.

Environmental remains, preserved in deeper features have potential to yield information on the wider landscape as well as evidence for food and cereal production. The gravels and brickearths have potential to contain Pleistocene faunal remains.



Figure 8 St Mary's Church door








3. Assessment of Significance

3.1 Summary

The Ardleigh Conservation Area is significant as a historic rural settlement with medieval origins. The Church of St Mary's is of fourteenth-century origins, located on a prominent corner at the intersection between Colchester Road, Harwich Road, The Street and Station Road. The historic building stock is predominantly residential dwellings that front the road and are concentrated around the crossroads. The Conservation Area is also notable for its small collection of mid to late nineteenth-century industrial buildings, including Pheonix Steam Mill and Ardleigh Studios (former goods sheds) that are located to the south of the crossroads.

3.2 Significance of buildings

Where visible from areas of the public realm, the buildings within the Ardleigh Conservation Area have been assessed. The map on page 19 should be read in conjunction with the key notes below. These outline the broad descriptions of positive, neutral and negative attributed to buildings within the Conservation Area. It should be noted that just because a building is positive it does not mean it cannot be enhanced. Some positive buildings may have intrusive aspects, but these are more widespread across the Conservation Area (such as inappropriate windows) and are addressed in the management plan. The buildings identified as 'Positive with opportunity for enhancement' tend to have more bespoke or fundamental issues that are not generally observed or widespread across the area.

- 
Positive: these are buildings that have been identified as positive contributors to the character or appearance of the Conservation Area. Whilst identified as positive there are likely to be enhancements which can be made to better reveal the architectural interest of the building and improve its contribution to the character and appearance of the Conservation Area. These general enhancements are noted in the management plan. One example would be the replacement of windows where the buildings have uPVC. The upgrade of these items would be beneficial as a general rule.
- 
Positive with opportunity for enhancement: these are buildings which have been highlighted as they are positive contributors, but have been compromised due to intrusive alterations or additions. These buildings can be enhanced through the removal, replacement or redesign of intrusive or unsympathetic alterations. In the case of Ardleigh, buildings have been highlighted which require changes that go further than the widespread issues such as inappropriate windows and can include buildings with unsympathetic doors, boundary treatments and extensions.
- 
Neutral: These buildings make no beneficial or adverse contribution to the character or appearance of the Conservation Area.
- 
Negative: These buildings make an adverse or intrusive contribution to the character or appearance of the Conservation Area.
- 
Other: It was not possible to view these buildings from the public realm to ascertain their contribution to the Conservation Area.

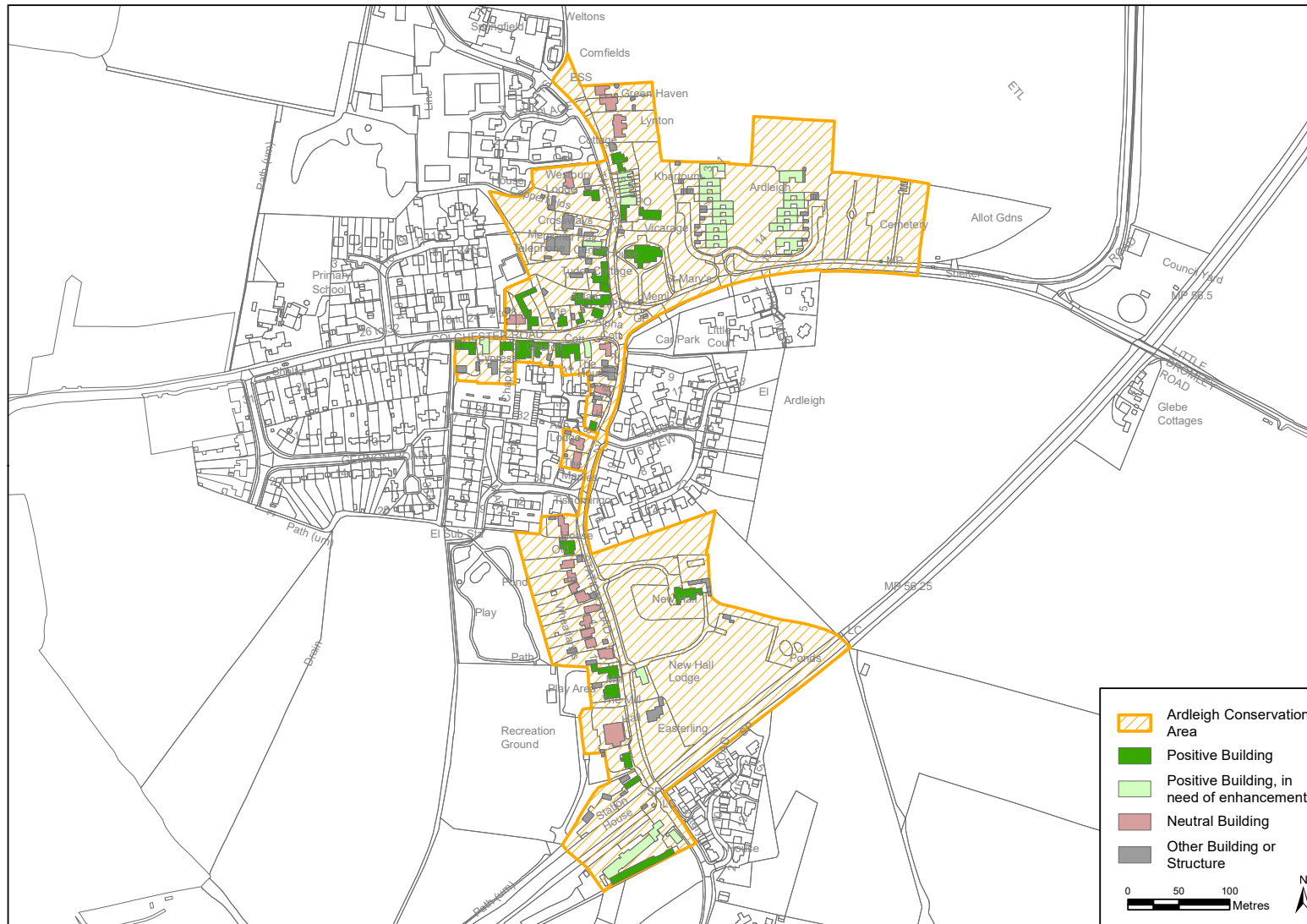


Figure 9 Map showing significance of buildings within the Conservation Area



3.3 Character Areas

As part of this appraisal, Ardleigh Conservation Area has been divided into three Character Areas:

Character Area One: Historic Core

Character Area Two: Industrial

Character Area Three: Twentieth-Century Patio Bungalows

The areas have been determined by building typology, historical development, land use and appearance. The following descriptions are not exhaustive, aiming instead to provide accessible accounts of each Character Area which will allow for an informed understanding of the Conservation Area's special interest and defining features.

Prevailing architectural styles, building materials, spatial planning, landscaping and boundary materials are detailed in the description of each Character Area to highlight the special architectural and historic value of the three zones. Photographs are included to aid the descriptions, providing examples where appropriate to inform the understanding of this document.

Where appropriate, descriptions of specific house types are included within each description of a Character Area.

Designated buildings or structures which make a notable contribution to each Character Area are described in the following sections, however the omission of any buildings from the description does not mean they make no contribution to the significance of the Conservation Area. An assessment of the significance of each listed building and the contribution it makes to the special interest of the Conservation Area should be made when development or alterations are proposed.

Non-designated buildings or features deemed to reflect and enhance the special interest of the Conservation Area are also identified in the descriptions of each Character Area.

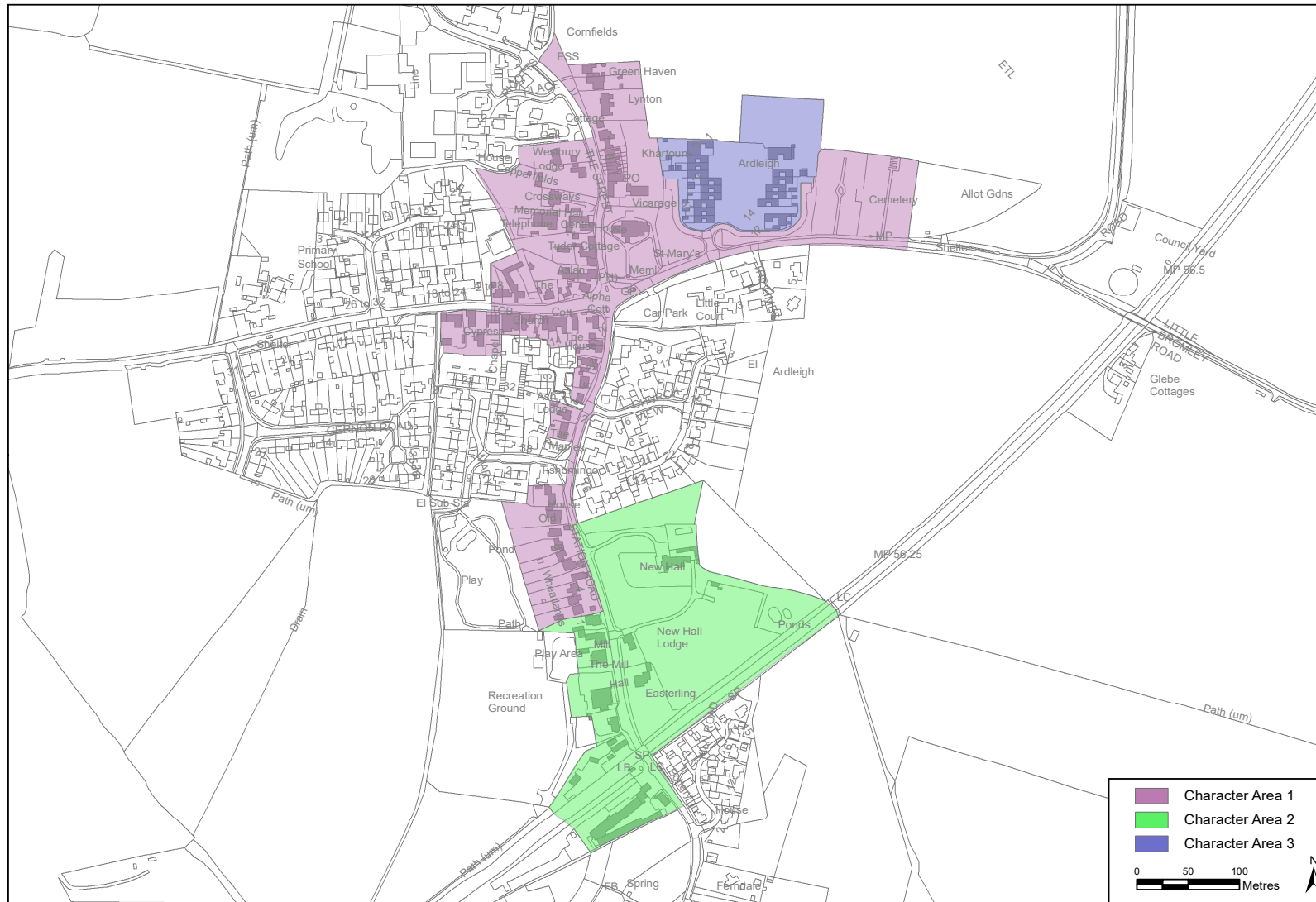


Figure 10 Map showing Character Areas

3.4 Character Area One: Historic Core

The character of the Historic Core derives from the ecclesiastical landmark Church of St Marys and surrounding vernacular dwellings that are concentrated around an important road junction between Colchester and Manningtree.

This character area contains most of the Conservation Area's listed buildings which are predominantly dwellings dating from the sixteenth to eighteenth century. It also includes Ardleigh Cemetery, The Lion Inn, and the twentieth-century dwellings which front the historic Station Road, south of the crossroads.



Figure 11 The crossroads looking west



Figure 12 Church of St Mary

Land Usage

St Mary's church and its surrounding churchyard are located to the northeast quadrant of the crossroads. The church is set back from the road and the churchyard is particularly verdant with many mature trees. The historic ecclesiastical use of the land here is prominent. The churchyard contains many headstones and a War Memorial. The Vicarage is located to the north of the church. The cemetery is located east along Harwich Road; the churchyard and the cemetery are intervened by Ardleigh Court.

The surrounding land usage is predominantly residential. There are a handful of commercial properties, including the Post Office, local convenience store, takeaway shop, and The Lion Inn. The Lion Inn is in use as a Public House and remains an asset within the local community.

There are areas of public realm outside the churchyard and to the south side of Harwich Road opposite the church comprising of a small green with planting and benches. There is also a small carpark to the southeast quadrant of the crossroads.

This area also includes the twentieth century residential development along Station Road. This development makes a neutral contribution to the significance of the area but has been included within this area due to its relationship to the streetscene. Further analysis of later infill development is discussed in Sections 4 and 5.



Figure 13 Churchyard Gates



Figure 14 The Vicarage

Landmark Buildings

The area contains the Grade II* listed Church of St Mary. Due to its local importance, use and scale, it is a key landmark within the Conservation Area. There are views of the tower from several locations within the Conservation Area. The Vicarage is a Grade II listed dwelling of seventeenth century (possibly earlier) origins, altered in the eighteenth century. The property is located immediately north of the church and can be viewed from the churchyard and The Street maintaining a strong visual relationship with the church. Its scale, historic use and landscaping positively contribute to the character and appearance of the Conservation Area.

Landscaping, Open Spaces and Public Realm

This area is predominantly residential with small areas of open space and public realm. The most notable open spaces include the churchyard, located at the centre of the village and the cemetery located along Harwich Road. Both contain many mature trees, including yew lined avenues, which make an important contribution to the appearance of the area and provide a sense of seclusion, although the northern side of the churchyard is more open which affords views of The Vicarage.

The churchyard is surrounded by a low red brick wall with triangular headed brick copings which continues beyond the entrance to Ardleigh Court to the cemetery. The cemetery has a mix of the red brick wall with copings and metal railings with red brick piers.



Figure 15 The Cemetery



Figure 16 The Churchyard



Figure 17 Small green upon entering the Conservation Area

Along Harwich Road there are small parcels of land flanking the entrance to Ardleigh Court. These green spaces, between the modern brick wall bounding Ardleigh Court and the street-fronting historic brick wall with clasping buttresses, are well-maintained with several mature trees further contributing to the verdant and leafy appearance of the character area.

Around the crossroads most dwellings front the road with no front garden. There are some examples of small front gardens, such as Numbers 1-6 The Street, Numbers 1-3 Church Cottages, Boxley House and The Bards. Boundary treatments are varied, including timber, metal railings, red brick, and soft landscaping, but are typically low in height. Street furniture within this area includes timber finger posts, a post box, and the Grade II listed K6 telephone kiosk. There is modern streetlighting throughout the Conservation Area.

Whilst the twentieth-century infill development along the west side of Station Road (south of the crossroads) are neutral contributors, they are set back from the street behind substantial hedgerows and trees; this contributes to the verdant appearance of the character area.

There is a small green wedge upon entering the Conservation Area from the north. This wedge tapers travelling south along The Street as the development becomes denser. There is a small green immediately south of the church yard which is roughly triangular.



Figure 18 K6 Telephone Kiosk

There are some planters, fingerpost, and a bench. Opposite is a small carpark which is tarmacked and bound by shrubs and trees. There is a small, grassed area outside of the carpark with planters, a bench and Ardleigh village sign. Immediately adjacent to the Ardleigh's Convenience Store is the village notice board and bus stop. There is also a public footpath to the west of Cypress Cottage which provides pedestrian access to Millennium Green and open fields within the Conservation Area's setting.

Contribution of Key Un-Listed Buildings

There are numerous buildings that contribute to the character and appearance of the area, however some are considered to make a key contribution and have been identified in Section 2.4. They include:

- The Hollies
- Numbers 1-6 The Street and Post Office
- Church Hall (west of the Vicarage)
- The Methodist Church
- The Dairy
- Numbers 1-3 Chapel Cottages, Colchester Road



Figure 19 The Hollies



Figure 20 Numbers 1-6 The Street and Post Office



Figure 21 Church Hall (west of The Vicarage)



Figure 23 The Dairy



Figure 22 The Methodist Church



Figure 24 Numbers 1-3 Chapel Cottage, Colchester Road

Local Building Materials and Details

Building materials within this area are predominantly painted render, red brick and red plain clay tiles. There are also some examples of slate used as a roof covering, mostly seen of the later nineteenth century and early twentieth century properties. There are properties with concrete roof tiles, however, these are not an appropriate roof covering. Dwellings are one and a half or two-storeys in height. Roof forms are mostly gabled with various examples of double pile cottages and fewer hipped roofs.

There are variations in building materials including the Church of St Mary which is constructed of flint, rubble, septaria, Roman brick, and puddingstone with limestone dressings; The Ancient House which is an exposed timber frame dwelling which Pevsner describes as ‘specially good’⁶ and Ardleigh Methodist Church which is constructed of stone, contrasting with attached residential buildings.

Windows and doors are mostly timber although there are some examples of replacement uPVC which detract from the traditional character and appearance of the Conservation Area.

6 Pevsner, Essex, (second edition), p. 58



Figure 25 Examples of materials within the Historic Core

3.5 Character Area Two: Industrial Area

The character of the Industrial Area derives from the nineteenth-century industrial buildings located near the level crossing of the former Eastern Union Railway that ran from Colchester to Ipswich. There are three listed buildings in this character area, Pheonix Mill, Mill House and New Hall, all of which are Grade II listed.

New Hall and New Hall Lodge have been included in this area as they were constructed in the same period as the industrial buildings and constructed from similar building materials. New Hall is a large building and reflective of the higher status expansion of the area during the mid-nineteenth century. New Hall and its lodge are reflective of wealth and the gentrification of the area because of the industrial expansion.

Land Usage

This area is predominantly commercial. There are some residential properties in this area; Mill House, formerly associated with Pheonix Mill, New Hall and New Hall Lodge, Easterlings, Station House and Little Maltings. Little Maltings is a late twentieth-century dwelling but is included in this character area due to its proximity to Mill House, and similar construction materials. There is also a mid-late twentieth-century village hall situated between Pheonix Mill and Tavern House. Easterlings does also not form part of the predominant construction phase of the areas industrial expansion, however, due to its location is included in this character area. It is a good example of an early twentieth-century vernacular building.

There is a low density of development within this area when compared to the historic core. This is reflective of the historic land use and industrial context of the area which remains appreciable.



Figure 26 Level crossing looking north along The Street



Figure 27 Mill House and Phoenix Mill



Figure 28 Phoenix Mill

Landmark Buildings

This area contains the Grade II listed Pheonix Mill. The former steam mill is set over four storeys and fronts the road. It is one of the earliest purpose-built steam mills in Essex. Due to its scale and regional significance, it is a key landmark building in this area.



Figure 29 Mill House

Landscaping, Open Spaces and Public Realm

There is limited public realm within this character area which is reflective of the area's industrial character.

This character area is more open compared to the historic core. The properties are detached and are set on spacious plots. There is a tarmacked car park surrounding the village hall with access to a car park to the rear of Pheonix Mill. This is the largest open space within this character area and affords visibility of Millennium Green, an open community recreation ground and playground, located immediately west of the Conservation Area.

Boundary treatments are varied due to the mixed use within the character area, including brick walls, metal railings, bollards, and hedging. There are examples of close boarded timber fences of varying heights which are uncharacteristic due to their untraditional appearance.

New Hall is set within substantial grounds and surrounded by mature, dense tree screening and a modern light brick wall which secludes it from the street. Easterlings is situated closer to Station Road but is also surrounded by mature trees. The mature planting dominates the eastern side of Station Road when entering the Conservation Area from the south.

There is modern streetlighting throughout the Conservation Area.



Figure 30 Station House, Tavern House and the village hall set on spacious plots with skygaps and views of Millennium Green



Figure 31 Ardleigh Studios (former goods sheds)

Contribution of Key Un-Listed Buildings

There is limited development within this character area and few modern buildings. All historic buildings contribute to the industrial character of this area. Examples of key nineteenth century buildings which contribute to the character of this part of the Conservation Area and an appreciation of its industrial past include:

- Tavern House
- Station House
- Ardleigh Studios (former goods sheds)
- Nursery View



Figure 32 Nursery View

Local Building Materials and Details

Building materials within this area are mixed. Pheonix Mill and Mill House are constructed in white and gault brick as is New Hall. Their similar material palette reinforces an understanding of their historic association and age.

Tavern House and Station House are rendered and the buildings south of the level crossing are constructed from redbrick. Slate is a prevalent material for roof coverings. The material palette of this area is reflective of their historic use and mid-late nineteenth-century construction period.

Easterling was constructed in the early twentieth century, constructed from red brick to the ground floor and render to the upper floor. Decorative details include half timbering and decorative barge boards. The construction materials are indicative of its age. New Hall Lodge is a single-storey dwelling; formerly the lodge to New Hall, the property has been heavily altered and extended. There are some examples of replacement uPVC which detract from the traditional character and appearance of the Conservation Area.



Figure 33 Easterling



Figure 34 New Hall Lodge



3.6 Character Area Three: Patio Bungalows

The character of the Patio Bungalows derives solely from the twentieth-century dwellings at Ardleigh Court and their associated grounds and landscaping. The former house (Ardleigh Court, also known as The Rectory) has been replaced with a development of patio bungalows with narrow frontages set in mature and well-stocked grounds. They are set back from Harwich Road behind a modern red brick wall and the street-fronting wall, contiguous with that of the church and cemetery.

The dwellings at Ardleigh Court are an interconnected group of staggered, low-rise bungalows of consistent scale, design, and materiality which lends a strong sense of homogeneity to the character area.

Land Usage

This character area is solely residential, formed of two rows of staggered bungalows of a C-shape floor plan set around enclosed courtyard-style patios.

Landscaping and Open Spaces

Ardleigh Court is set within extensive mature grounds with ornamental specimen trees. Due to the abundance of soft landscaping and mature trees this area is particularly verdant in appearance and contributes positively to the rural character of the area.

Boundary treatments are limited to red brick walls with timber picket fencing fronting the street, all of which of matching design and colour; black.

Contribution of Key Un-Listed Buildings

All of the buildings within this character area make a positive contribution to the Ardleigh Conservation Area. They are a fine example of a twentieth-century patio home development. The original intended layout, design, and homogeneity remains intact and legible.

The concept of narrow frontage single-storey houses with a series of linked courtyard-style patios was influenced by Danish examples and by work at the Ministry of Housing and Local Government Research and Development Group. These developments emerged in the 1960s and were widely considered to be innovative.

Local Building Materials and Details

Building materials within this area are generally consistent which contributes to the overall appearance of the character area.

Walling materials include red and buff brick with sections of stained timber vertical weatherboarding and render. Each bungalow has deep horizontally boarded fascias which are consistently stained or painted black.

Windows are a mix of timber and uPVC that are white in colour.

All structures have flat roofs, further reinforcing the sense of cohesion within the area.

Hardstanding in the form of block paving is found to the enclosed courtyards.



Figure 35 Patio Bungalows



3.7 Key Views

Key views have been identified within the Conservation Area. Views from outside of the Conservation Area from which its special interest can be recognised, as well as key views from within the Conservation Area looking out to its setting, are also highlighted where appropriate.

Key views are identified on Figure 29. The views included in this assessment are not exhaustive; for example, there are also glimpsed and kinetic views that contribute to the character and appearance. Any proposals for development within the Conservation Area, or its environs, should consider the views below and others which may be relevant or highlighted as part of a bespoke assessment of that proposal.

Travelling north along Station Road and south along The Street; the church tower becomes more prominent on the approach to the crossroads and defines the centre of the Village, reinforcing an understanding of Ardleigh's historic core. Figure 27 View of the church tower from Station Road. Due to the density of development around the crossroads, road layout and mature trees, long views of the church tower from within the Conservation Area are limited. However, glimpsed views of the church tower can be appreciated from Colchester Road outside of the Conservation Area and from the gap between The Dairy and The Bards.

Travelling south along Station Road, the roof of The Phoenix Mill can be glimpsed indicating the emergence into the industrial area of Ardleigh. It becomes more prominent in views from the entrance to New Hall southwards. Equally, the view from south of the railway line looking north along Station Road includes The Phoenix Mill with the railway line and associated nineteenth-century railway buildings in the foreground. There are also glimpsed and kinetic views that contribute to the character and appearance of the Conservation Area. This area comprises large, detached properties set on generous plots. The west side of Station Road affords views through to Millennium Green and the visibility of the open, verdant landscape contributes to the character of this area.

There are two locations from within the Conservation Area where the setting can be appreciated through views out towards the surrounding open countryside. Firstly, where the informal green wedge along The Street leads to a public footpath giving views across open countryside. Secondly, where the cemetery terminates and there is a gap in the hedge to the southside of Harwich Road.

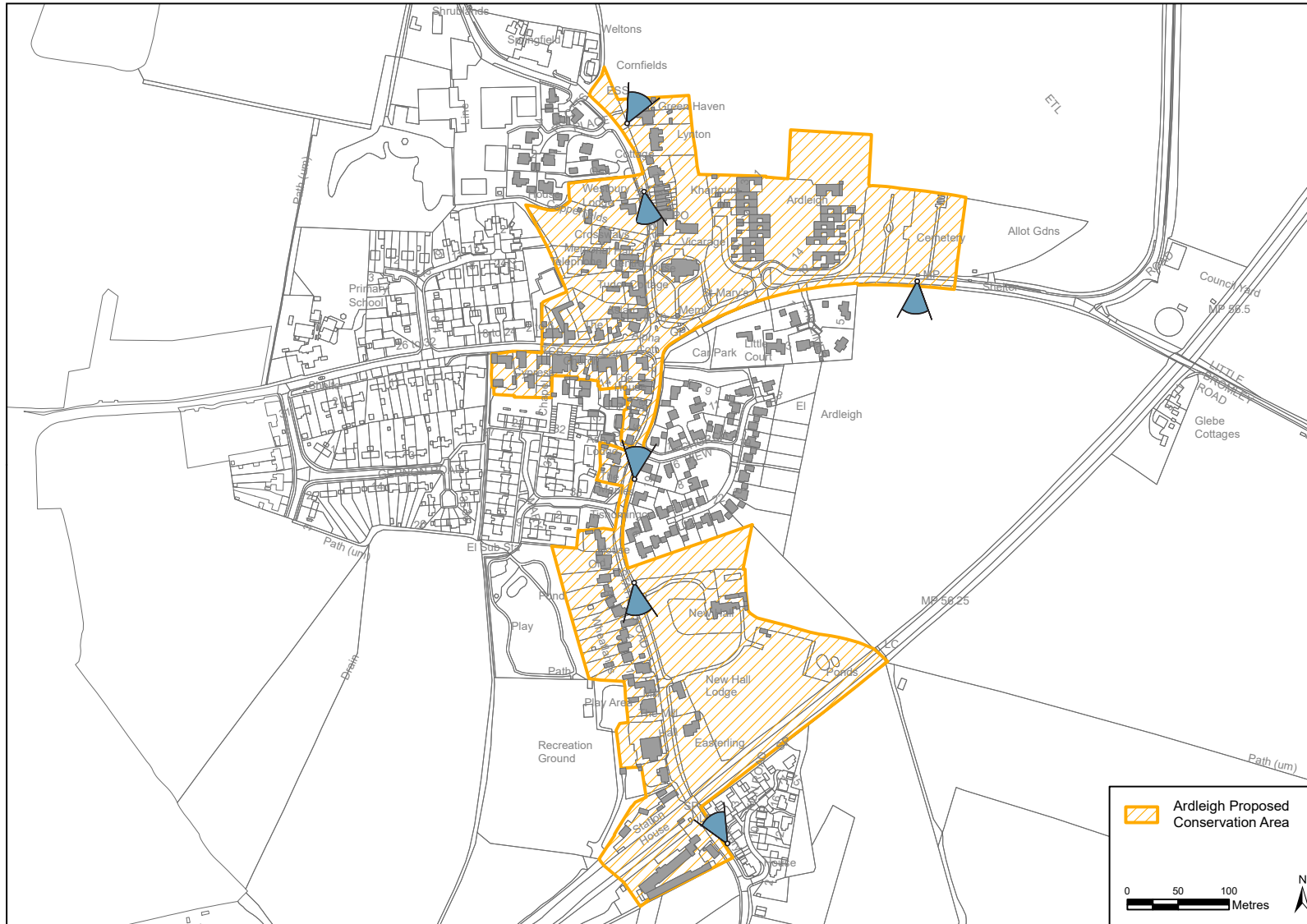


Figure 36 Map showing key views within the Conservation Area



3.8 Setting of the Conservation Area

The NPPF describes the setting of a heritage asset as:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Historic England Good Practice Advice 3: Setting of Heritage Assets (2017) indicates that the setting of a heritage asset is the surroundings in which the asset is experienced. It goes on to note ‘Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset’.

Historic England’s advice note on setting includes a:

“(non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance’. As the advice note states, ‘only a limited selection of the attributes listed will be of a particular relevance to an asset.’”

This checklist has been used to inform this assessment.

Ardleigh Conservation Area draws its significance from key features outside of its boundary. The Conservation Area is surrounded by arable and open landscape; there are only a few locations from within the area that the setting can be viewed which contributes significantly to the rural character of the Conservation Area. There is some modern housing development within the immediate setting of the Conservation Area mostly concentrated to the south of Colchester and Harwich Road set around cul-de-sacs. To the immediate north there is a collection of commercial properties.

Immediately to the rear of Pheonix Mill and the village hall is Millennium Green, comprising of playing fields and bound by hedgerow to the west, The open, lawned playing fields provide a verdant backdrop to the Conservation Area and contributes to the rural village atmosphere.

To the south of the Conservation Area is the Grade II listed Bovill’s Hall. The property is of fifteenth-century origins with significant alterations in the eighteenth and nineteenth century. The most notable designated heritage asset in the setting of Ardleigh Conservation Area is the crop mark site, designated as a Scheduled Monument, which is one of the largest Bronze Age cemeteries yet discovered in Eastern England.

To the west of the Conservation Area is Ardleigh St Mary’s Primary School, constructed in 1865 along with the attached schoolhouse. This building makes an important contribution to the setting of the Conservation Area as it was constructed to serve the village of Ardleigh. It contributes to an understanding of Ardleigh’s mid-nineteenth century development.

The wider setting of the Conservation Area is formed predominantly of agrarian fields with small pockets of residential development and small industrial sites, as well as Ardleigh Reservoir to the southwest.



4. Opportunities for Enhancement

The following opportunities for enhancement have been identified and are summarised below in brief. The list is in no way exhaustive, and neither are the opportunities identified unique to Ardleigh, with many being shared with other Conservation Areas.

4.1 Car Parking

Ardleigh is fortunate that car parking is not a prevalent issue to the character and appearance of the Conservation Area. This is largely a result of the compact development around the crossroads and to the south the properties benefit from generous plots with sufficient space. There are instances of on-street parking along The Street, however, it does not appear overcrowded.

There are some examples where front gardens have been replaced by hardstanding for parking. Such an alteration should be discouraged as disproportionate areas of hardstanding can have an adverse impact upon the character and appearance of the streetscene. There is an opportunity for existing examples to be softened by planting. Whilst on-street parking can result in a cluttered appearance, the loss of verdant front gardens is more detrimental to the character and appearance of the Conservation Area.

4.2 Inappropriate alterations and development

Properties identified as 'positive in need of enhancement' within section 3.2 are properties that have undergone incremental changes which have adversely affected their historic character and appearance. This has impacted the contribution they make to the significance of the Conservation Area. Such alterations have been outlined below;

Windows, doors, and materials

A key concern across the majority of the Conservation Area is the alterations to windows and doors. The replacement of timber windows with inappropriate uPVC windows can impact the historic character of a building, and the contribution they make to the appearance of the Conservation Area. The location of doors and windows within a historic building is also an essential part of its character, and altering their position, or blocking them up, can detract from its appearance.

Historic England's *Traditional Windows Their Care, Repair and Upgrading* (2017) advises that "the loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right... The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing." The loss of historic joinery such as sash and casement windows and panelled doors results in a degree of harm to the significance of a historic building, and the loss of crown or other early glass can also cause harm to the significance of buildings. Historic England's 2017 advice recommends that "surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible".

Another concern is alteration to the external materials of a property, such as alterations to roof coverings and elevation treatments. This can have a detrimental impact on the architectural interest and character of the area. For example, the replacement of natural slate and handmade clay tiles with concrete tiles and machine-made tiles. Such materials are unable to mimic the finish and craftsmanship of traditional materials and as such erode the quality of the historic building stock. Rendering and painting brick-built buildings can also cause undue harm to the Conservation Area by covering historic, traditional building materials and diluting the original appearance. Such an alteration can also cause irreversible damage to historic fabric. The use of high-quality materials is expected within Conservation Areas.



Inappropriate features

Commercial properties within the Conservation Area currently have plastic and vinyl signage. This is particularly an issue within the historic core. Although there are only a few commercial properties within the historic core, they have non-traditional signage which can greatly impact the area's traditional character and appearance. There are also some small, modern signs on commercial properties with the industrial area. The removal and replacement of plastic and vinyl signage would be an opportunity.

Modern Development

There are areas where infill has a negative impact upon the historic character and appearance of Ardleigh. The properties along Station Road are bound to the front by hedgerow and it is recommended to maintain this soft landscaping. Additional soft landscaping and tree planting to front of these dwellings would be considered an enhancement as it would improve the appearance of the streetscene. There have also been several cul-de-sac developments south of the crossroads within the setting of the Conservation Area.

Boundary Treatments

Within both character areas there are examples of close boarded timber fences. This is not a widespread issue; however, their use is generally discouraged in conservation areas due to their non-traditional appearance. Low close boarded fences have less of a visual impact and existing examples should look to introduce soft landscaping to soften their appearance. However, traditional boundary treatments are preferred.

There is an opportunity, going forward, to consider introducing traditional boundary fences such as low picket fences, brick walls, traditional metal railings and hedging. The use of high-quality materials is expected within Conservation Areas.

4.3 Interpretation

There is opportunity to enhance the heritage interpretation of Ardleigh, through physical interpretation on site and digital resources. Interpretation boards could be located within or near the churchyard to improve an understanding of Ardleigh's medieval development. As well as near Phoenix Mill to improve an understanding of Ardleigh's nineteenth-century industrial development.

4.4 Maintenance

Some spaces within the Conservation Area need some routine maintenance to enhance their appearance. For example, the historic wall that bounds Ardleigh Court and the Cemetery has deteriorated in some locations, with spalled bricks and missing mortar/ pointing. Routine maintenance would prevent further deterioration of the historic boundary walls. Historic England defines maintenance within Conservation Principles as "routine work necessary to keep the fabric of a place in good order". The importance of preventative maintenance cannot be over-emphasised, as ongoing maintenance can not only limit, or even prevent, the need for repairs later, it will avoid the loss of original fabric and is cost-effective.⁷ The triangular coping of the historic wall has been replaced in some locations with a standard soldier course, detracting from the original detailing and appearance. There is an opportunity to reinstate the original coping detail as this would be considered an enhancement to the area.

7

Preventative Maintenance (spab.org.uk)



4.5 Public Realm

The largest area of public space within the Conservation Area is the churchyard. It is recommended to continue the maintenance of this area to a high standard. There are small areas of public realm outside the churchyard, around the carpark and to the north of The Street; these areas have attractive soft landscaping and should also continue to be maintained to a high standard. Other small, landscaped areas are well maintained, and continued maintenance is recommended.

There is an opportunity for the street furniture to be of a more traditional design. For example, the fingerpost on the small green wedge outside the churchyard and streetlighting. Such alterations would greatly enhance the character and appearance of the Conservation Area.



5. Management Proposals

There are a wide range of opportunities for the Ardleigh Conservation Area, many of which share common themes. This section builds on the opportunities identified in Section 4 and seeks to recommend management proposals which address these.

5.1 Positive Management: Short term

The first set of proposals relate to positive management and focus on good practice and improved ways of working with the Local Planning Authority. These are generally low cost and can be implemented within a short timeframe, typically within one or two years.

Enforcement

Where the necessary permission has not been sought for alterations, such as advertising, signage and building alterations which are not contained within the General Permitted Development Order, the Local Planning Authority's powers of enforcement should be considered. This could assist in reinstating any lost character or architectural features whose loss may have a negative cumulative effect on the Conservation Area, as well as avoiding a precedence being set for similar, uncharacteristic works. The loss of original or historic windows and materials is a particular concern within the Ardleigh Conservation Area.

Heritage Statements, Heritage Impact Assessments and Archaeological Assessments

In accordance with Paragraph 194 of the NPPF, applicants must describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

All applications and development proposals within the Conservation Area and its setting require an appropriately detailed Heritage Statement. Any application without a Heritage Statement should not be validated.

The key views analysed within this document are in no way exhaustive. The impact of any addition, alteration or removal of buildings, structures or trees on key views should be considered to aid decision making. This includes development outside the Conservation Area. Where appropriate, views must be considered within Design and Access or Heritage Statements. This should be in accordance with Historic England's *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (2019). Applications which fail to have assessed any impact upon views and setting should not be validated.

Local Heritage List

A Local List identifies buildings and structures of local architectural and/or historic interest, and these are considered to be 'non-designated heritage assets' under the provisions of the NPPF. Local Lists can be beneficial in ensuring the upkeep and maintenance of historic buildings that contribute to the character of the settlements.

There are some buildings and features within Ardleigh Conservation Area which make a positive contribution to the special interest of the area, which indicates that a Local List may be beneficial to ensure the upkeep of buildings which are significant to Ardeleigh's history and character.

There are a number of buildings within the Conservation Area which are of sufficient quality to be considered for local list status, as highlighted in Section 2.4.

The exercise of creating a Local List is currently underway by Tendring District Council. It will also facilitate a greater understanding of the area and could be utilised as a public engagement strategy to improve awareness and understanding.



Neutral and Negative Elements

Tendring Council must not allow for the quality of design to be impacted by the neutral and negative elements of the built environment. The Local Planning Authority must, where possible, seek schemes which enhance the built environment and look to conserve and reinstate historic features. It is also considered that poor quality or unsympathetic schemes do not preserve the special interest of the Conservation Area and therefore are discouraged, both within the Conservation Area and its setting; this is due to the potential impact to the character and appearance of the area.

This is particularly relevant to the infill development along Station Road. These buildings have been identified as making a neutral contribution to the significance of the Conservation Area and it is important that this contribution is not undermined by negative alterations such as the removal of soft landscaping or inappropriate extensions that are visible from the public realm.

New Development

To be successful, any future development needs to be mindful of the local character of the Conservation Area, while at the same time addressing contemporary issues such as sustainability.

Successful new development will:

- Relate to the geography and history of the place and the lie of the land;
- Sit happily in the pattern of existing development and routes through and around it (including public footpaths);
- Respect important views;
- Respect the scale of neighbouring buildings; and
- Use materials and building methods which are as high in quality of those used in existing buildings.

Tendring District Council should guide development in a positive manner by:

- Engaging with developers at an early stage through the Pre-Application Process to ensure modern development is high quality in design, detail and materials.
- Ensuring large scale development schemes are referred to a Design Review Panel (or similar) to ensure that new buildings, additions and alterations are designed to be in sympathy with the established character of the area. The choice of materials and the detailed design of building features are important in making sure it's appropriate to a conservation area.
- Seeking opportunities for developers to make a positive contribution to the wider historic environment through Section 106 Agreements.

Public resources

The preservation and enhancement of private properties can be improved through the publishing of resources aimed to inform property owners and members of the public. An introductory summary of the Conservation Area Appraisal in the form of a leaflet or factsheet(s) is a simple way to communicate the significance of the area and ensure members of the public are aware of the implications of owning a property within a conservation area. In addition, a maintenance guide would assist property owners in caring for their property in an appropriate manner. Poor maintenance leads to the deterioration of the fabric of the built environment and results in a loss of architectural details. The properties within Ardleigh are generally well maintained. However, the benefits of simple maintenance and repair cannot be over-emphasised. A continuation of general maintenance and increase awareness would be valuable to preserve the character Ardleigh's built heritage.



A single Good Practice Design Guide on standard alterations such as signage, shopfronts, windows, doors, rainwater goods, boundaries and roof extensions will ensure inappropriate development does not continue to be the accepted norm.

The design guide will provide the following:

- Provide guidance on the traditional form of boundary treatments and encourage their reinstatement where they have been removed or compromised.
- Provide guidance on traditional roofing materials and encouraging the reinstatement of good quality slate and the removal of unsympathetic modern materials such as interlocking concrete tiles.
- Provide and update guidance relating to signage. This should address appropriate size and design, the extent and amount and associated lighting. All further planning applications and advert consent applications should be required to comply, where possible, with this standard, designed to help to restore the character and appearance of the Conservation Area.

Tree Management

In line with the Town and Country Planning Act, all trees in Conservation Areas are afforded the same protection as a Tree Preservation Order. Trees which have a trunk diameter of more than 75mm, at a height of 1.5m from the ground, may not be felled or lopped unless six weeks written notice has been given to the Council. Six weeks' notice has to be given to the council under S211 of the Act.

It is also considered that any prominent trees, and trees with amenity value on private land throughout the Conservation Area should be monitored and maintained appropriately. This will maintain the green character of the area. Any tree that makes a positive contribution to the area should be retained, maintained and, if felled (only if dead, dying or dangerous) replaced with an appropriate new tree.

5.2 Positive Management: Long Term

The second set of proposals are also focussed on positive management but either take longer to implement or are better suited to a longer time frame.

Character Appraisal and Management Plan

The Conservation Area Appraisal and Management Plan should be reviewed every five years to monitor change and inform management proposals.

Conservation Area Boundary

The Conservation Area boundary is proposed to be revised within this appraisal in accordance with the NPPF (2021) and *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2018). It is proposed that the boundary is reduced to exclude modern housing developments and extended to the south to include the Goods Sheds. The boundary should continue to be assessed as part of future reviews of the Management Plan to ensure it is robust and adequately protects the significance of the area.

Interpretation: Improved Understanding and Awareness

Currently, there are no areas within the Conservation Area of physical interpretation. There is scope to introduce interpretation boards, particular around the church, crossroads and near Phoenix Mill aimed at improving understanding and awareness of the Conservation Area's significance.



Opportunity Sites

There are some opportunity sites across the Conservation Area which, if sensitively addressed, may enhance the character and appearance of the Conservation Area. In particular, buildings that have been identified as 'positive in need of enhancement' (outlined in Section 3.2 and Section 5) are key opportunity sites within Ardleigh Conservation Area. Many of these properties have undergone inappropriate material changes, such as replacement of traditional roof coverings, windows and doors. The use of traditional materials would greatly improve the architectural interest and traditional character of the Conservation Area. Should there be an opportunity to reinstate these features in the future, this would enhance the character and appearance of the Conservation Area.

Public Realm

The public realm within Ardleigh is well maintained; continued maintenance would preserve the character and appearance of the Conservation Area. Investment to improve the wider public realm can be achieved by the installation of high-quality street furniture.

For example, the replacement of the modern fingerpost within the historic core and streetlamps throughout the area with those of a traditional design would better relate to the traditional character of the area and be of an enhancement to the Conservation Area's appearance.

5.3 Funding Opportunities

There are three main funding opportunities which would assist in the execution of these plans:

National Heritage Lottery Fund

The National Heritage Lottery Fund is the single largest dedicated funder of heritage in the UK and therefore is the most obvious potential source of funding. Funding is often targeted at schemes which preserve, enhance and better reveal the special interest of the area whilst also improving public awareness and understanding. Grant opportunities and requirements change overtime, for up-to-date information on NHLF schemes Tendring Council should consult their appointed Heritage Specialist.

Section 106 Agreements

Planning obligations, also known as Section 106 agreements, can be used by the local authority to ensure any future development has a positive impact upon Ardleigh. These agreements could be used to fund public realm or site-specific improvements.

Partnership Schemes in Conservation Areas (Historic England)

Partnership Schemes in Conservation Areas is a programme run by Historic England to target funding for the preservation and enhancement of conservation areas. As the name suggests, the scheme forms partnerships with local authorities (along with any additional funding partners) to facilitate the regeneration of an area through the conservation of its built heritage. The scheme makes funds available to individuals to enable them to carry out repairs or improvement works to their property to enhance the area. This would be suitable to preserve and enhance either the shop frontages or the architectural detailing.



6. Appendices

6.1 Frequently Asked Questions

What is a conservation area?

Conservation areas are designated by the Local Planning Authority as areas of special architectural or historic interest. There are many different types of conservation area, which vary in size and character, and range from historic town centres to country houses set in historic parks. Conservation area designation introduces additional planning controls and considerations, which exist to protect an area's special character and appearance and the features that make it unique and distinctive. Although designation introduces controls over the way that owners can develop their properties, it is generally considered that these controls are beneficial as they preserve and/or enhance the value of properties within conservation areas.

The designation process includes detailed analysis of the proposed Conservation Area and adoption by Tendring Council. A review process should be periodically undertaken, and the Conservation Area assessed to safeguard that it retains special architectural or historic interest. Threats can be identified, and the boundary reviewed, to ensure it is still relevant and appropriate. This is in line with Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990

The National Planning Policy Framework regards conservation areas as 'designated heritage assets'.

How are conservation areas managed?

Conservation Area can be supported by an appraisal and management plan. This document is the appraisal and management plan for the Brightlingsea Conservation Area. The appraisal describes the importance of an area in terms of its character, architecture, history, development form and landscaping. The management plan, included within the appraisal, sets out various positive proposals to improve, enhance and protect the character and appearance of the Conservation Area.

The 1990 Planning (Listed Buildings and Conservation Areas) Act specifies the general duty of Local Authorities, in the exercise of planning functions (Sections 71 and 72). The 1990 Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

How can I find out if I live in a Conservation Area?

Boundary maps of conservation areas can be found on Tendring District Council's [website](#). You can also contact your Tendring Council directly to find out if you reside within a conservation area.

What are the Council's duties regarding development in conservation areas?

The Local Authority must follow the guidance in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). These set out in clear terms how development proposals within Conservation Areas should be considered on the basis of whether they preserve and enhance the character and appearance of the area. Applications which fail to preserve or enhance the character or appearance of the Conservation Area are likely to be refused as a result. The Local Plan also typically includes a specific policy on Conservation Areas; for more information, please see Section 1.5 which includes an outline of Tendring's local policy.



What is an Article 4 Direction?

Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, certain minor works, such as domestic alterations, can normally be carried out without planning permission. However, some conservation areas are covered by an Article 4 Direction, which brings certain types of development back under the control of a local planning authority. This allows potentially harmful proposals to be considered on a case-by-case basis through planning applications. Article 4 Directions are used to control works that could threaten the character or appearance of an area and a planning application may be required for development that would otherwise have been permitted development. Historic England provides information on Article 4 Directions on their [website](#).

There are currently no Article 4 Directions in place within the Brightlingsea Conservation Area.

Do I need permission to alter a property in a conservation area?

Many conservation areas have an Article 4 Direction which relate to alterations such as the painting, rendering or cladding of external walls. Alterations or extensions to buildings in conservation areas will generally need planning permission. Your Local Authority should be consulted for advice as to how to proceed.

Do I need to make an application for routine maintenance work?

If routine maintenance works are to be carried out using authentic materials and traditional craft techniques, on a like-for-like basis, it is unlikely that you will need to apply for permission from the Council. However, it is recommended that you contact Tendring Council for clarification before commencing any works. The use of a contractor with the necessary skills and experience of working on historic buildings is essential. Inappropriate maintenance works and the use of the wrong materials will cause damage to the fabric of a historic building.

Will I need to apply for permission for a new or replacement garage, fence, boundary wall or garden structure?

Any demolition, development or construction in conservation areas will generally need planning permission. A replacement boundary, garage, cartlodge or greenhouse will need to be designed with the special historic and architectural interest of the Conservation Area in mind. Your Local Authority will provide advice as to how to proceed with an application.

Can I demolish a building in a conservation area?

Demolition or substantial removal of part of a building within a conservation area will usually require permission from the Council. It is important to speak to them before beginning any demolition works, to clarify if permission is required.



Can I remove a tree within a conservation area?

If you are thinking of cutting down a tree or doing any pruning work, the local planning authority must be notified 6 weeks before any work begins. This enables the authority to assess the contribution the tree makes to the character of the conservation area and, if necessary, create a Tree Preservation Order (TPO) to protect it. Consent will be required for any works to trees that are protected. Further information on TPOs can be found on Historic England's [website](#).

How do I find out more about a conservation area?

Historic England's website has information on conservation areas and their designation. Further information on the importance of conservation areas, and what it means to live in one, can also be accessed via their [website](#).

Historic England has also published an [advice note](#) called *Conservation Area Designation, Appraisal and Management which sets out advice on the appraisal of conservation areas and managing change in Conservation Areas*.

In addition, Tendring Council has information on the conservation areas within their boundaries available on their [website](#). They have information pertaining to when the Brightlingsea Conservation Area was designated, how far it extends and the reason for its designation.

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The Mills Archive Trust

6.3 Legislation, Policy and Guidance

LEGISLATION/POLICY/GUIDANCE	DOCUMENT	SECTION/POLICY
Primary Legislation	Planning (Listed Buildings and Conservation Areas) Act 1990	All sections are relevant, although the following pertain to Conservation Area Appraisals and Management Plans: 66: General duty as respects listed buildings in exercise of planning functions. 72: General duty as respects conservation areas in exercise of planning functions.
National Planning Policy	National Planning Policy Framework (2021) DLUHC	Chapter 16; Annex 2
National Guidance	National Planning Practice Guidance (2019) DLUHC	ID: 18a
National Guidance	Historic England Good Practice Advice in Planning Note 1 (2015) The Historic Environment in Local Plans	
National Guidance	Historic England Good Practice Advice in Planning Note 2 (2015) Managing Significance in Decision-Taking in the Historic Environment	
National Guidance	Historic England (2017) Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets	
National Guidance	Historic England Advice Note 1 (2019) Conservation Area Appraisal, Designation and Management	
National Guidance	Historic England (2017) Traditional Windows	
National Guidance	Historic England, High Streets for All (2018) Advice for Highway and Public Realm Works in Historic Places	



National Guidance	Historic England (2020) Conserving Georgian and Victorian terraced housing	
National Guidance	Historic England (2017) Repointing Brick and Stone Walls Guide for Best Practice	
Local Supplementary Planning Document	Tendring District Council Local Plan (2007)	<p>QL9 – Design of New Development</p> <p>QL11 – Environmental Impacts and Compatibility of Uses</p> <p>EN1- Landscape Character</p> <p>EN17- Conservation Areas</p> <p>EN18- Fascia and Shop Signs in Conservation Areas</p> <p>EN18 (a) and (b)- Advert Control within Conservation Areas</p> <p>EN20- Demolition within Conservation Areas</p> <p>EN21- Demolition of Listed Buildings</p> <p>EN22- Extension and Alterations to Listed Buildings</p> <p>EN23- Development within the Proximity of a Listed Building</p> <p>EN25- Satellite Dishes on Listed Buildings and in Conservation Areas</p>



6.4 Glossary

Term	Description
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Local List	Local listing is a concept that is designed to ensure that the historic and architectural interest of buildings that are of local importance but do not meet the criteria for being nationally listed is taken account of during the planning process. Local lists can be used to identify significant local heritage assets to support the development of Local Plans.

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Great Holland Conservation Area Character Appraisal and Management Plan

Tendring
District Council



Client:
Tendring District Council

Date:
June 2023

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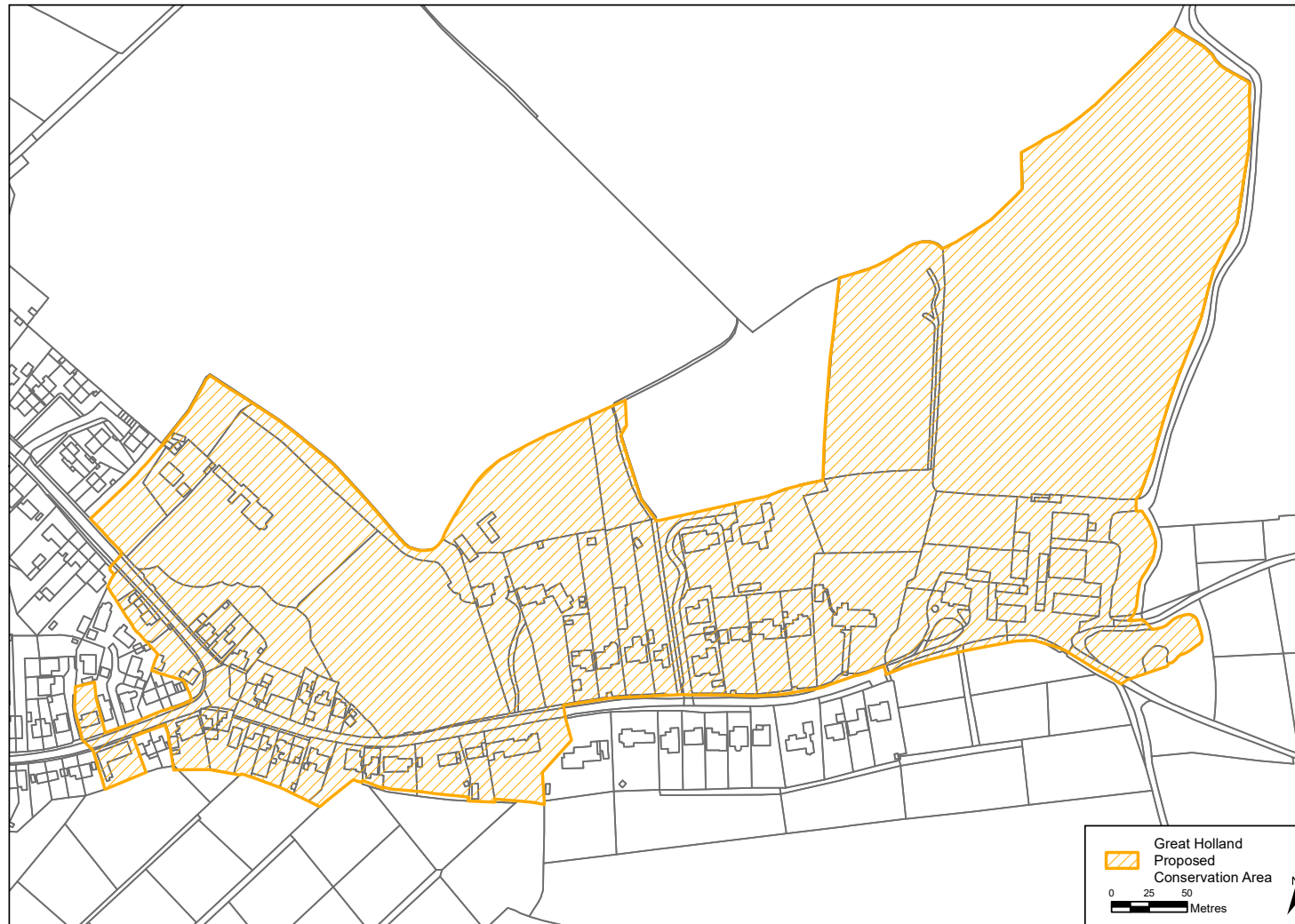


Figure 1 Map showing proposed Conservation Area boundary



1. Introduction

1.1 Summary

This Conservation Area Appraisal and Management Plan provides an overview of the Great Holland Conservation Area, outlining its designation history, alterations to the boundary, and a description of its special interest. This appraisal also considers buildings, green spaces and features which contribute to the Conservation Area's character and appearance. It also highlights the significance of heritage assets within the Conservation Area and the contribution that these, along with their setting, make to its character. The understanding of significance can be used to help manage future change.

Conservation Area designation provides broader protection than the listing of individual buildings as it recognises all features within the area which form part of its character and appearance. This ensures that planning decisions take the enhancement and preservation of the area into consideration.

Great Holland is situated on a promontory of high ground, which slopes gently southeast to the undeveloped coastline to the north of Holland-on-Sea and to Holland Brook to the southwest. The settlement straddles the north-south Clacton Road (B1032) between Kirby Cross to the north and Holland-on-Sea to the south, at the eastern end of the Clacton seafront. The Conservation Area was designated in June 1981 and covered the area around the small square in front of the Ship Inn in the south-eastern part of the village away from the main road. The Conservation Area was extended eastwards in November 1988 to include All Saints Church and its setting.

The special character of Great Holland Conservation Area lies in the relationship between a formal area in front of the Ship Inn and the sinuous lane leading to the Church, Great Holland Hall and the extensive views over the coast. Great Holland developed through history around different focal points, and as a result the settlement is polycentric with at least three separate centres. The Great Holland Conservation Area encompasses the best preserved and most fundamental parts of this historic polycentric settlement. The boundaries of the Area have been assessed and recommendations are made for its extension. These are described in detail in Section 1.5.

1.2 Purpose of Appraisal

This document is to be used as a baseline to inform future change, development and design with regard to the sensitivities of the Conservation Area and its unique character and appearance.

The appraisal recognises designated and non-designated heritage assets within the Conservation Area, which contribute to its special interest, along with their setting. It also recognises non-designated heritage assets within the setting of the Conservation Area which contribute to its special interest. It considers how the area developed, in terms of its building styles, forms, materials, scale, density, roads, open spaces, views, landscape, landmarks, and topography. These qualities are used to assess the key characteristics of the area, highlighting the potential impact future developments may have upon the significance of heritage assets and the character of Great Holland. This assessment is based on information derived from documentary research and analysis of the area itself, as well as a review of the previous Conservation Area Appraisal published in 2006.

This appraisal enhances understanding of the Conservation Area and its development, informing future design. Applications that demonstrate an understanding of the character of a Conservation Area are more likely to produce appropriate designs and positive outcomes for agents and their clients.

It is expected that applications for planning permission will also consult and follow the best practice guidance outlined in Section 6.2.



1.3 Planning Policy and Guidance

The legislative framework for conservation and enhancement of Conservation Areas and Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (HMSO 1990). In particular section 69 of this act requires Local Planning Authorities to designate areas which they consider to be of architectural or historic interest as Conservation Areas, and Section 72 requires that special attention should be paid to ensuring that the character and appearance of these areas is preserved or enhanced. Section 71 also requires the Local Planning Authority to formulate and publish proposals for the preservation and enhancement of these areas.

The National Planning Policy Framework (NPPF) highlights good design as one of twelve core principals of sustainable development. Sustainable development relies on sympathetic design, achieved through an understanding of context, the immediate and larger character of the area in which new development is sited.

National planning policy in relation to the conservation and enhancement of heritage assets is outlined in chapter 16 of the Government's National Planning Policy Framework (DCLG 2021).

This assessment follows best practice guidance, including Historic England's revised *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management (2019)* and *Good Practice Advice in Planning: 3 The Setting of Heritage Assets (2017)*.

The Conservation Area which is the subject of this report is located within the area covered by Tendring District. Local planning policy is set out in the *Tendring District Local Plan 2013-2033 and Beyond Section 2 (2022)*.

Policies which are relevant to the historic environment include:

Policy SPL 3 - Sustainable Design

Policy PP 8 - Tourism

Policy PPL 3 - The Rural Landscape

Policy PPL 7 - Archaeology

Policy PPL 8 - Conservation Areas

Policy PPL 9 - Listed Buildings

Policy PPL 10 - Renewable energy generation and energy efficiency



Figure 2 Aerial view of the Great Holland Conservation Area showing it in its wider context

1.4 Designation of the Conservation Area

Great Holland Conservation Area was designated in 1981. The boundary was subsequently extended in 1988, to include the Grade II* Listed All Saints Church and its setting and the protected Ancient Woodland of Hollandhall Wood.

A Conservation Area Character Appraisal was undertaken by consultants Smith Stuart Reynolds in 2001 although the document had no formal planning status at the time. In 2005 Tendring District Council agreed to prepare Conservation Area Character Appraisals for each of its Conservation Areas. As a forerunner to updating the previous consultant's documents a consultation exercise took place in late 2005/early 2006.

A Conservation Area Character Appraisal for Great Holland produced by the District Council was subsequently adopted in March 2006. This document was therefore the second appraisal document to be completed for the Conservation Area.

A significant amount of change has occurred since the Conservation Area was first designated. This current document has reviewed the Conservation Area's boundary and special interest to account for changes that have occurred since the last boundary revision and provides an accurate account of the village as it is today.

1.5 Proposed Boundary Revision

As part of this review, the Conservation Area boundary has been revised to reflect changing methodologies of good practice and to provide a clearer strategy which acknowledges the practicalities of Great Holland's built environment. This review is in line with the NPPF guidance on Conservation Areas (paragraph 191). A map which marks the original boundary and the 1988 extension is shown below (Figure 3). It is proposed to extend the boundary to the southwest along Manor Road, incorporating two buildings of historic and architectural interest: the Village Hall and number 25 Manor Road. In addition, a small extension is proposed to the north to include the War Memorial on Rectory Road.



Figure 3 The original 1981 boundary and the 1988 extension in pink

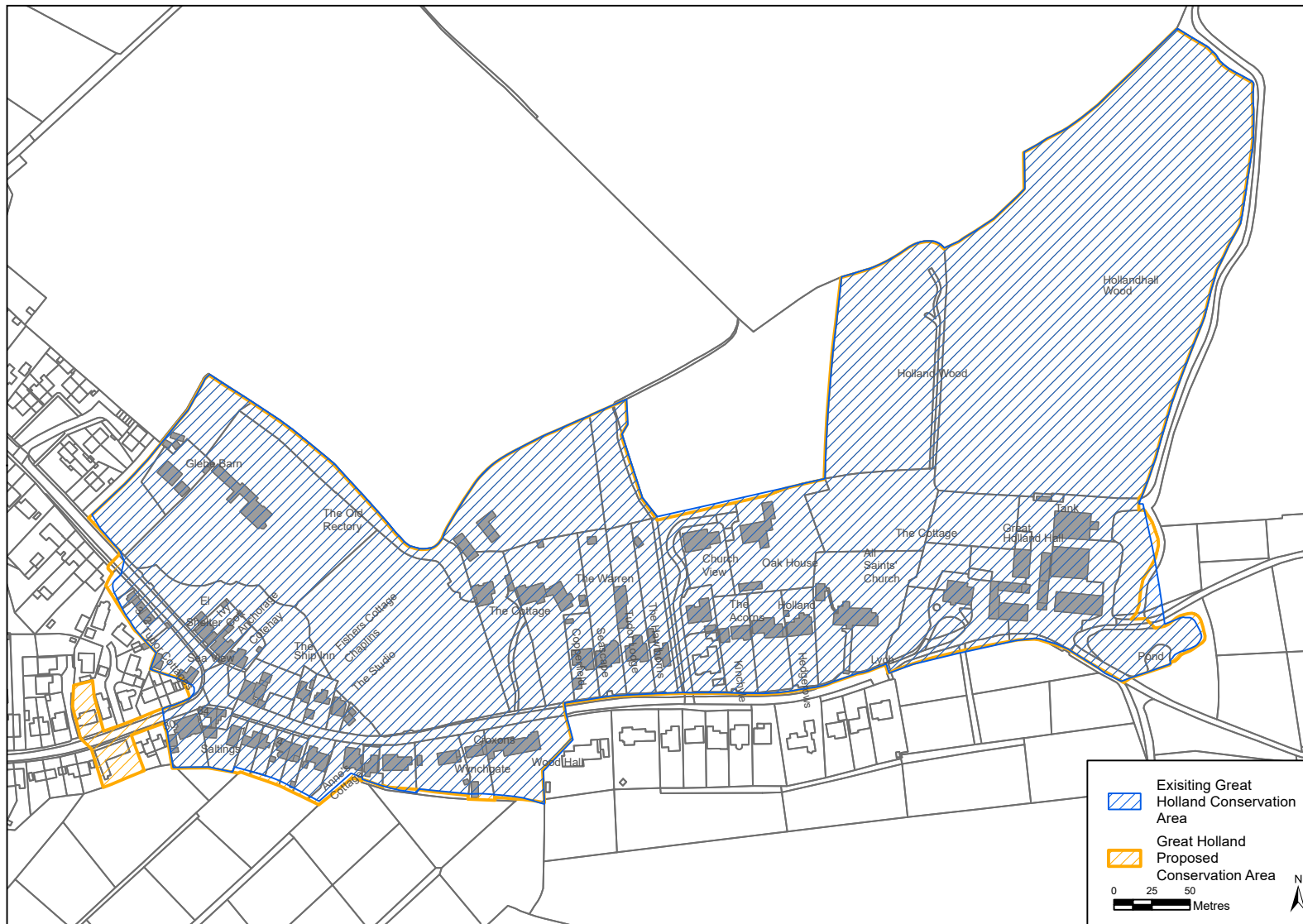


Figure 4 Map showing proposed revisions to the Conservation Area boundary

The area within the original boundary designated in 1981 was centred around the enclosed square in front of the Ship Inn. North-west from the square, the boundary takes in Sea View and Tudor Cottages on the west side of Rectory Road, extending a little further up the east side of Rectory Road to include Glebe Barn. The boundary runs round this property and to the rear of The Old Rectory and the former playing field. The extension in 1988 incorporated Church Lane which provides extensive views over the coast, the Grade II* Listed All Saints Church, the Great Holland Hall farmstead its associated ancient woodland (Holland Hall Wood).

Some amendments to the boundary are recommended in this draft appraisal. Written descriptions and accompanying photographs are including in the following sections.

Proposed Reductions

No reductions are proposed to the Conservation Area boundary. While some later twentieth-century dwellings do not specifically enhance the character of the Conservation Area, they can be considered to make a neutral contribution. Their retention within the boundary is therefore considered appropriate, and the future management of planning applications affecting these dwellings may result in an improvement in their appearance and character, resulting in a positive change within the Conservation Area.

Proposed Additions Area 1: North Extension

The war memorial on Rectory Road was not included within the previous boundary. The small extension is therefore recommended to include the monument. It is an unusual memorial, built of brick and tile, and originally functioned as a drinking fountain. The memorial makes a beneficial contribution to the character of the area and has communal, historic and aesthetic value. An inscription reads as follows:

THIS DRINKING FOUNTAIN
WAS ERECTED AS
A MEMORIAL OF THE GREAT WAR 1914-1918
AND IN MEMORY OF ALL WHO
FOUGHT AND WORKED TO OBTAIN VICTORY
A BRONZE TABLET IN THE PARISH CHURCH
RECORDS THE NAMES OF THE MEN OF THIS
VILLAGE WHO GAVE THEIR LIVES
FOR THEIR COUNTRY
PEACE WAS SIGNED JUNE 28TH 1919



Figure 5 The War Memorial Drinking Fountain on Rectory Road

Area 2: South-western Extension

The 1981 boundary terminated at the Saltings (number 30 Manor Road). A second extension is recommended to the south-western end of the boundary on Manor Road, to include the Village Hall and the dwelling at number 25 Manor Road. The Village Hall was constructed in 1909 and historic photographs show it was a rendered building with a louvered cupola, arch headed windows, a central clock on the main façade and iron brackets supporting the guttering (Figure 5). The building has undergone unsympathetic alterations over the decades, with the tops of the arched window openings being infilled to form square openings, the replacement of the original windows with uPVC and the building finished with pebble-dash render. The original form of the windows is still visible within the render. The iron brackets supporting the guttering still remain, as does the clock, while the cupola was reinstated in 2012. The building has historic and communal value and has a prominent presence in the street scene when looking west down Manor Road from the area in front of the Ship Inn, or from outside the Conservation Area looking east.



Figure 6 The Village Hall



Figure 7 The Village Hall c 1909 (image provided by Linda O'Reilly)

Opposite the Village Hall is the dwelling at number 25. This is a distinctive, late Victorian detached house which has its original windows and decorative joinery above ground floor level. It is understood to have been the home of Henry Ratcliffe, who established a foundry and lawnmower production business on the site of what is now Great Holland Court (off Manor Road) in the late-nineteenth century.¹ Thus the building is of local architectural and historic interest. The proposed boundary extension excludes the modern development at Great Holland Court and the modern dwellings at 31-35 and 28-26 Manor Road.

¹ Paul Withams. Editor Great Holland Village Website Pers Comm.



Figure 8 Number 25 Manor Road

2. Great Holland Conservation Area

2.1 Context and General Character

The settlement of Great Holland is situated on a low hill, just over a kilometre from the coast. From the village the ground slopes gently southeast to the coast and to Holland Brook to the southwest. To the south and southeast were once low-lying Holland Marshes (also known as Holland Haven) and the site of the former Gunfleet Estuary. In the wider landscape, the reclaimed marshes, the ancient natural woodland of Hollandhall Wood and the recently created Great Holland Pits Nature Reserve are important features. The Gunfleet estuary was a navigable channel used for shipping to and from the coast possibly as far inland as Thorpe le Soken.

Great Holland appears to have had at least three separate focal points at varying periods in its history, making it a polycentric settlement. These were the area around the Church of All Saints and Great Holland Hall (probably the earliest area of settlement), the area around the Ship Inn and lastly, the area around the Green at the junction of Pork Lane and Kirby Road (this last area is outside of the Conservation Area). The Great Holland Conservation Area encompasses the best preserved and most fundamental parts of this historic settlement.



Figure 9 Rectory Road looking southeast, taken after the end of the First World War and the installation of the War Memorial, which can just be seen centre right (image provided by Linda O'Reilly).



2.2 Origin and Evolution

The following section provides an overview of the history of the Conservation Area and its environs.

Prehistory (-500000 – 43)

Evidence for prehistoric occupation is scarce within the environs of the Conservation Area, although pre-historic stray flints, pottery and hand axes have been found within the parish. During the Bronze Age, farming, settlement and ritual activity were prevalent across the Tendring plateau. Ring ditches (the ploughed remains left behind by barrow monuments) also suggest ritual prehistoric activity was taking place in the surrounding area. While the name Great Holland is probably Old English in origin (see below), there is an alternative theory of its derivation, from an ancient British word, related to the Welsh word '*hoywal*', meaning stream or current, although no definitive conclusion has been reached by historians.²

Roman (43 – 410)

The Conservation Area lies at a distance from any known Roman settlement or Roman roads though fragmentary evidence has been found in the surrounding area. Roman, or earlier, salt making took place along the coast between Frinton and Clacton and may have been associated with nearby settlement on higher ground.

Early Medieval (410 – 1066)

The name Holland may derive from the Old English 'hoh land', meaning land on a spur or promontory, which corresponds to the topography of the area.³

² Victoria County Histories Volume XII, Part 1, page 319.

³ Essex Place-names Project (Essex Society for Archaeology & History), 2014 (e-book).

From the mid-ninth century East Anglia came under increasing Viking attack and by 878 AD most of East Anglia was ruled by the Danish King Guthrum, who after being defeated by Alfred the Great in 871 was baptised and changed his name to Æthelstan⁴. The Danish control of areas of eastern England had ended by 954.

Between 961-964AD Ædgiva, the grandmother of King Edgar, willed 5 hides at 'Holand' to a noble lady called Ælthred. Ælthred may have been the widow of the high-ranking ealdorman Æthelwold of East Anglia, who went on to marry King Edgar in 964. As an important noblewoman, she was also the benefactor of Ely monastery.⁵

In the 970s Bishop Æthelwold of Winchester, Abbot Brihtnoth and the monks of Ely gave 5 hides at Holland with livestock to the Chapter of St Pauls Cathedral in exchange for four and a half hides at Milton, Cambridgeshire. Further Danish attacks occurred in the late-tenth century and after the conquest of England by King Cnut in 1017, East Anglia was under the control of Cnut's ally, Earl Leofric.⁶

Great Holland had a typical Anglo-Saxon manorial hall and church complex, situated on or near the site of Great Holland Hall adjacent to the Church of All Saints. As noted above, the settlement has a polyfocal pattern,⁷ centred around the large triangular green to the north, the open space in front of the Ship Inn, and the manorial/church complex to the east. However, there is limited evidence of the early phases of development and settlement may have contracted or shifted in the later Middle Ages.⁸ By the end of the Anglo-Saxon period, the Domesday Book of 1086 identifies a large settlement within the parish of Great Holland in the lordship of Leofstan and the village therefore appears to have its origins in the late Saxon period.

⁴ Lapidge, M., 2001. The Blackwell Encyclopaedia of Anglo-Saxon England. Blackwell Publishers
⁵ Essex Place-names Project (Essex Society for Archaeology & History), 2014 (e-book).

⁶ Lapidge, M., 2001. The Blackwell Encyclopaedia of Anglo-Saxon England. Blackwell Publishers

⁷ Victoria County Histories Volume XII, Part 1, page 320.

⁸ Thornton, Dr. C., Accessed 23/01/23 Before the Resorts <https://www.tendringcoastalheritage.org.uk/wp-content/uploads/2019/06/Tendring-Before-the-Resorts-.pdf>



Medieval (1066 – 1540)

At the time of the Domesday survey, 'Holanda' was within the lands in Tendring held by the Norman Knight and Tennant in Chief, Walter of Douai. Great and Little Holland appear to have had a comparatively sizeable population of 45 households at this time, putting it in the largest 20% of settlements recorded in the Domesday Book.⁹ The settlement included ploughland, meadows, woodland and 100 pigs, and the land had an overall value of fourteen pounds.¹⁰ The manorial lords were probably non-resident, but the estate would have provided Great Holland with its economy.

In the twelfth century Great Holland manor and estate passed through the ownership of various noble families, including the First Earl of Essex, who lost it to the Crown after being killed in a rebellion against the King in 1144. It may have also passed to the Mountfitchet family, as in 1198 Millicent Mountfitchet, wife of King Richard I and mother of Richard II, held lands in Great Holland that generated a revenue of ten pounds per year.¹¹

In the thirteenth century the manor was one of many held by Robert Burnell, Bishop of Bath and Wells and chancellor of King Edward I.¹²

Documentary evidence suggests there was a windmill at Great Holland by 1290, within the ownership of the manor. This was possibly near the site of Great Holland Mill House to the west of the village, while the first rector to the church of All Saints was appointed in 1295.

⁹ Powell-Smith, A. Accessed 16/01/23. Open Domesday [Great and Little] Holland. <https://opendomesday.org/place/XX0000/great-and-little-holland/>

¹⁰ Ibid

¹¹ Victoria County Histories Volume XII, Part 1, page 322.

¹² Essex Place-names Project (Essex Society for Archaeology & History), 2014 (e-book). Accessed 16/01/23

At that time the settlement was known as Much Holland or Holland Magna.¹³ The surviving tower at the Church of All Saints dates to 1413 and was built of red brick with decorative black header diapering. The tower is square in plan with semi-octagonal clasp buttresses, a crenellated parapet and a semi-octagonal stair turret on its south-east corner. The fifteenth-century medieval church probably replaced an earlier church on the site. The remainder of All Saints was rebuilt in the nineteenth century, using flint and stone.

The Church owned much of the land in Tendring until the ecclesiastical estates, including Great Holland were seized by the Crown in the mid-sixteenth century. The manor was part of a large and continuous estate, which stretched between St Osyth and Harwich. The royal servant and courtier, Thomas Darcy (d. 1558), had been installed as keeper of St Osyth Abbey and in 1551, he gained a promise of future ownership of the former ecclesiastical landholdings in St Osyth, Clacton, Kirby-, Thorpe- and Walton-le-Soken, Oakley, as well as Great Holland. Eventually St Osyth's Priory was converted by Thomas Darcy and his son John, the second Lord Darcy, into a large secular mansion, from where he oversaw his sizeable estate.

Post Medieval (1540 – 1901)

The descendant of Thomas Darcy, Elizabeth Savage, Countess Rivers eventually inherited the estates in the seventeenth century. Elizabeth was a Catholic courtier in the service of Queen Henrietta Maria, wife of King Charles I. Her Tendring estates were attacked by Parliamentarian mobs during the English Civil War and her lands were subsequently confiscated by Parliament.

¹³ Tendring District Council. Great Holland Parish Plan and Village Design Statement. <https://www.tendringdc.gov.uk/sites/default/files/documents/planning/planning%20policy/GreatHollandVDSFinalVersionMarch2011.pdf>



Figure 10 Detail from Chapman and Andre Map of Essex 1777 (<https://map-of-essex.uk/>)



They were later returned to her ownership, but after her death in 1651 parts of the estate, including Great Holland were sold to redeem her debts.¹⁴

By the late-seventeenth century, a new manorial hall was erected adjacent to the church. A nineteenth-century stable range lies to the east of the Hall and the nineteenth-century farmstead was located to the south. This was demolished during the Second World War and relocated to the east of the Hall. From at least the sixteenth century the Hall had access, via a track, to a landing stage on the former Gunfleet estuary. Tudor Cottages on Rectory Road were built between 1720 and 1730 and they appear to be shown on the Chapman and Andre Map of 1777. Also dating to the eighteenth century, but not shown on the Chapman and Andre Map, is Manor Farmhouse, on Manor Road. The house was built in red brick, with a rendered exterior, scored to resemble blocks of ashlar stone.

By 1801, Great Holland had 43 houses and 58 families with a total population of about 300. The village grew when the farmer Charles Hicks took the tenancy of the Hall and Farm in 1830 and brought a number of labourers with him and built new cottages to provide them with accommodation. Hicks had farmed in Suffolk but took up the influential position of tenant farmer of the Manor of Great Holland.”¹⁵. After years of neglect, the Church of All Saints was rebuilt in 1864/5 by the Reverend Richard Joynes. The Reverend also established a school in 1862 at the north end of the village, which continued in use until it was demolished in the 1950s, having been damaged by a bomb in the Second World War. Agriculture has always been the most vital part of the economy that has sustained the settlement throughout its history.

¹⁵ Tendring District Council. Great Holland Parish Plan and Village Design Statement. <https://www.tendringdc.gov.uk/sites/default/files/documents/planning/planning%20policy/GreatHollandVDSFinalVersionMarch2011.pdf>

¹⁴ Thornton, Dr.C., Accessed 23/01/23 Before the Resorts <https://www.tendringcoastalheritage.org.uk/wp-content/uploads/2019/06/Tendring-Before-the-Resorts-.pdf>



Figure 11 OS map 1838 Showing Great Holland and the coast



Figure 12 OS Map of Essex (1st Ed/Rev 1862-96) XXXIX.9 Revised: 1896, Published: 1897 (National Library of Scotland)

While the village remained almost entirely agricultural up to the mid-twentieth century, other industries and trades such as fishing, milling and brickmaking were also established. In 1889 the blacksmith Henry Ratcliffe settled in Great Holland from Yorkshire, and over the next twenty years he established a foundry and lawnmower production business, with a blast furnace and workshop.

Modern (1901 – present)

The Village Hall was built in 1909 on Manor Road and survives today, although its appearance has been altered and the lost cupola was reinstated in 2012. The village expanded in the late-nineteenth and early-twentieth centuries, with a post office, butchers, bakers, shops, a smithy, a nearby dairy and Ratcliffe's Foundry¹⁶ and agricultural equipment workshop.

After the death of Henry Ratcliffe in 1912 the business was taken over by his son Archie¹⁷. During the First World War, Ratcliffe's also manufactured Stokes mortars for the War effort.¹⁸ The Ratcliffe foundry and lawnmower business employed up to nine people in the 1920s, but the ironworks finally closed in 1947.¹⁹ The area was heavily defended during the Second World War, due to its coastal location. An observation post was erected on the tower of the Church and an anti-aircraft battery and military camp set up on the outskirts of the village. By the late 1940s, New Manor Road (now Main Road) had been constructed, allowing the increasing motorised traffic to bypass the old village centre.

¹⁶ Tendring District Council. Great Holland Parish Plan and Village Design Statement. <https://www.tendringdc.gov.uk/sites/default/files/documents/planning/planning%20policy/GreatHollandVDSFinalVersionMarch2011.pdf>

¹⁷ Victoria County Histories Volume XII, Part 1, page 331.

¹⁸ Graces Guide. 1918 Directory of Manufacturers in Engineering and Allied Trades: https://www.gracesguide.co.uk/1918_Directory_of_Manufacturers_in_Engineering_and_Allied_Trades:_Company_R

¹⁹ Victoria County Histories Volume XII, Part 1, page 331.



Figure 13 The Post Office and General Store, c 1900 (image provided by Linda O'Reilly)



Figure 14 Essex Sheet nXLIX.NE Revised: 1938, Published 1946, showing New Manor Road (now Main Road) bypassing the village



Figure 15 The view east from Manor Road towards the Ship Inn, c 1900 Right top image, All Saints Church c. 1900. Below right Church Lane, c 1900, (images provided by Linda O'Reilly).

In the twentieth century, ribbon development occurred along Church Lane, partially linking the church and Great Holland Hall to the settlement area around the junction of Church Lane, Manor Road and Rectory Road. Yet the area to the north of Church Lane remains primarily undeveloped, retaining Great Holland's characteristic polyfocal and dispersed settlement pattern.



2.3 Designated Heritage Assets

There are two designated heritage assets within the boundary of the Great Holland Conservation Area (as existing and proposed). These buildings have been listed due to their special architectural or historic interest as defined by Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Principles of Selection for Listed Buildings (The Department for Digital, Culture, Media and Sport, 2018). Further information about the listing process can be found on the Historic England [website](#).

The rarer and older a building is, the more likely it is to be listed. As a general principle, all buildings that pre-date 1700 and are in a relatively intact condition will be listed, as will all buildings that date between 1750 and 1850. The selectivity is increased for buildings that date between 1850 and 1945. There is a strict criterion for buildings built after 1945; buildings less than thirty years old are unlikely to be listed unless they have been deemed as exceptional examples of their type. Listed buildings are considered under three Grades in England. Grade I listed buildings are of exceptional interest and make up approximately 2.5% of all listings; Grade II* listed buildings are of more than special interest; Grade II listings are of special interest and most common, making up 91.7% of all listings.²⁰

Listed buildings are protected by government legislation and there are policies in place to ensure that any alterations to a listed building will not affect its special interest. It is possible to alter, extend or demolish a listed building but this requires listed building consent and sometimes planning permission.

²⁰ Historic England, Listed Buildings <https://historicengland.org.uk/listing/what-is-designation/listed-buildings/>

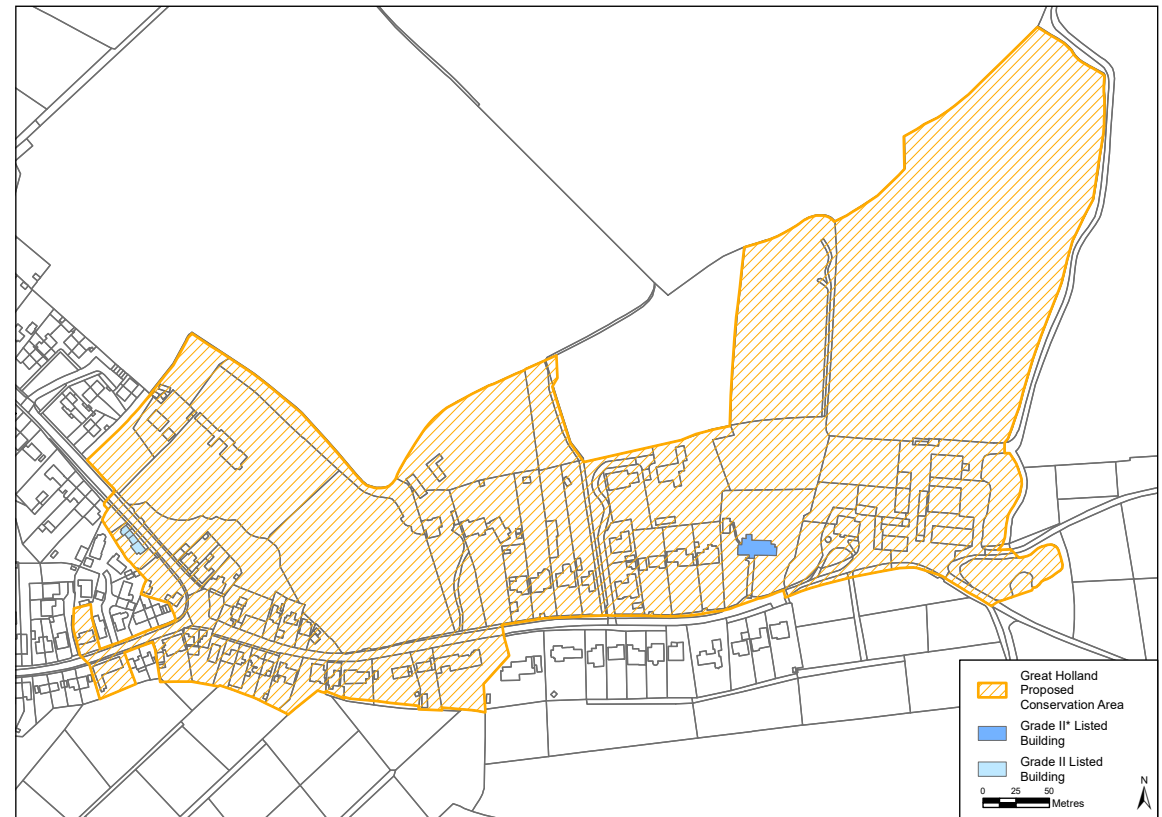


Figure 16 Map showing the location of the designated heritage assets within the Conservation Area



Figure 17 Grade II* Listed Church of All Saints

At the eastern end of the Conservation Area is the Grade II* Listed Church of All Saints (List UID: 1165610), which has a fifteenth to sixteenth-century west tower, with the remainder of the church being rebuilt in 1866.

The Grade II Listed Tudor Cottages are on Rectory Road (List UID: 1337117). Despite their name the terrace of four timber-framed cottages was built in the early-eighteenth century and are shown on the Chapman and Andre Map of 1777.



Figure 18 Grade II Listed Tudor Cottages

2.4 Non-Designated Heritage Assets

Every building, space and feature within a conservation area makes a contribution to its character and special interest, be it positive, neutral or negative.

Heritage assets are defined in Planning Policy as ‘A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.’²¹ Not all heritage assets are listed, and just because a building is not included on the list does not mean it is of no heritage value. Buildings and other structures of the built environment such as fountains, railings, signs and landscaping can make a positive contribution to the appreciation of an area’s historic interest and its general appearance.

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. At present there is no approved local list for Tendring District. This document has identified heritage assets which make a positive contribution to the Conservation Area and could be considered for local listing in the future. This list is not exhaustive, and further buildings may be identified as non-designated heritage assets through the planning application process.

²¹ National Planning Policy Framework (NPPF), p67

Buildings and features within the Conservation Area which have been noted during this appraisal and are considered to be non-designated heritage assets are as follows:

- The Ship Inn, Rectory Road
- Number 25 Manor Road
- Sea View Rectory Road
- The Rectory
- The War Memorial
- The Village Hall

2.5 Heritage at Risk

There are no buildings or features within the Conservation Area, which are on Historic England's Heritage at Risk Register.

2.6 Archaeological Potential

Within the Conservation Area there is potential for the preservation of archaeological remains dating from the prehistoric to post-medieval period. No archaeological investigations have taken place within the Conservation Area, however, it incorporates large areas of open ground to the north of the Conservation Area which have good potential for the survival of archaeological remains.

The surrounding area has recorded cropmark features which reveal evidence for field systems, trackways and ritual monuments. Some of these represent historic field boundaries of medieval or post-medieval date, whilst others relate to earlier phases of settlement, possibly later prehistoric or Roman, and ring-ditch cemeteries of possible Bronze Age date, the latter are particularly characteristic of the archaeology of the Tendring peninsula. Findspot evidence in the surrounding area includes pottery and coins from the Late Bronze Age, Iron Age and Roman period.

A settlement may have existed since the tenth century and by the end of the Saxon period there was a large village. Survival of Saxon remains within the Conservation Area would be considered significant due to their rarity and the lack of surviving evidential material of this date.

The survival of the later medieval All Saints Church is an important, well-preserved resource, and the below ground remains of an earlier church may survive within the church grounds. The location of the medieval manorial hall is likely to have been close to the church and may lie within the grounds or on the site of the later manor house.

Historic mapping depicts landscaped grounds at Great Holland Hall and The Rectory, including water features. Former and extant water features have potential to preserve palaeoenvironmental evidence relating to the post-medieval, or earlier, occupation.

Medieval and later settlement evidence is more likely to be sited along the street frontages. The garden areas may also contain evidence of ancillary activity, such as wells, cesspits, yards and middens, as well as small-scale industrial activity.

Soil-conditions are variable, the London Clay allows for the preservation of faunal remains whilst the sands and gravels partially overlaying it are acidic and faunal survival is poor. Artefacts such as ceramics, building materials and metal survive on both soil-types, albeit in better condition within the clay. Within clayey soils, waterlogged deposits can survive and should be anticipated in deeper features such as wells and cess pits. Environmental remains could be preserved in deeper features and provide information on the wider landscape as well as evidence for food and cereal production.

3. Assessment of Significance

3.1 Summary

Great Holland evolved with three different focal points, at different points in its history. As a result, there is a settlement pattern with three separate centres (a polycentric settlement). The earliest centre was probably the area around the Church of All Saints and Great Holland Hall. The development around the Ship Inn is also probably of some antiquity and these two centres are contained within the Conservation Area boundary. The third settlement centre was in the area around the green at the junction of Pork Lane and Kirby Road to the north of the main settlement (outside of the Conservation Area). The Great Holland Conservation Area therefore encompasses the best preserved and most fundamental parts of this historic settlement.

Great Holland Conservation Area's special architectural and historic interest lies in the relationship between the development around the central, open area in front of the Ship Inn and the winding lane leading to the Church and Great Holland Hall, from where there are extensive views over the coast. The historic buildings, both listed and unlisted also make a contribution to the historic and architectural interest of the Conservation Area. The informal square is enclosed by dwellings, some of which were historically shops, while the square is accessed at three corners from Manor Road, Church Lane and Rectory Road.






Great Holland Hall and the Church of All Saints were probably established as a typical Anglo-Saxon manorial hall and church complex, prior to the Norman Conquest. It is unclear when the settlement around the Ship Inn was first established, but the open space and historic separation between the area of the church and the rest of the settlement remains perceptible, despite modern residential development along Church Lane. Many of the Conservation Area's buildings are nineteenth century in date, although it also includes the eighteenth-century Tudor Cottages and the medieval church tower.



Figure 19 Great Holland Hall, taken in c 1900 (image provided by Linda O'Reilly).

3.2 Significance of buildings

The map opposite (Figure 19) should be read in conjunction with the key notes below. These outline the broad descriptions of positive, neutral and negative attributed to buildings within the Conservation Area. It should be noted that just because a building is positive it does not mean it cannot be enhanced. Some positive buildings may have intrusive aspects but these are more widespread across the Conservation Area (such as inappropriate windows) and are addressed in the management plan. The buildings identified as 'Positive with opportunity for enhancement' tend to have more bespoke or fundamental issues that are not generally observed or widespread across the area.

-  **Positive:** these are buildings that have been identified as positive contributors to the character or appearance of the Conservation Area. Whilst identified as positive there are likely to be enhancements which can be made to better reveal the architectural interest of the building and improve its contribution to the character and appearance of the Conservation Area. These general enhancements are noted in the management plan. One example would be the replacement of windows where the buildings have uPVC. The upgrade of these items would be beneficial as a general rule.
-  **Positive with opportunity for enhancement:** these are buildings have been highlighted as they are positive contributors, however, they have been compromised due to intrusive alterations or additions. These buildings can be enhanced through the removal, replacement or redesign of intrusive or unsympathetic alterations.
-  **Neutral:** These buildings make no beneficial or adverse contribution to the character or appearance of the Conservation Area.
-  **Negative:** These buildings make an adverse or intrusive contribution to the character or appearance of the Conservation Area.
-  **Other:** It was not possible to view these buildings from the public realm to ascertain their contribution to the Conservation Area.

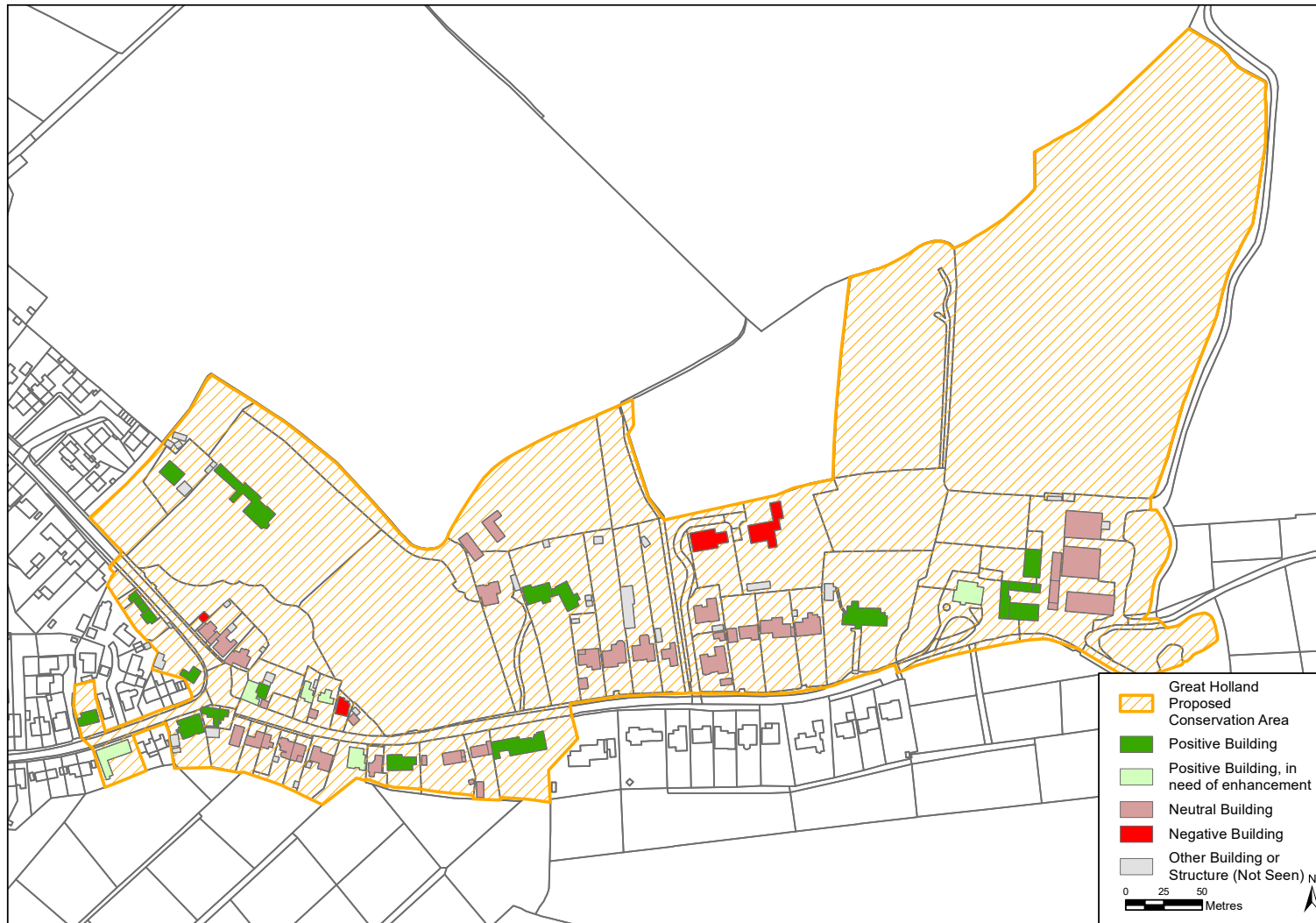


Figure 20 Map showing significance of buildings within and neighbouring the Conservation Area

3.3 Character Analysis

Summary Of Character

The essential character of Great Holland Conservation Area is of a relatively quiet, mostly residential enclave, with a simple street pattern consisting of a square with a winding lane (Church Lane) which at its best (at the east end) is still essentially rural in character. The lane meets Rectory Road to the north, and Manor Road to the west which are generally of a more suburban character. There is a wide range of mostly detached houses, which fall into three types with regards to how they relate to their plots. The first type are situated at the front of their plots and have a direct relationship with the road, particularly in the square, while the second are only glimpsed from the street, set back in significant and well-planted grounds, such as The Warren and the Old Rectory. The third type has a more modern suburban arrangement, with regular front gardens ornamentally planted, and most modern infill is of this latter type. Dwellings are all two storeys in height and often their principal elevations face the street with gables to the side, though occasionally there are gable ends facing the street and houses with hipped roofs can also be found.

On the south side of Church Lane and Manor Road there is the potential for views between dwellings, downhill to the wider landscape, the sea and the Holland Brook. The north side is characterised by denser and less formal planting, with significant mature trees providing a backdrop to important buildings such as the Church of All Saints. The planting and in particular Hollandhall Wood screen the village from Kirby Cross.

Land Usage

The land within the Conservation Area has two primary uses or functions. In the denser area around the junction of Rectory Road, Manor Road and Church Lane the land use is predominantly residential. There is some surviving commercial use provided by the Ship Inn. The buildings that once housed village shops in this area have been converted to residential use, while the former Ratcliffe Foundry and ironworks site has also been developed for residential use (now Great Holland Court).

To the east, while Church Lane has houses on both sides, the Conservation Area contains a large expanse of open space. To the north of Church Lane is the open area of the meadow, located to the south of the Rectory. This appears to have been unmanaged in recent years, but remains an attractive and valued green space. It has a strong historic connection to the Rectory, having been until recently in the same ownership.

Historically, the land on both sides of Church Lane was undeveloped and in agricultural use. To the north was once the site of Great Holland Nurseries, which has now been redeveloped with housing. Ribbon development intensified on Church Lane in the later decades of the twentieth century, particularly along its southern side. The older buildings on the southern side of Church Lane have greater interest both in design terms and in their constituent materials, and they have a more positive relationship with the lane because of their siting and appearance. Great Holland's agricultural setting can still be perceived, in glimpsed views from the lane, particularly at its western end and in the open areas to the north of the lane. North of the Church and Great Holland Hall is Great Holland Wood, an area of Ancient Woodland. The separation of the Church and Hall from the rest of the settlement to the west is still perceptible, despite late twentieth century development.



Figure 21 Open spaces, mature trees and the developed settlement, viewed from Rectory Meadow

Landmark Buildings

Due to the height of its tower, the church is the only landmark building that has prominence and visibility from a distance from both inside and outside the Conservation Area, particularly in views from the south where the land slopes away within the Conservation Area's rural setting. The church tower is also clearly visible from the setting to the north and along Church Lane. The Ship Inn also has prominence at the centre of the Conservation Area around the square. Tudor Cottages are close by to the north and are a group of notable buildings on the approach to the square from Rectory Lane. The Village Hall with its reinstated cupola is also a landmark building in the western part of the Conservation Area.

Local Building Materials, Details and Boundary Treatments

Building materials within the area around the Ship Inn predominantly comprise red brick and painted render, the Inn being a key example of the latter. The nineteenth-century buildings of the village were often finished with exposed brickwork, often in Flemish bond, with white mortar and examples can still be seen at 25 and 34 Manor Road and Cobblestones on Church Lane. All Saints Church has an earlier red brick-built tower, with the nineteenth-century reconstructed church finished in flint (which is the only example of a building faced in flint in the Conservation Area). Clay tiles or slate are frequently used traditional roofing materials. These traditional materials make a positive contribution to the historic character and appearance of the area and introduce a sense of cohesion. There are some regrettable examples of houses where former red brick facades have been rendered over and concrete tiles used in replacement roof coverings. Also regrettable is that many of the traditional timber windows and doors in the Conservation Area have been replaced with uPVC (including the windows of the Ship Inn and the Village Hall), and their presence detracts from the appearance of individual buildings and makes a negative contribution to the area's character and appearance.



Figure 22 Render, brick, an iron boot scraper, timber doors and windows, slate tiles and clay tiles within the Conservation Area

There are a variety of boundary treatments in the Conservation Area but along Church Lane the substantial hedges and grass verges are positive elements. Similarly, greenery along Rectory Road makes a positive contribution to character and appearance. Traditional timber picket fences are also found, along with red brick walls, with one nineteenth-century brick wall on Rectory Road having been recently damaged by a vehicle strike. The boundary wall of the churchyard facing Church Lane is built with panels of flint, with brick piers and ceramic coping bricks. In contrast, prominent examples of close-boarded fencing make a negative contribution to the historic character of the area.

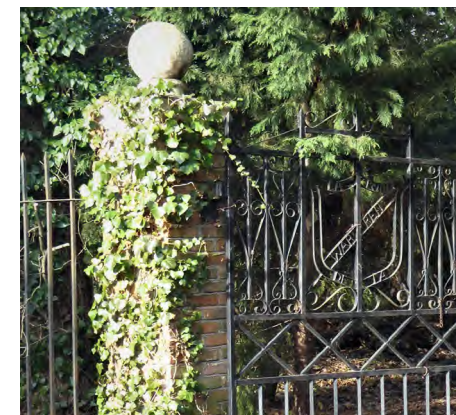


Figure 23 Prominent and positive boundary treatments in the Conservation Area include hedges, red brick walls, iron railings, gates and brick piers and picket fences.

Landscaping, Open Spaces and Public Realm

The open space, or village square in front of the Ship Inn makes a highly significant and positive contribution to the character and appearance of this area. It was historically the centre of the village and the hub of village life, surrounded by the Ship Inn and shops including the general stores, bakers, confectioners and the Post Office.²² In the late-twentieth century the square was separated from the carriageway by a series of concrete bollards. The majority of these have been removed, which is beneficial, though two surviving unsightly and redundant bollards remain adjacent to the Ship Inn.

The open spaces to the north of Church Lane provide an important break in the developed form of the village, in particular Rectory Meadow located to the south of the Rectory. This meadow is sometimes marked as a playing field on mapping from the mid-to-late twentieth century and it is remembered as a playing field by some long-term residents. However, it has more recently been used as a paddock. The field was originally in the same ownership as the Rectory, although the two are now separately owned.²³ The meadow is an informal, rural space fringed with mature trees and provides an important view back to The Old Rectory.

To the north of the Rectory is the small site of Glebe Barn Nature Reserve, held by the Essex Wildlife Trust (EWT). It is one of its smallest closed reserves and is not open to the public. On the northern side of the reserve there is reputed to be a wartime TM2119 Surface Shelter.²⁴

²² The Ship Inn History. <https://shipinngreatholland.co.uk/history/> Accessed March 2023

²³ Paul Withams. Editor Great Holland Village Website 2023 Pers Comm.

²⁴ Geograph: <https://www.geograph.org.uk/photo/3053840>. Accessed February 2023

The presence of the nature reserve in the Conservation Area, under the stewardship of the EWT is a positive element. The frontages to Glebe Barn and The Old Rectory are densely- planted and the properties can only be glimpsed from the public realm. These green frontages make a beneficial contribution to the Conservation Area.

A public footpath²⁵ runs north from a midpoint along Church Lane to the site of the former Holland Nurseries, now a new housing development. The church tower is a dominant feature, visible along this footpath. Hollandhall Wood is designated as Ancient Woodland and as a County Wildlife Site and it makes a positive contribution to the historic character and appearance of the Conservation Area. Public footpaths continue from the eastern end of Church Lane, past Holland Hall into an area shown as common ground in Chapman and André's map of 1777.²⁶

²⁵ Footpath 1 Frinton and Walton <https://www.essexhighways.org/getting-around/public-rights-of-way/prow-interactive-map>. Accessed February 2023

²⁶ Footpath 1 and Bridleway 2, Frinton and Walton. <https://www.essexhighways.org/getting-around/public-rights-of-way/prow-interactive-map>.

The Conservation Area extends to the pond before the footpaths separate to the east and southeast, with views out over countryside to the sea, Holland-on-Sea and the edge of Clacton. Hollandhall Wood is present in views to the north while views back to the village are dominated by the Hall and the church tower, within its woodland setting.

Other than a bus stop on Rectory Road, there are no public amenities within the Conservation Area, such as benches or post boxes. The War Memorial is an important public monument, although its drinking fountain has long-since ceased to function.

Contribution by Key Un-Listed Buildings

There are numerous buildings that make a positive contribution to the character of Great Holland. In particular, the following non-designated heritage assets are considered to make a positive contribution to the character and appearance of the Conservation Area:

The Ship Inn

It is thought that there has been a public house at the site of the Ship Inn for at least 500 years²⁷. The name 'Ship Inn' can be found in records from the late-eighteenth century and this may be due to the nearby Gunfleet Estuary. Prior to the seventeenth century, the estuary of the Gunfleet formed a small harbour, although by the seventeenth century the harbour had silted up.²⁸ From the late-eighteenth century, as was the common custom of the time, local court hearings were held in the two pubs in the village, alternating between The Ship and The Red Lion²⁹ (the latter is outside the Conservation Area, empty and in a poor condition). The Ship Inn continued to be a focal point for the village, hosting inter-

²⁷ <https://shipinngreatholland.co.uk/> Accessed

²⁸ Gunfleet Bay <https://www.tendringdc.gov.uk/leisure/clacton-150/sign-12-gunfleet-bay> Accessed February 2023

²⁹ The Ship Inn History. <https://shipinngreatholland.co.uk/history/> Accessed March 2023

village quaits competitions and in the 1960s it hosted the Great Holland football team, who used pub rooms as changing rooms before matches on Rectory Meadow.³⁰

In 2016 after a change in landlord, the pub name changed to The Manor. In 2020 the pub's owners applied to close its doors and convert it to residential use.

³⁰ Ibid.



Figure 24 The Ship Inn

However, local residents began a fundraising campaign and sufficient funds were raised to purchase the Ship Inn and secure its future as a community pub. The pub is currently run by volunteer staff and owned by the Great Holland Community Benefit Society Limited³¹. It remains an important community asset within Great Holland.

The Ship Inn is prominent in views towards the square, is its major defining building and the most important of the buildings that enclose the square. It is a three-bay, rendered, two-storey building with a double-pitched, clay tiled roof, with gables at either end. Unfortunately, its timber windows have been replaced with uPVC. While the uPVC units attempt to replicate traditional windows, their design, detailing and operation do not match the sections and proportions of historic joinery and thus they lack authenticity. Despite this, the Ship Inn still retains much of its historic character.

Sea View

Opposite the Ship Inn on the western side of the square is the dwelling, Sea View. It has similar proportions to the Ship Inn, being three bays long with a central entrance, but it has an asymmetrical roof form, with the rear pitch having lower eaves. The rendered building has timber sash windows and is in a prominent position within the square. Until recently there was a hedge boundary on the western edge of the plot which screened the building from the 1970s housing along Manor Road in views from the square. The hedge's removal has thus had a negative impact on the Conservation Area.

³¹ <https://shipinngreatholland.co.uk/#:~:text=There%20has%20been%20a%20pub,community%20spirit%20in%20Great%20Holland.>



Figure 25 Sea View

Number 25 Manor Road

This distinctive dwelling on the north side of Manor Road is late-nineteenth century in date and is reputed to be the former home of Henry Ratcliffe, who established a foundry and lawnmower production business in what is now Great Holland Court. The house is built in red brick in Flemish bond and has two bay windows to the ground floor façade either side of the entrance. At first floor level there is a canopy extending over the bay windows and front door, with decorative timber brackets. The building has original timber sash windows with horns to the principal facade. The roof is clad in clay pantiles and the later (early to mid-twentieth century) brick-built garage on the west side of the house has good-quality timber doors.



Figure 26 Number 25 Manor Road

The Village Hall

Opposite Number 25 on Manor Road is the Village Hall built in 1909. The building has suffered badly from modern interventions, particularly the loss of its original windows and their replacement with uPVC units. However, the original arched window openings are just detectable in the pebble-dashed render and the arches have been retained internally. The original iron brackets supporting the guttering have been retained and although the original louvered cupola was removed in the late twentieth century, it was reinstated in 2012 for the Diamond Jubilee of Queen Elizabeth II.³² The building and its cupola are prominent in views from the square and it is an important building with community value. There is potential to enhance the building with further sympathetic changes to restore more of its former appearance.

³² <https://www.greatholland.com/>. Accessed February 2023



Figure 27 The Village Hall Manor Road

The Saltings

This dwelling is a distinctive and prominent nineteenth century, brick-built dwelling of three bays in length, with a central entrance, located just off the square on Manor Road. Historically, the building functioned as the Post Office. Its façade has similar proportions to the Ship Inn and Sea View and it has timber sash windows and a slate-clad, hipped roof. The building has rear extensions, an attached garage and there is a weatherboarded and slate-roofed outbuilding to the west. Originally the Saltings was finished in exposed red brick, but the building has been painted cream. Its appearance, proportions, aesthetic value and materials make a positive contribution to the character and appearance of the Conservation Area.



Figure 28 The Saltings, Manor Road

The Old Rectory

This is a substantial late-Georgian house, with characteristically understated design and proportions. It is masonry built with two storeys and a hipped slate roof. The dwelling is set back and mostly hidden from Rectory Road, but its southern façade can be seen from Rectory Meadow, where its ground floor bay window and traditional, six over six pane timber sash windows can be seen. The Rectory has historic links to the Grade II* Listed Church of All Saints and in addition, Rectory Meadow, up until recently in the same ownership, was traditionally used by the village as a recreation ground and for summer fetes.



Figure 29 The Old Rectory

3.4 Views

Key views are identified on the map, Figure 39. The views included in this assessment are not exhaustive; for example, there are also glimpsed and kinetic views gained from streets across the Conservation Area that contribute to its character and appearance and there may be other views of significance. Any proposals for development within the Conservation Area, or its environs, should consider the views below and any others which may be relevant or highlighted as part of a bespoke assessment of that proposal.

View 1: Rectory Road

Views looking southeast along Rectory Road from the edge of the Conservation Area allow for an appreciation of the square with the Ship Inn, the nearby Grade II listed Tudor Cottages and the War Memorial.



Figure 30 View 1. southeast along Rectory Road towards the square

Views 2 and 3: Manor Road

View 2: Manor Road is the western entry point to the Conservation Area and the Village Hall is a prominent feature. In addition, there are glimpsed views of the Church Tower, which is noteworthy, as it remains hidden in views from the square.



Figure 31 View 2 Manor Road



Figure 32 View 3 Manor Road

View 3: Further east along Manor Road the view allows an appreciation of the square, with the Ship Inn and the Saltings at the centre of the village.

Views 4, 5 and 6: The Square

Views 4, 5 and 6: The square, being the central point of the settlement and the junction of its three roads, provides multiple views. Views north-west along Rectory Road and west along Manor Road allow views of some of the Conservation Area's more characteristic and notable buildings. The view east along Church Lane also allows the character of the Conservation Area to be appreciated.



Figure 33 View 4 Rectory Road from the square



Figure 34 View 5 the view west along Manor Road from the square



Figure 35 View 6 looking east along Church Lane from the square

View 7: Rectory Meadow

Rectory Meadow is an important open space within the Conservation Area, with historic links to the Rectory and it has traditionally played a role in the life of the village community. The meadow is fringed with mature trees which is characteristic of the area. The meadow allows unique views of the Conservation Area, including views of the rear of dwellings, surrounding woodland and glimpses of the Old Rectory, which is a significant and positive building.



Figure 36 View 7 Rectory Meadow

View 8 Church Lane

While traveling along Church Lane from west to east, the tower of the Church of All Saints becomes visible and increasingly apparent. The eastern end of the Lane has grass verges and tall hedge boundaries, which provide character to the area and enhance the setting of the church.



Figure 37 View 8 Church Lane

View 9 Eastern end of Church Lane

The wider setting of the Conservation Area can be appreciated from the eastern end of Church Lane, as well as in glimpsed views between the houses fronting the thoroughfare. Views of the sea, roughly one kilometre to the southeast are also possible.



Figure 38 Both photos show View 9 southeast from the eastern end of Church Lane, where views of the coast are possible across the rural landscape.

View 10: Holland Hall and All Saints Church

Church Lane ends at the entrance to the Holland Hall farmstead, but the public footpaths continue in two branches, one to the east and the other to the southeast. At the eastern edge of the Conservation Area there are important views of the farmstead, Holland Hall and the church, with a backdrop of mature trees.



Figure 39 View 10 Holland Hall and the Church Tower looking west

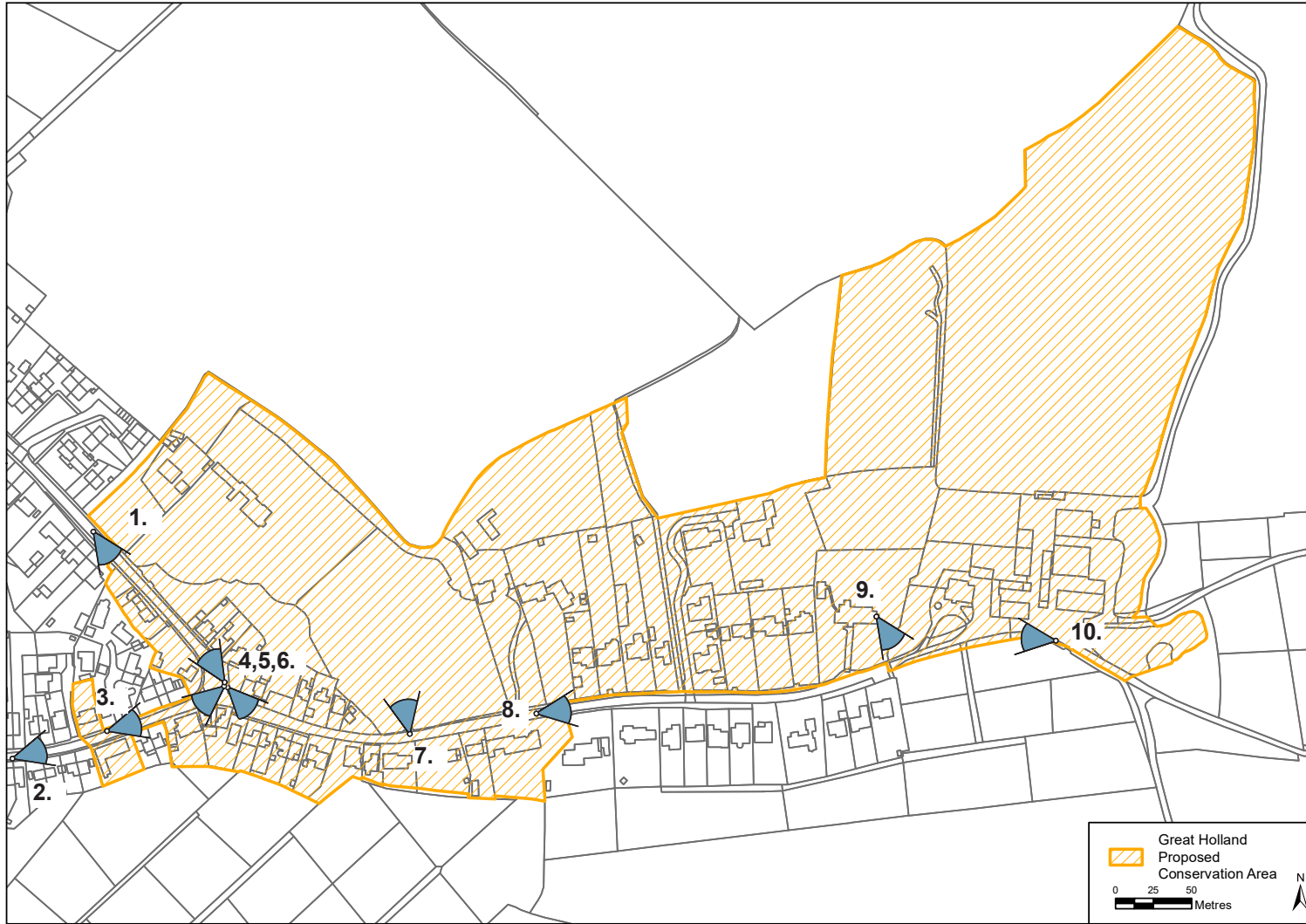


Figure 40 Views map

3.5 Setting of the Conservation Area

The setting of the Conservation Area is an important contributor to its significance, allowing for the Conservation Area to be understood and appreciated. The setting of a heritage Asset is defined within the NPPF as:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

(NPPF: Annex 2: Glossary)

Historic England Good Practice Advice 3: Setting of Heritage Assets (2017) notes that where the experience of a heritage asset ‘...is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset’.

Historic England’s advice note on setting recommends a ‘(non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance’. As the advice note states, ‘only a limited selection of the attributes listed will be of a particular relevance to an asset’.” Historic England’s recommendations have been used to inform this assessment.

Rural Setting

The Conservation Area draws significance from various key features outside of its boundary. The sloping topography down to the coast approximately one kilometre to the south-east is clearly evident from the north-eastern part of the Conservation Area. Here the setting is particularly rural in character. Views back towards the Conservation Area from within its setting allow its position in the landscape to be appreciated, along with some of its most important buildings in the form of the tower of All Saints Church and the farmstead of Holland Hall.



Figure 41 A view northwest towards the Conservation Area from within its setting



Figure 42 The Conservation Area within its rural setting looking north from Short Lane

The rural setting of the Conservation Area is well preserved beyond its boundary to the east, north and south. Agriculture has played a vital part in the economy and life of the settlement and continues to do so, with both Hollandhall Farm and Manor Farm (outside the Conservation Area at the western end of Manor Road), still in agricultural production today. Public footpaths within this setting provide opportunities to appreciate the historic significance of the Conservation Area.



Figure 43 The Conservation Area with the church tower, Holland Hall and Hollandhall Wood visible from its rustic setting to the east

To the north of the Conservation Area the rustic character of its setting also survives. Here Hollandhall Wood and the tower of All Saints Church are prominent features and can be appreciated within their setting. The new dwellings on the site of the former Great Holland Nurseries have had a negative impact on the character of the Conservation area, due to factors including their inappropriate size and fenestration and this can be seen in views from this part of the setting.



Figure 44 The view west from the Conservation Area's northern setting, with the rectory visible within the mature trees



Figure 45 The view south from the northern setting, looking towards the Church of All Saints, with unsympathetic, modern new dwellings within the Conservation Area.

To the west and north-west of the Conservation Area, the historic separation of Great Holland from the area around the Green to the north is reinforced by the undeveloped fields in this area, to the west of Main Road (B1032). On the eastern side of Main Road, the former farm buildings of Larges Farm have been replaced with dwellings set within a small cul-de-sac. Yet to the north of the new development, the open agricultural fields also strengthen the historic separation between the two areas of settlement. The agricultural character of this part of the setting makes a positive contribution to the significance of the Conservation Area, providing evidence for the polyfocal settlement pattern and the settlement’s historic dependence on agriculture.

Positive buildings in the Conservation Area’s setting

There are buildings of interest within this northern part of the Conservation Area’s setting. Larges Farmhouse survives and although it has been modernised, it is of architectural interest and retains historic features. This was the northernmost of three historic farms, each being on the periphery of the settlement, the others being Holland Hall Farm (inside the Conservation Area) and Manor Farm (to the west of the Conservation Area). It played an important part in the development of the settlement and can potentially be considered to be a non-designated heritage asset.

In addition, the Great Holland Methodist Church at the end of Rectory Road is a building of architectural merit and is prominent in the setting of the Conservation Area. It was built at the time of the construction of Main Road, which bypassed the settlement and its presence enhances the Conservation Area’s setting.



Figure 46 The view southeast from main Road with Larges Farmhouse on the left and the Methodist Chapel on the right, positive buildings within the setting of the Conservation Area.

To the north of the Methodist Chapel and Larges Farmhouse there is a distinct gap in development. This important characteristic within the Conservation Area's setting separates the Green from the settlement of Great Holland. The Green is depicted on historic mapping, with marginal settlement on its south-western and north-eastern corners. However, in the period after the First World War a number of semi-detached dwellings were built, following the First Housing Act of 1919. These were often referred to as 'Homes for Heroes' after a phrase used by the Prime Minister Lloyd George. These were built to new building standards, providing new facilities such as a bath in every house and garden space. At Great Holland, such a group of semi-detached dwellings were built in the inter-War period, separate from the historic settlement. They were known as the Crescent, due to their arrangement in a slight semi-circle. Although there have been some alterations, the dwellings survive today adjacent and to the west of the Green and this area is a notable part of the history and development of Great Holland, enhancing its significance.



Figure 48 A historic post card showing the Crescent, taken in the 1920s (image provided by Linda O'Reilly)



Figure 47 The Green to the north of the Great Holland settlement



Figure 49 The Crescent today

In the immediate area to the west of the Conservation Area along Manor Road the setting is characterised by late-twentieth century development and more recent dwellings. In general, the character of the setting here is urban, and many of the twentieth century buildings fail to make a positive contribution. Some earlier, late nineteenth, or early twentieth century semi-detached dwellings are present on Manor Road, but these have been poorly finished with render and uPVC windows and doors. However, some buildings and features in this immediate area of the setting are noteworthy. Manor Farmhouse is a Grade II Listed building and was the centre of one of the three historic farms at the periphery of the village, the others being Holland Hall Farm (inside the Conservation Area) and Larges Farm (to the north of the Conservation Area). The Listed farmhouse is now separate from the farm, yet Manor Farm to the south is still in agricultural production and may retain brick-built agricultural buildings of some antiquity.

The Listed farmhouse is close to the junction of Manor Road and Main Road (B1032) and it is in this location that the Great Holland village sign is located. There are other residential dwellings of architectural interest in this area that can be considered to enhance the Conservation Area's setting, including the former Lion's Den Public House (also known as The Lion Inn and the Red Lion). This building is of some antiquity and was historically one of two village pubs. Despite its poor condition, the historic interest of the former pub is a positive attribute in the Conservation Area's setting and the building could potentially fulfil the criteria of a non-designated heritage asset. In 2016, planning approval was given for its demolition and replacement with a new dwelling (which has now lapsed).



Figure 50 The Village Sign, a distinctive twentieth-century dwelling, The Grade II Listed Manor Farmhouse and the historic Lion's Den Public House are positive elements within the setting to the west of the Conservation Area

4. Opportunities for Enhancement

The following opportunities for enhancement have been identified and are summarised below in brief. The list is in no way exhaustive and neither are the opportunities identified unique to Great Holland with many being shared with other Conservation Areas.

4.1 Access and Integration

The Conservation Area is easily navigable by road and by public footpaths. In general, the pedestrian has a good quality experience within the Conservation Area.

4.2 Car Parking and traffic

The Great Holland Conservation Area is fortunate in that it is situated off the main traffic route of Main Road and traffic bypasses the settlement, which brings a sense of tranquillity. On-street parking occurs on Manor Road and Rectory Road, while little to no parking occurs on the greater extent of Church Lane. In general, there is no shortage of on-street parking spaces, yet where this occurs it can have an impact on how the area is experienced somewhat detracting from its character. Off street parking is common in areas fronting dwellings. No parking bays are marked out on the street surfaces, which is beneficial as the introduction of marked parking bays would further detract from the area's character and appearance. Specific methods to control parking in conservation areas can be sought for example, restricted parking zones, discreetly positioned and with minimal signage. Parking spaces on the road can be indicated by a subtle change in the texture of road surfacing.³³



Figure 51 Parking in areas in front of dwellings

33 Colin Davis, Car Parking in Conservation Areas, IHBC Context 150 (2017)

Some recent dwellings have off-street parking, generally in the front of plot areas, with some garages, both integral and separate occurring. The loss of established front gardens by their conversion to parking spaces is detrimental to the character and appearance of the Conservation Area and should be avoided.

Integral garages to dwellings are not ideal and should covered parking be included in a new development, a separate cartlodge or garage is more appropriate. There is also the opportunity to reduce car traffic and parking by exploring alternative solutions to car travel, for example through the promotion of sustainable transport solutions.

4.3 Interpretation

The Conservation Area would benefit from a well-designed interpretation board, perhaps within the square, which explains the history of the village from its medieval origins and which highlights its historic buildings.

4.4 Loss of Architectural Details

A key concern across the majority of the Conservation Area is the alterations to windows and doors. The replacement of timber windows with inappropriate uPVC windows can impact the historic character and appearance of a building, and the contribution it makes to the character and appearance of the Conservation Area. The location of doors and windows within a historic building is also an essential part of its character, and altering their position, or blocking them up, can detract from its appearance, for example.

Historic England's *Traditional Windows Their Care, Repair and Upgrading (2017)* advises that *'the loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part*

of the design of older buildings and can be important artefacts in their own right... The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing'. The loss of historic joinery such as sash and casement windows and panelled doors results in a degree of harm to the significance of a historic building, and the loss of crown or other early glass can also cause harm significance. Historic England's 2017 advice recommends that *'surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible.'*

Where draughts are causing an issue, the repair and refurbishment of windows can be very effective in improving the thermal performance of historic windows in the first instance, along with the use of shutters and heavy curtains. These are also far more inexpensive options than the replacement of windows. Alternatively, modern technology allows for well-designed secondary glazing; special timber or metal casements that can be constructed and fixed to the interior of the frame using sections and mouldings to match the primary glazing. These less intrusive methods are advisable within the Conservation Area; however, it is recommended that advice is sought from the Council before any changes to windows or doors are made to agree the optimum solution.

The loss of original windows and their replacement with uPVC is a particular issue within the Great Holland Conservation Area, as well as unsympathetic alterations such as the addition of modern porches and rooflights. It is recommended that an assessment and gazetteer is undertaken across the Conservation Area to ascertain the condition of historic and positive buildings that have been impacted in this way.

4.5 Public Realm

Street Furniture (Lampposts, benches, signage, bins, bike stands, bollards etc.)

There are limited examples of street furniture in the Great Holland Conservation Area, with no benches or public bins and no signage, except for at the entrance to Holland Hall Farm and thus there is a beneficial lack of visual clutter. There are also limited streetlamps, with most examples being fixed to timber telegraph poles. However, there are a large number of the latter within the Conservation Area, along its three main roads. Along with their overhead wires they do bring a sense of clutter to the streets, yet their dual use for mounting streetlamps moderates this. Three redundant concrete bollards survive to the side of the Ship Inn and their removal would be beneficial. The bus shelter on Rectory Road is brick-built, with barge boards and has a clay tiled roof. The detailing and materials are beneficial to the Conservation Area's character.

Should new signage, benches or other items of street furniture be introduced in the Conservation Area, they should be of high quality. A maps and information board, perhaps, in a central location would be a positive element.

Hard Landscaping

Generally, street surfaces and pavements are uniform and well maintained. The area immediately outside the Ship Inn is finished in gravel set in resin and this is an appropriate surface material. Church Lane has a limited extent of pavements, although with the low levels of traffic along the lane, they are not necessary and the grass verges enhance the sense of rural openness, which would be diminished by the further introduction of pavements.



Figure 52 The bus shelter on Rectory Road



Figure 53 Redundant concrete bollards outside the Ship Inn and



Figure 54 The access to the public footpath on Church Lane

Open Spaces

The open spaces within the Conservation Area are notable features and make a significant contribution to its special interest. These are the square in front of the Ship Inn, Rectory Meadow, the churchyard of All Saints Church and the area around the ponds to the east of Great Holland Hall.

Glebe Barn is a small nature reserve managed by the Essex Wildlife Trust to which there is no public access, and it is one of the Trust's smallest closed reserves. On the northern side of the reserve there is reputed to be a Second World War Air Raid Shelter.³⁴

Hollandhall Wood is in private ownership but is defined as ancient woodland. This categorisation does not itself provide any statutory protection. However, some features in ancient woods are protected and sites can also be designated for their wildlife value. Hollandhall wood, Rectory Meadow, Glebe Barn and the square all make a positive contribution to the Conservation Area and should continue to be maintained.

34 <https://www.geograph.org.uk/photo/3053840>



Figure 55 The cemetery of All Saints Church

Trees and Planting

Trees and planting are predominantly found in the open spaces in the Conservation Area, particularly around the edges of Rectory Meadow and within Hollandhall Wood. The east side of Rectory Road also has a well-established green edge, while the hedges and verges of Church Lane are further beneficial elements. The mature trees of Hollandhall Wood also provide a backdrop to important buildings such as the Church of All Saints and Holland Hall farm.



Figure 56 The view east towards Hollandhall Woods

4.6 Unsympathetic additions

Throughout the area, other small incremental changes have impacted the historic character of dwellings. Many properties have lost or replaced their boundary treatments, which impacts the uniformity of the streetscape and the historic character of the area. Existing historic boundary walls make an important contribution to the character of the area and should be maintained and reinstated wherever possible.

Along with the solar panels at the former Great Holland Nurseries development, Ivy Cottage has examples on a prominent roof slope, facing onto the square, which has had a negative impact.

Roof tiles have also been replaced on buildings across the Conservation Area and should be reinstated with traditional materials wherever possible. There is an opportunity to provide better awareness of the impact that inappropriate changes can have to a building and the wider Conservation Area.

4.7 Inappropriate Modern Development

There are areas of late-twentieth century infill which negatively impact the historic character and appearance of Great Holland. In addition, there are examples of more recent developments that are unsympathetic to their surroundings and do not respond to traditional detailing and profiles, apertures, the palette of materials or design. This has a particularly negative impact on the historic character of the settlement, both near its centre and on its periphery, where buildings of a large mass and uncharacteristic materials have been introduced.

Examples of inappropriate modern development are considered to include:

- The new, overtly contemporary dwelling on Church Lane situated adjacent to Rectory Meadow. Its appearance, materials, fenestration, boundary treatments and front parking area are uncharacteristic for the Conservation Area.
- The buildings on the redeveloped site of Great Holland Nurseries are generally oversized and have uncharacteristic features and fenestration. The large expanses of glazing, including apex glazing, white meter boxes, close-boarded fencing, prominent solar panels and high-profile skylights are unsympathetic. While some attempt to replicate traditional building forms has been made, this is entirely undermined by inappropriate features and the massing of the buildings. The site, on the northern edge of the Conservation Area, is also within the setting of the Grade II* Listed Church of All Saints and the new dwellings have also had a negative impact on the setting of this designated heritage asset.
- Solar Panels have been introduced in visually prominent locations in the Conservation Area. While the requirement for sustainable energy is important, consideration should be given to ensure that where possible, it does not override the character and appearance of the Conservation Area. A sequential appraisal of the options for locating solar panels is recommended best practice to minimise their visual impact, with ground mounted panels being the preferred solution in this sensitive historic context.

4.8 Neutral Contributors

There are a number of buildings and plots which make a neutral contribution to the character and appearance of the Great Holland Conservation Area. Notable neutral contributors are considered to be:

- Twentieth-century houses on Church Lane, including Blakeny opposite the Ship Inn and numbers 1,2, 3 and 4 Church Lane.
- The late-twentieth century dwellings Wynchgate and Coxons on Church Lane.
- Anchorage, on Rectory Road
- Cotehay to the north of the Ship Inn and the adjacent dwelling to the west.
- Ivy Cottage on Rectory Road

There are neutral buildings which have the potential to make a positive contribution with maintenance and works to rectify inappropriate changes. Examples can be found on Church Lane (including numbers 1-4, Wynchgate and Coxons) and some buildings fronting the square, such as Cotehay and the Anchorage.



Figure 57 Anchorage, on Rectory Road



Figure 58 Ivy Cottage on Rectory Road

5. Management Proposals

There are a wide range of opportunities for the Great Holland Conservation Area, many of which share common themes. This section builds on the opportunities identified in Section 3 and seeks to recommend management proposals which address these in both the short and long term.

5.1 Positive Management

The first set of proposals relate to positive management and focus on good practice and improved ways of working with the Local Planning Authority. These are generally low cost and can be implemented within a short timeframe, typically within one or two years.

Local Heritage List

At present there is no approved local list for Tendring District. A Local List identifies buildings and structures of local architectural and/or historic interest, and these are considered to be 'non-designated heritage assets' under the provisions of the NPPF. Local Lists can be beneficial in ensuring the upkeep and maintenance of historic buildings that contribute to the character of settlements.

Great Holland would benefit from adopting and maintaining a comprehensive Local List in order to preserve its historic environment. There are a number of buildings within the Conservation Area which make a positive contribution to its special interest, which indicates that a Local List may be beneficial to ensure the upkeep of buildings which are significant to the area's history and character.

There are a number of buildings within the Conservation Area which are of sufficient quality to be considered for local list status, as highlighted in Section 1.11.

The exercise of creating a Local List would also facilitate a greater understanding of the area and could be utilised as a public engagement strategy to improve awareness and understanding.

Article 4 Directions

Article 4 Directions are additional planning controls which can be introduced by a Local Planning Authority to revoke certain Permitted Development Rights. Permitted Development Rights allow building owners to carry out certain works to their properties without the need for planning permission and are set out within the General Permitted Development Order (GPDO).

Article 4 Directions served on properties within the Conservation Area would introduce the need to apply for planning permission for certain works and this would allow the Council to better preserve and enhance the area by ensuring high quality design and use of traditional materials. An example of an Article 4 Direction that would be beneficial would be the removal of Class A of the GPDO which would limit changes to front elevations of buildings such as replacement windows and doors.

Enforcement

Where the necessary permission is not sought for alterations which are not contained within the General Permitted Development Order, the Local Planning Authority should consider its enforcement powers. This could assist in reinstating any lost character or architectural features whose loss may have a negative cumulative effect on the Conservation Area, as well as avoiding a precedent being set for similar, uncharacteristic works.

General Maintenance: Public Realm and Highways

Through the agreement of a standard of good practice within the Conservation Area between relevant Local Authority teams and other landowners, long term goals can be set to promote good design within the public realm, such as avoiding excessive road markings or signage and agreeing standard street furniture to ensure consistency over time as elements are introduced or replaced. The Conservation Area benefits from minimal street furniture, signage and other clutter which is beneficial to its character. Maintaining this low level of street clutter will have a long-term positive impact on the Great Holland Conservation Area and ensure the preservation of characteristic features of the Area.

Heritage Statements, Heritage Impact Assessments and Archaeological Assessments

In accordance with Paragraph 194 of the NPPF, applicants must describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

All applications and development proposals within the Conservation Area and its setting require an appropriately detailed Heritage Statement. Any application without a Heritage Statement should not be validated.

The key views analysed within this document are in no way exhaustive. The impact of any addition, alteration or removal of buildings, structures or trees on key views should be considered to aid decision making. This includes development outside the Conservation Area. Where appropriate, views must be considered within Design and Access or Heritage Statements. This should be in accordance with Historic

England's Good Practice Advice in Planning Note 3: *The Setting of Heritage Assets* (2019). Applications which fail to have assessed any impact upon views and setting should not be validated.

Tree Management

In line with the Town and Country Planning Act, all trees in Conservation Areas are afforded the same protection as a Tree Preservation Order. Trees which have a trunk diameter of more than 75mm, at a height of 1.5m from the ground, may not be felled or lopped unless six weeks written notice has been given to the Council. Six weeks' notice has to be given to the council under S211 of the Act.

It is also considered that any prominent trees, and trees with amenity value on private land throughout the Conservation Area should be monitored and maintained appropriately. This will maintain the green character of the area. Any tree that makes a positive contribution to the area should be retained, maintained and, if felled (only if dead, dying or dangerous) replaced with an appropriate new tree.

New Development

There are opportunities within Great Holland and its setting for development which makes a positive contribution to the Conservation Area. To be successful, any future development needs to be mindful of the local character of the Conservation Area and its setting, while at the same time addressing contemporary issues such as sustainability.

Successful new development will:

- Preserve those elements of the setting that make a positive contribution to the asset, in accordance with the NPPF
- Enhance or better reveal the significance of the Conservation Area, in accordance with the NPPF.
- Relate to the geography and history of the place and the lie of the land.
- Sit happily in the pattern of existing development and routes through and around it (including public footpaths);
- Respect important views;
- Respect the scale of neighbouring buildings; and
- Use materials and building methods which as high in quality of those used in existing buildings.

Tendring District Council should guide development in a positive manner by:

- Engaging with developers at an early stage through the Pre-Application Process to ensure modern development is high quality in design, detail and materials.
- Ensuring large scale development schemes are referred to a Design Review Panel (or similar) to ensure that new buildings, additions and alterations are designed to be in sympathy with the established character of the area. The choice of materials and the detailed design of building features are important in making sure they are appropriate to a Conservation Area.
- Seeking opportunities for developers to make a positive contribution to the wider historic environment through Section 106 Agreements.

Neutral and Negative Elements

Tendring Council must not allow for the quality of design to be impacted by the neutral and negative elements of the built environment. Officers must, where possible, seek schemes which enhance the built environment and look to conserve and reinstate historic features. It is also considered that poor quality or unsympathetic schemes do not preserve the special interest of the Conservation Area and therefore are discouraged, both within the Conservation Area and its setting; this is due to the potential impact to the character and appearance of the area.

Public Facing Resources

The preservation and enhancement of private properties can be improved through the publishing of resources aimed to inform property owners and members of the public. An introductory summary of the Conservation Area Appraisal in the form of a leaflet or factsheet(s) is a simple way to communicate the significance of the area and ensure members of the public are aware of the implications of owning a property within a conservation area. In addition, a maintenance guide would assist property owners in caring for their property in an appropriate manner. A single Good Practice Design Guide on standard alterations such as signage, shopfronts, windows, doors, rainwater goods, boundaries and roof extensions will ensure inappropriate development does not continue to be the accepted norm.

- Provide guidance on appropriate design and materials for windows and doors and encourage the retention or reinstatement of historic glazing patterns and door designs and the use of appropriate materials.
- Provide guidance on the traditional form of boundary treatments and encourage their reinstatement where they have been removed or compromised.
- Provide guidance on traditional roofing materials and encourage the reinstatement of good quality slate and the removal of unsympathetic modern materials such as interlocking concrete tiles.

- Poor maintenance leads to the deterioration of the fabric of the built environment and results in a loss of architectural details. Improved awareness of simple maintenance and repair would be conducive to the preservation of Great Holland's built heritage. At present there are no interpretation (information boards, signage) specifically relating to the Conservation Area. These could improve understanding and awareness of the area's significance and the issues it faces.

5.2 Positive Management: Longer Term

These proposals are also focused around positive management but either take longer to implement or are better suited to a longer time frame.

Conservation Area Boundary

The Conservation Area boundary has been revised within this appraisal in accordance with the NPPF (2021) and *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2018).

The boundary should continue to be assessed as part of future reviews of the Management Plan to ensure it is robust and adequately protects the significance of the area.

Character Appraisal and Management Plan

The Conservation Area Character Appraisal should be reviewed regularly to monitor change and inform amendments and additions to the Management Plan.

Public Realm and Highways

The Highways Department can be engaged to conduct an assessment of existing signage within the Conservation Area with a view to 'de-clutter' the historic environment. Other case studies have found this was a cost-neutral exercise due to the scrap value of signage and posts.

Collaboration between the Highways Department and Local Planning Authority should ensure the maintenance and replacement programme for street furniture and hard surfacing reflects the character and local distinctiveness of the Conservation Area.

Improved Understanding and Awareness

There are currently no areas of interpretation within the Conservation Area. There is scope for some interpretation within the Conservation Area aimed at improving understanding and awareness of its significance and special interest. This would be an effective way to improve awareness and re-establish the identity of Great Holland as a historic settlement. One key area which may benefit from interpretation is the area of public realm outside the Ship Inn. The square here provides a good opportunity for visitors to appreciate the historic settlement.

5.3 Funding Opportunities

There are three main funding opportunities which would assist in the execution of these plans:

National Heritage Lottery Fund (NLHF)

The NLHF is the single largest dedicated funder of heritage in the UK and therefore is the most obvious potential source of funding. Funding is often targeted at schemes which preserve, enhance and better reveal the special interest of the area whilst also improving public awareness and understanding. Grant opportunities and requirements change over time, for up-to-date information on NHLF schemes Tendring District Council should consult their appointed Heritage Specialist.

Section 106 Agreements

Planning obligations, also known as Section 106 agreements, can be used by the local authority to ensure any future development has a positive impact upon Great Holland. These agreements could be used to fund public realm or site-specific improvements.

Partnership Schemes in Conservation Areas (Historic England)

Partnership Schemes in Conservation Areas is a programme run by Historic England to target funding for the preservation and enhancement of conservation areas. As the name suggests, the scheme forms partnerships with local authorities (along with any additional funding partners) to facilitate the regeneration of an area through the conservation of its built heritage. The scheme makes funds available to individuals to enable them to carry out repairs or improvement works to their property to enhance the area. This would be suitable to preserve and enhance the shop frontages noted to require improvement.



6. Appendices

6.1 Designated Heritage Assets

Name	Grade	List UID	Date of Listing
Church Of All Saints	II*	List UID: 1165610	21-Jun-1950
Tudor Cottages	II	List UID: 1337117	04-Jul-1986

6.2 Bibliography

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J. Bettley and N. Pevsner, Essex (Pevsner Architectural Guides: Buildings of England), (Yale University Press) 2007

Tendring District Historic Environment Characterisation Project, Essex County Council (2008)

Tendring Geodiversity Characterisation Report, Essex County Council (2009)

Archives

Essex Record Office (ERO)

Historic Environment Record (Essex County Council)

6.3 Legislation, Policy and Guidance

LEGISLATION/POLICY/GUIDANCE	DOCUMENT	SECTION/POLICY
Primary Legislation	Planning (Listed Buildings and Conservation Areas) Act 1990	All sections are relevant, although the following pertain to Conservation Area Appraisals and Management Plans: 66: General duty as respects listed buildings in exercise of planning functions. 72: General duty as respects conservation areas in exercise of planning functions.
National Planning Policy	National Planning Policy Framework (2021) DCLG	Section 16; Annex 2
National Guidance	National Planning Practice Guidance (2014) DCLG	ID: 18a
National Guidance	Historic England Good Practice Advice in Planning Note 1 (2015) The Historic Environment in Local Plans	
National Guidance	Historic England Good Practice Advice in Planning Note 2 (2015) Managing Significance in Decision-Taking in the Historic Environment	
National Guidance	Historic England (2017) Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets	
National Guidance	Historic England Advice Note 1 (2019) Conservation Area Appraisal, Designation and Management	
National Guidance	Historic England (2017) Traditional Windows	
National Guidance	Historic England, High Streets for All (2018) Advice for Highway and Public Realm Works in Historic Places	

National Guidance	Historic England (2020) Conserving Georgian and Victorian terraced housing	
Local Supplementary Planning Document	Tendring District Council Local Plan (2007)	<p>QL9 – Design of New Development</p> <p>QL11 – Environmental Impacts and Compatibility of Uses</p> <p>EN1- Landscape Character</p> <p>EN17- Conservation Areas</p> <p>EN18- Fascia and Shop Signs in Conservation Areas</p> <p>EN18 (a) and (b)- Advert Control within Conservation Areas</p> <p>EN20- Demolition within Conservation Areas</p> <p>EN21- Demolition of Listed Buildings</p> <p>EN22- Extension and Alterations to Listed Buildings</p> <p>EN23- Development within the Proximity of a Listed Building</p> <p>EN25- Satellite Dishes on Listed Buildings and in Conservation Areas</p>

6.4 Glossary

Term	Description
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Local List	Local listing is a concept that is designed to ensure that the historic and architectural interest of buildings that are of local importance but do not meet the criteria for being nationally listed is taken account of during the planning process. Local lists can be used to identify significant local heritage assets to support the development of Local Plans.
Non-Designated heritage asset	Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. Only a minority of buildings have enough heritage significance to merit identification as non-designated heritage assets.

Setting of a heritage asset	The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
Significance (for heritage policy)	The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

6.5 Frequently Asked Questions

What is a conservation area?

Conservation areas are designated by the Local Planning Authority as areas of special architectural and historic interest. There are many different types of conservation area, which vary in size and character, and range from historic town centres to country houses set in historic parks. Conservation area designation introduces additional planning controls and considerations, which exist to protect an area's special character and appearance and the features that make it unique and distinctive. Although designation introduces controls over the way that owners can develop their properties, it is generally considered that these controls are beneficial as they sustain and/or enhance the value of properties within conservation areas.

The National Planning Policy Framework regards conservation areas as 'designated heritage assets'.

The 1990 Planning (Listed Buildings and Conservation Areas) Act specifies the general duty of Local Authorities, in the exercise of planning functions (Section 72). The 1990 Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

How are conservation areas designated and managed?

The designation process includes detailed analysis of the proposed conservation area and adoption by the local planning authority. A review process should be periodically undertaken, and the Conservation Area assessed, to safeguard that it retains special architectural or historic interest. Threats can be identified, and the boundary reviewed, to ensure it is still relevant and appropriate.

This Conservation Area is supported by an appraisal and management plan. The appraisal describes the importance of an area in terms of its character, architecture, history, development form and landscaping. The management plan, included within the appraisal, sets out various positive proposals to improve, enhance and protect the character and appearance of the Conservation Area.

How can I find out if I live in a Conservation Area?

Boundary maps of conservation areas can be found on your Local Planning Authority website. Some authorities have an online interactive map search allowing you to search for a property. You can also contact your local planning authority directly to find out if you reside within a conservation area. Tendring District Council's Conservation Areas can be found within the Planning section under Heritage, conservation & trees.

What are the Council's duties regarding development in conservation areas?

The Local Authority must follow the guidance in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). These set out in clear terms how development proposals within Conservation Areas should be considered on the basis of whether they preserve and enhance the character and appearance of the area. Applications which fail to preserve or enhance the character of the Conservation Area are likely to be refused as a result. An authorities Local Plan also typically includes a specific policy on Conservation Areas.

Do I need permission to alter a property in a conservation area?

Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, certain minor works and alterations are considered 'permitted development' and can be carried out without planning permission. However, some permitted developments rights do not apply in conservation areas, and some buildings may not have any permitted development rights at all, such as blocks of flats. Different rules also apply if a building is listed.

Permission is required for any external alterations which involve cladding, rendering, or adding pebble dash, artificial stone or tiles to the exterior of a dwelling within a conservation area. All alterations to the roof of a dwelling within a conservation area also require planning permission.

Extensions to the side of buildings in conservation areas will need planning permission, as will all two storey rear extensions. Porches, subject to size and relationship to the highway, may need planning permission. In all cases, the Local Planning Authority will be able to provide advice as to how to proceed.

What is an Article 4 Direction?

Some conservation areas are covered by an Article 4 Direction, which brings certain types of permitted development back under the control of a local planning authority. This allows potentially harmful proposals to be considered on a case by case basis through planning applications.

Article 4 Directions are written specifically for the area they apply to and are used to control specific works that could threaten the character of an area. As an example, in some conservation areas, an Article 4 direction will remove permitted development rights for the replacement of windows and doors, as these are architectural features which contribute positively to the special interest of the conservation area. The loss

of these features would be considered harmful, therefore an Article 4 direction would require that a planning application is required for these works, and the proposals considered by the local planning authority and approved before constructed. Historic England provides information on Article 4 Directions on their website, and the local planning authority will also publish information regarding any Article 4 directions in their district.

Do I need to make an application for routine maintenance work?

If routine maintenance works are to be carried out using authentic materials and traditional craft techniques, on a like-for-like basis, it is unlikely that you will need to apply for permission from the local authority. However, it is strongly recommended that you contact the local planning authority for clarification before commencing any works. The use of a contractor with the necessary skills and experience of working on historic buildings is essential. Inappropriate maintenance works and the use of the wrong materials will cause damage to the fabric of a historic building.

Will I need to apply for permission for a new or replacement garage, fence, boundary wall or garden structure?

Any demolition, development or construction in conservation areas will generally need planning permission. A replacement boundary, garage, cartlodge or greenhouse will need to be designed with the special historic and architectural interest of the Conservation Area in mind. Your Local Authority will provide advice as to how to proceed with an application.

Can I demolish a building in a conservation area?

Demolition or substantial removal of part of a building within a conservation area will usually require permission from the local planning authority. It is important to speak to them before beginning any demolition works, to clarify if permission is required.

Can I remove a tree within a conservation area?

If you are thinking of cutting down a tree or doing any pruning work, the local planning authority must be notified 6 weeks before any work begins. This enables the authority to assess the contribution the tree makes to the character of the conservation area and, if necessary, create a Tree Preservation Order (TPO) to protect it. Consent will be required for any works to trees that are protected.

The legislation relating to trees is included within Part VIII of the Town and Country Planning Act 1990 which is supplemented by The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Further information on TPOs and trees in conservation areas can be found on Historic England's [website](#).

How do I find out more about a conservation area?

Historic England's website has information on conservation areas and their designation. Further information on the importance of conservation areas, and what it means to live in one, can also be accessed via their [website](#).

Historic England has also published an [advice note](#) called Conservation Area Designation, Appraisal and Management which sets out advice on the appraisal of conservation areas and managing change in conservation areas.

In addition, local planning authorities have information on the conservation areas within their boundaries available on their websites. They will have information pertaining to when the conservation area was designated, how far it extends and the reason for its designation.

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Tendring Village Conservation Area Character Appraisal and Management Plan

Tendring
District Council



Client:
Tendring District Council

Date:
June 2023

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Tendring Village Conservation Area Character Appraisal and Management Plan Consultation Draft

Project Details

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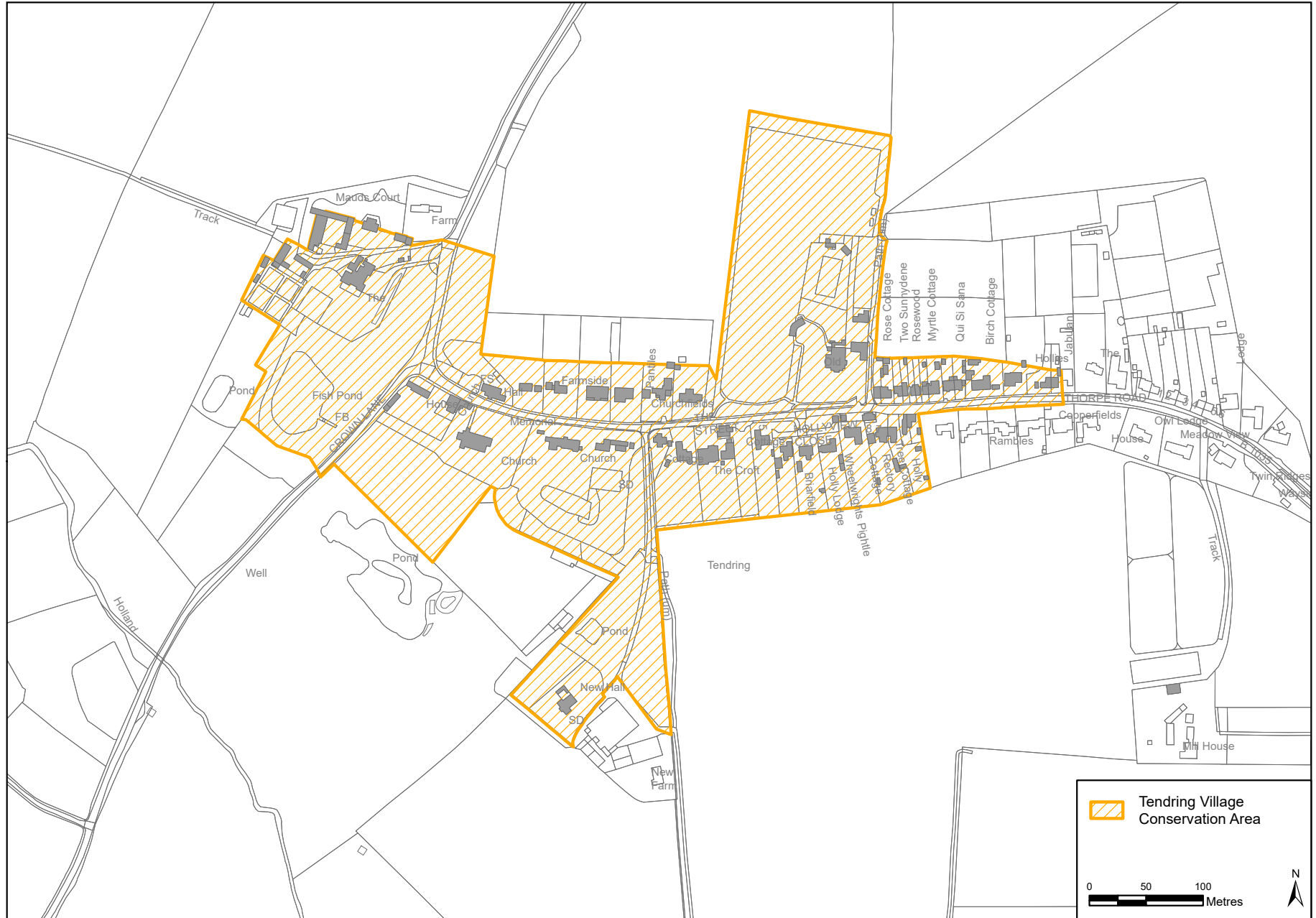


Figure 1 Map showing Tending Village Conservation Area, proposed 2023 boundary

1. Introduction

1.1 Summary

This Appraisal and Management Plan provides an overview of the Tendring Village Conservation Area, outlining its designation history, alterations to the boundary, and a description of its special interest. The appraisal will also consider buildings, greens, spaces, and features which contribute to the Conservation Area's character and appearance. It also highlights the significance of heritage assets within the area and the contribution that these, along with their setting, make to its character. The understanding of significance can be used to help manage future change.

Conservation Area designation provides broader protection than the listing of individual buildings as it recognises all features within the area which form part of its character and appearance. This ensures that planning decisions take the enhancement and preservation of the area into consideration.

Tendring Village Conservation Area's significance is predominantly derived from its historic and architectural interest. Tendring is a settlement with early medieval origins. The Conservation Area includes the thirteenth century St Edmund's Church and seventeenth century Tendring Hall, which, together with the former Crown Inn and Church Cottage, forms an important group of buildings at the west of the village.

The Conservation Area's key significance is derived from the presence of St Edmund's Church as an important historic landmark, its rural character with historic cottages lining the road, and its historic location along an early route from Colchester to the landing site at Beaumont Quay.



Figure 2 View of St Edmund King and Martyr Church and The Street



1.2 Purpose of the Appraisal

This document is to be used as a baseline to inform future change, development and design with regard to the sensitivities of the Conservation Area and its unique character.

The appraisal recognises designated and non-designated heritage assets within the area which contribute to its special interest, along with their setting. It will consider how the area developed, and its building styles, forms, materials, scale, density, roads, footpaths, alleys, streetscapes, open spaces, views, landscape, landmarks, and topography. These qualities will be used to assess the key characteristics of the area, highlighting potential impact future developments may have upon the significance of heritage assets and the character of Tendring Village Conservation Area. This assessment is based on information derived from documentary research and analysis of the individual character areas, as well as a review of the previous Conservation Area Appraisal for the area.

This appraisal will enhance understanding of Tendring Village Conservation Area and its development, informing future design. Applications that demonstrate an understanding of the character of a Conservation Area are more likely to produce appropriate design and positive outcomes for agents and their clients.

It is expected that applications for planning permission will also consult and follow the best practice guidance outlined in Section 6.3.

1.3 Planning Policy and Guidance

The legislative framework for conservation and enhancement of Conservation Areas and Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (HMSO 1990). In particular section 69 of this act requires Local Planning Authorities to designate areas which they consider to be of architectural or historic interest as Conservation Areas, and Section 72 requires that special attention should be paid to ensuring that the character and appearance of these areas is preserved or enhanced. Section 71 also requires the Local Planning Authority to formulate and publish proposals for the preservation and enhancement of these areas. The National Planning Policy Framework (NPPF) highlights good design as one of twelve core principals of sustainable development. Sustainable development relies on sympathetic design, achieved through an understanding of context, the immediate and larger character of the area in which new development is sited.

National planning policy in relation to the conservation and enhancement of heritage assets is outlined in chapter 16 of the Government's National Planning Policy Framework (2021).

This assessment follows best practice guidance, including Historic England's revised *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management* (2019) and *Good Practice Advice in Planning: 3 The Setting of Heritage Assets* (2017).

The Conservation Area is located within the area covered by Tendring District. Local planning policy is set out in the Tendring District Local Plan 2013-2033 and Beyond Section 2 (2022).

Policies which are relevant to the historic environment include:

- Policy SPL 3 - Sustainable Design
- Policy PP 8 - Tourism
- Policy PPL 3 - The Rural Landscape
- Policy PPL 7 - Archaeology
- Policy PPL 8 - Conservation Areas
- Policy PPL 9 - Listed Buildings
- Policy PPL 10 - Renewable energy generation and energy efficiency

1.4 Designation of the Conservation Area

The Tendring Village Conservation Area was first designated in 1982. The initial boundary was extended in 1992 to include the whole garden area of The Grange (the former Rectory to St Edmund's Church). An appraisal was first adopted by Tendring District Council in 2006.

1.5 Proposed Boundary Revision

As part of this review, the Conservation Area boundary has been revised to reflect changing methodologies of good practice and provide a clearer strategy which acknowledges the practicalities of Tendring Village's unique built environment. A map which marks the original and new boundary is included on page 8. Written descriptions and accompanying photographs are included in the following two sections.

It is proposed to revise the boundary to remove the modern residential developments at the east end of Thorpe Road, on the southern side, beyond Holly Tree Cottage. These dwellings are of limited historic interest and architectural interest and make little contribution to the special interest of the Conservation Area.



Figure 3 Example of area proposed for removal

It is also proposed to remove the two large open fields immediately to the south of the modern residential development on Thorpe Road. While the fields contribute to the rural character of the setting of Tendring Village, they do not have a strong historic or functional relationship with historic buildings along The Street and Thorpe Road, nor do they hold any inherent special historic or architectural interest. These fields do, however, contain undated archaeological features which contribute to our understanding of the historic landscape and activity prior to the settlement of the village (discussed further in Section 2.6). It is, therefore, considered they are better recognised as key elements of the setting of the Conservation Area, providing an appreciation and understanding of the historic development and context of the area.

No additions have been suggested at this stage.

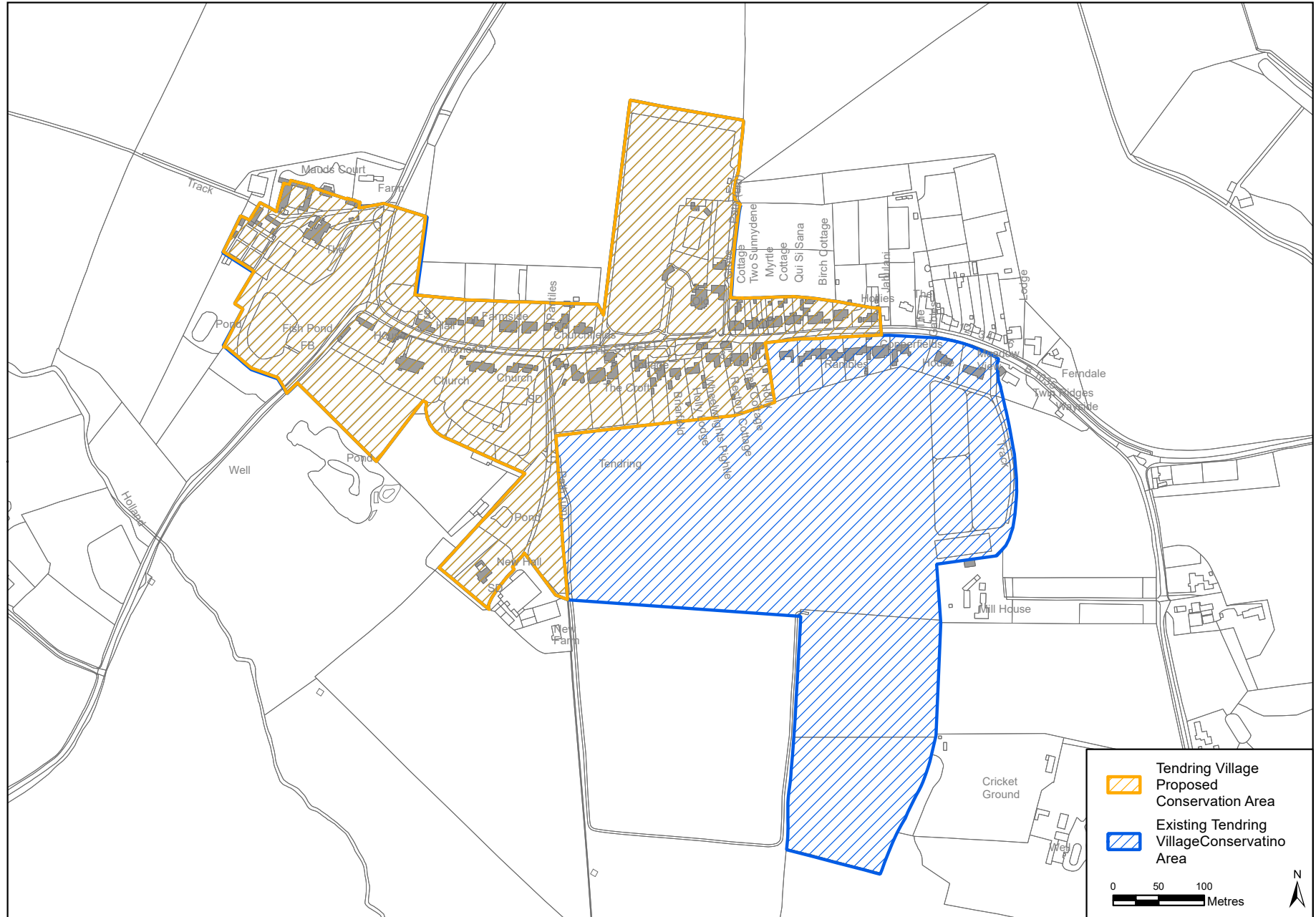


Figure 4 Map showing proposed boundary changes to the Tending Village Conservation Area

2. Historical Development

2.1 Context and General Character

Tendring Village gives its name to the Tendring District and before that the Tendring Hundred, which was composed of a series of scattered settlements and groups of buildings around greens.

The Conservation Area includes the historic village core. The village is a linear development along the B1035 (The Street to the west, and Thorpe Road to the east) connecting Manningtree with Thorpe-le-Soken. The historic development along The Street predominantly comprises of two storey terraced and semi-detached cottages. It is located within an open countryside setting which gently slopes south towards the valley of Holland Brook and ancient woodlands. St Edmund's Church spire is a distinctive landmark when approaching the village from both the Holland Brook valley to the south and from the public footpaths crossing the open fields to the north of The Old Rectory and Tendring Hall.

The area is very rural in character, surrounded by arable fields with farms, and open land stretching to the brook, with glimpses of woodland and mature trees in the distance.



Figure 5 Aerial map showing the location of Tendring Village Conservation Area within its wider setting



2.2 Origin and Evolution

The following section provides an overview of the history of Tendring Village Conservation Area and its environs.

Prehistory (-500000 BCE – 43 AD)

The archaeology within and surrounding the Conservation Area is suggested through cropmark features, recorded through aerial photography, where buried archaeological features show as a visible trace. These suggest a widespread multi-period landscape which extends across much of the Tendring plateau. Occupation from the early Bronze Age period has been demonstrated in the surrounding area with a focus on ritual and ceremonial activity. Middle Bronze Age cemeteries are highly distinctive, identified by clusters of ring ditches (the ploughed remains left behind by barrows) with large and highly decorated bucket urns placed between them. Both the form of the pottery and the funerary tradition displayed is distinctive of the area, and largely confined to north-east Essex. These cemeteries with their many barrows would have been important landmarks in the later prehistoric landscape. Extensive field systems had been established by the Iron Age period with evidence for occupation in the surrounding area.

Roman (43 – 410 AD)

New field systems were laid out in the Roman period, likely associated with nearby settlements and farmsteads within the environs of the Conservation Area. A routeway leading from Tendring village to Beaumont Quay may have been founded at this time giving access to coastal resources. Features recorded through cropmark evidence within the setting of the Conservation Area to the south may relate to Roman agricultural activity.

Anglo Saxon (410 – 1066 AD)

Rare evidence for Anglo-Saxon settlement has been revealed in the wider environs of the Conservation Area, indicative of a nearby settlement. By the end of the Anglo-Saxon period the Domesday Book identifies five separate landowners with manors within the parish, the largest of which contained 6 villagers.

Medieval (1066 – 1540 AD)

In the 1086 Domesday survey, Tendring appears as *Tendringe* or *Tendringa*. The name may originate from that region in Lower Saxony Tündern, or from the Danish place-name Tønder, perhaps denoting tinder or burnt woodland. The name might also be associated to a small stream running within the moot at Tendring Heath. Tendring had a recorded population of 37 households, being one of the largest settlements recorded. There were five manors, including Old Hall held by Count Eustace and New Hall which was Alfwald's.

The Church of St Edmund is the oldest building of the historic core of the Village and dates from at least the thirteenth century, with the nave and chancel standing on earlier foundations of Norman period. The main timber porch was added in the fourteenth Century.

The small village developed around the Church at the junction between The Street, Crown Lane and School Road. The location of a medieval manorial hall is unknown, though is likely to be in the area of the later manor house.



Figure 6 Excerpt of the 1777 Chapman and Andre map

Post-Medieval (1540 – 1901 AD)

Cartographic evidence including the Map of the County of Essex 1777 by John Chapman & Peter André shows the historic core of Tendring Village developed around St Edmund Church in its rural location and surrounded by scattered minor groups of buildings, farmhouses and mills, most of them still surviving today.

The Crown Inn is visible at the junction with Crown Lane. This Grade II Listed building dates back to the fifteenth or sixteenth century, however the list description suggests that this might have earlier origins. An indenture dated 1636 states “known as the sign of the Crown.”

The Vicarage (now The Old Rectory or The Grange) is visible on the North side of The Street with two of its outbuildings and some of the cottages to the east. New Hall Farm was built in its isolated position to the south of St Edmund’s Church possibly on the site of an older manor.

Tendring Hall was built in the seventeenth century associated with a farm complex. Tendring Hall Farm was established in the nineteenth century as one of ten farms belonging to the Tendring Hall estate. The farm buildings were likely built on the site of an earlier farm and represent the reorganisation of farm buildings in the Victorian period adapting to economic changes and industrialisation.

By the late nineteenth century, Ordnance Survey maps show the village’s progressive growth as a linear development along The Street and a small rural settlement. A new bell tower and steeple was erected at St Edmund’s Church in 1876 by John Cardinall, Lord of the Manor to replace the unstable fourteenth century bell-cot. The East window at the base of the tower was added in memory of his sisters and contains the Cardinall family crest. The early seventeenth century bells were re-hung in the new tower. Extensive restoration and extension works were also carried out, including the construction of the South aisle and chancel arch and the re-construction of the East wall and window.



Figure 7 Excerpt of the 1841 Tithe Map

A dense group of buildings is visible in the 1841 Tithe Map at the crossway between the Street, Crown Lane and School Road and adjoining the Crown Inn. This included the two cottages now known as Church Cottage and a shop on the South side and a Smithy on the northern side. The National School (now Village Hall) was also opened here in 1842.

The nineteenth century village further develops to the East of the Old Vicarage to include the Old Post Cottage and The Row (as named on nineteenth century OS maps).



Figure 8 Row of nineteenth century cottages - early twentieth century- with the original red brick boundary wall. Grove Cottage, without the existing fake timber cladding, occupies a prominent position at the western end of the group.

The Ordnance Survey maps of 1898-1899 and 1921 show a long narrow strip of woodlands marked “abandoned railway” just outside the north-east boundary of the Conservation Area. In 1862 plans to build a branch line to be known as the Mistley, Thorpe and Weeley Line were drawn up and work began, however the scheme was abandoned in 1869. The remains of one of the two surviving bridges and some cutting work are in Lodge Lane.

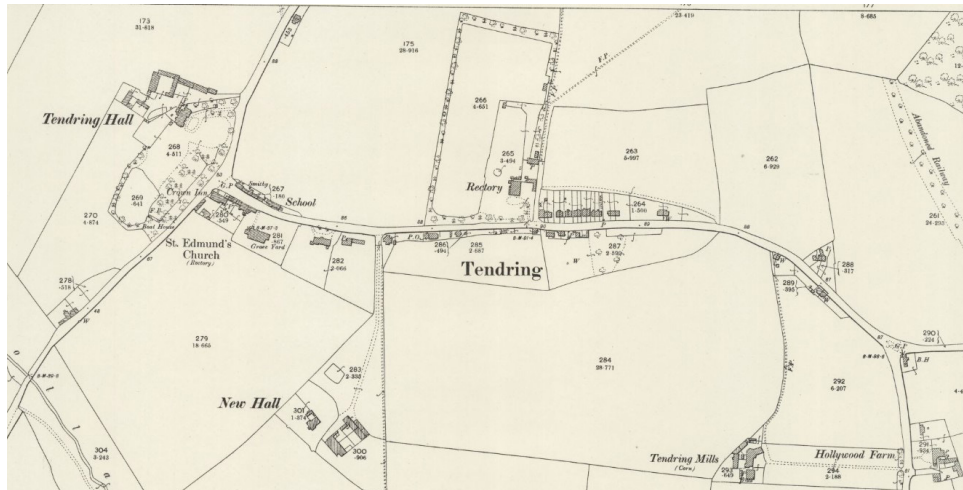


Figure 9 First edition Ordnance Survey map of 1896

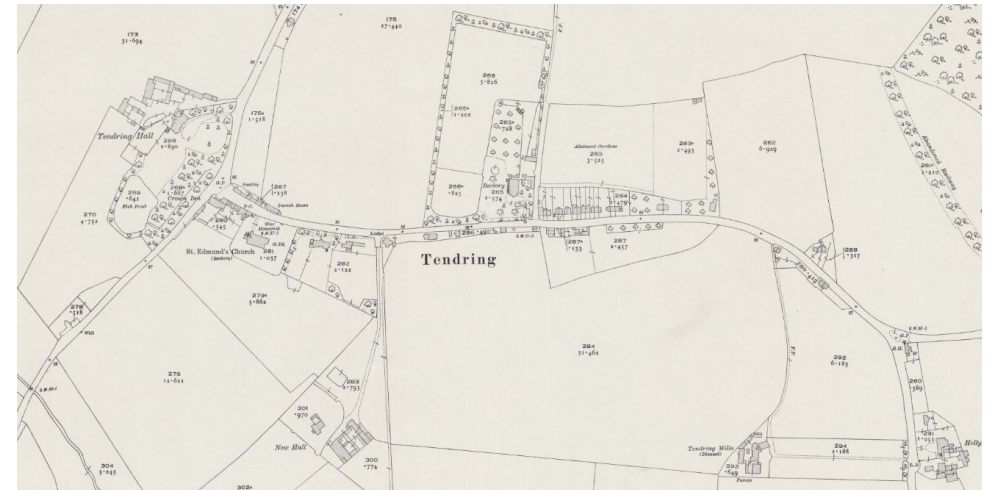


Figure 10 Third edition Ordnance Survey map of 1923

Modern (1902-now)

Proximity to the coast necessitated wartime defences within the village and road barriers were erected during the Second World War, though these have since been removed. A pill box was erected north of The Street at The Grange, formerly known as The Rectory and evidence for its location survives within the rebuilt boundary wall of the property.

The Tendring war memorial is set into a recess in the wall of St Edmund's Church commemorating the men of Tendring who gave their lives in the Great War 1914 – 1919 and the graveyard contains Commonwealth War Graves. There have been some small-scale changes to the area throughout the twentieth century.

Aside from modern development to the east end of Thorpe Road, the historic core and development of Tendring Village remains legible. Several buildings that formed the west access to The Street were demolished in the mid twentieth century leaving two prominent open spaces between Crown House and Church Cottage and, on the opposite side, the small green and gravelled seating area at the side of the Village Hall. A 1905 photograph of The Crown Corner shows two terraced cottages and a shop adjoining the Inn which have been demolished historically. The adjoining Grade II Listed Church Cottage has been in use as store until the late twentieth century and is now in need of restoration .

Twentieth century dwellings have infilled the arable land between the Village Hall and the Rectory and the more modern developments completed the linear settlement towards the east.

Tendring is a traditional Essex village which has a strong link with its agricultural surroundings. The village has undergone gradual change however its rural character remains appreciable, and its historic building stock contributes to the architectural interest of the Conservation Area.



Figure 11 The Crown Corner -1905 Postcard of The Crown Corner in 1905, showing Church Cottage as a shop and a number of now demolished buildings (source: The Clacton and District Local History Society)



Figure 12 Church Cottage - Church Cottage - early twentieth century - in use as a shop with St Edmund's Spire in the background



2.3 Designated Heritage Assets

There are five designated heritage assets within the Tendring Village Conservation Area boundary. These include:

- Grade II* Listed Church of St Edmund (List UID: 1112122);
- Grade II Listed Tendring Hall (List UID: 1169332);
- Grade II Listed Crown House (List UID: 1322625);
- Grade II Listed 1 The Street (Church Cottage) (List UID: 1306569); and
- Grade II Listed Old Post Cottage (List UID: 1306604).

These buildings and structures have been listed due to their special historic and architectural interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Further information about the listing process can be found on the [Historic England website](#).

Listed buildings are protected by government legislation and there are policies in place to ensure that any alterations to a listed building will not affect its special interest. It is possible to alter, extend or demolish a listed building but this requires listed building consent and sometimes planning permission.

2.4 Non-Designated Heritage Assets

Every building, space, and feature within a conservation area makes a contribution to its character and special interest, be it positive, neutral or negative.

Heritage assets are defined in Planning Policy as ‘A building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.’



Figure 13 Grade II* Listed Church of St Edmund



Figure 14 Grade II Listed Tendring Hall



Figure 15 Grade II Listed Crown House



Figure 16 Grade II Listed 1 The Street (Church Cottage)



Figure 17 Grade II Listed Old Post Cottage

Not all heritage assets are listed, and just because a building is not included on the list does not mean it is of no heritage value. Buildings and other structures of the built environment such as fountains, railings, signs, and landscaping can make a positive contribution to the appreciation of an area’s historic interest and its general appearance.

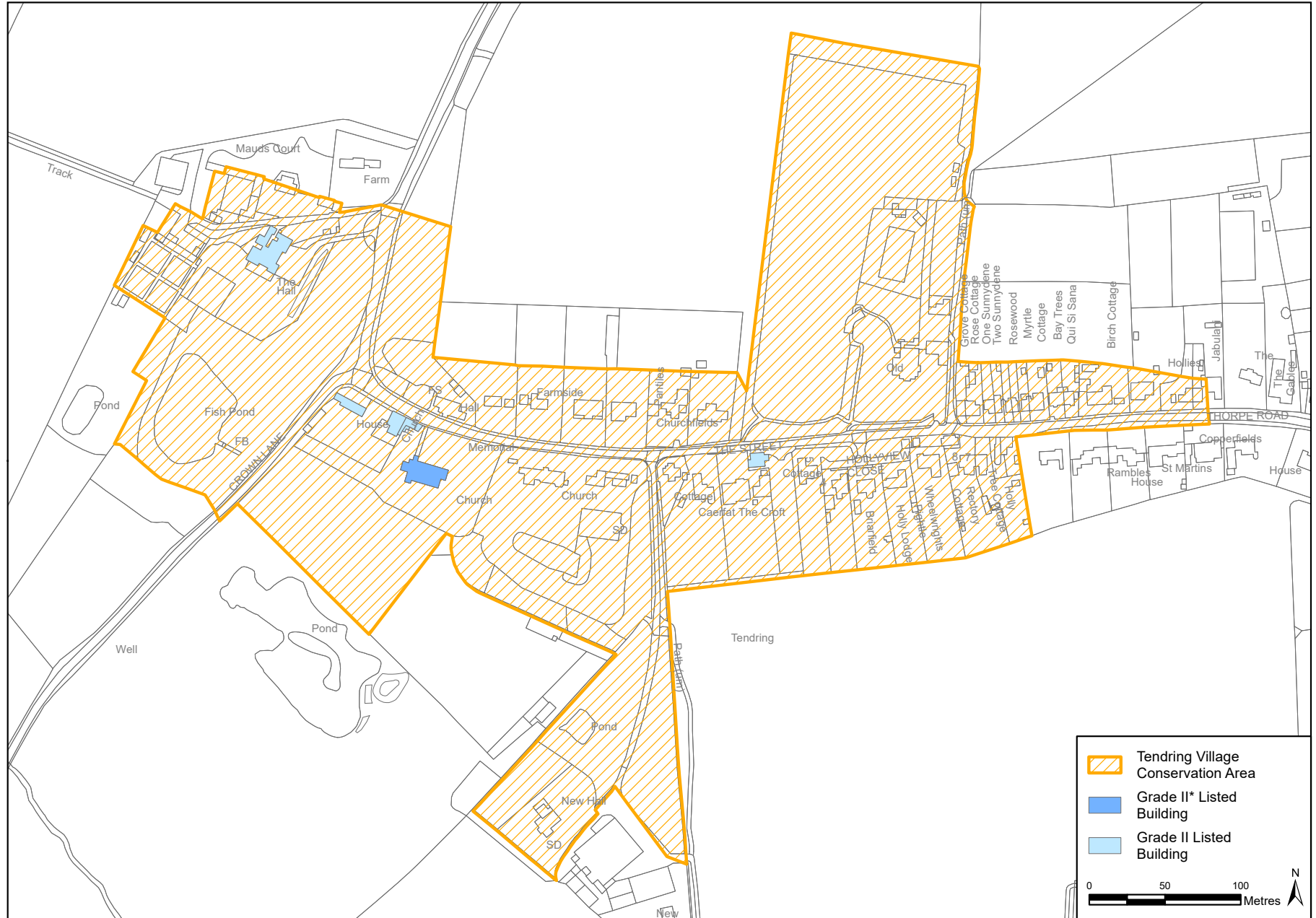


Figure 18 Map showing designated heritage assets within the Tendring Village Conservation Area



Figure 19 New Hall



Figure 20 The Village Hall

Local listing is an important tool for local planning authorities to identify non-listed buildings and heritage assets which make a positive contribution to the locality. This document has identified heritage assets which make a positive contribution to the Conservation Area and could be considered for local listing in the future. This list is not exhaustive, and further buildings may be identified as non-designated heritage assets through the planning application process.

Buildings and features within the Conservation Area which are considered to be non-designated heritage assets include:

- New Hall
- The Village Hall (former National School)
- Church House
- The Old Rectory (formerly The Grange)

2.5 Heritage at Risk

Historic England publishes a yearly list of Heritage at Risk.

There are no designated heritage assets within the Tendring Village Conservation Area on the At Risk Register at present. There are, however, many areas of the Conservation Area which would highly benefit from enhancement which are identified in Section 4 of this document.



Figure 21 Fourteenth century timber north porch at St Edmund's Church

2.6 Archaeological Potential

There have been no recorded investigations carried out within the Conservation Area boundary, however, archaeological fieldwork undertaken in the wider vicinity has revealed remains dating from the prehistoric to postmedieval period. Evidence of the cropmarks within the immediate setting suggest there is potential for similar remains to extend into the boundary of the Conservation Area.

Archaeological fieldwork has revealed the Conservation Area is located within a widespread ritual landscape dating from, at least, the early Bronze Age. A beaker burial was revealed to the west of Hall Farm and extensive Bronze Age cemeteries have been excavated to the southwest. Cropmark evidence depicts a cluster of circular cropmark features

suggestive of a further barrow cemetery to the south east of the Conservation Area, along with single 'ring-ditch' enclosures within the Conservation Area's immediate setting, to the south of Thorpe Road.



Figure 22 Fourteenth century hammerbeam truss at St Edmund's Church Pevsner remarked: "The tracery detail of the gables is clearly of the fourteenth century, and not too late in the century either, and thus this truss is earlier than the hammerbeam roof of Westminster Hall, in the text books still called 'the earliest in existence'

The Conservation Area lies on a gravel ridge overlooking the Holland Brook which makes it a favourable location for settlement since prehistoric times. Flint tools have been recovered within the surrounding area which indicate early prehistoric occupation and activity within the surrounding area. Archaeological investigations have uncovered evidence for agricultural activity dating to the Bronze Age, Iron Age and Roman periods in the surrounding area, likely relating to nearby settlement. Tangible evidence for Anglo-Saxon settlement has also been revealed closer to the Holland Brook, the full extent of the settlement was not established. The Manor of Tendring is Saxon in origin, however the location of the original settlement is uncertain, although the vicinity of the Church and hall is the most likely location for the manorial centre.



Fields to the south of the Conservation Area, adjacent to Thorpe Road, contain evidence for potential archaeological activity as recorded through cropmark evidence, including ring ditches, linear features, enclosures, trackways and pits. There is potential for archaeological remains relating to funerary, settlement and agricultural activity to survive within the Conservation Area and its setting.

The survival of the medieval Church is an important, well preserved resource, survival of earlier structures within the churchyard and on the site of the existing church is likely. The location of the associated medieval manorial hall is likely to be either within the area of the current hall or closer to the Church. The present hall was built in the seventeenth century and so below ground remains relating to earlier structures are to be expected. The 1777 Chapman and André map shows the original historic farmstead associated with the manor located immediately to the north of the hall; below ground remains of earlier structures may survive in this area. There may also be surviving remains related to the various phases of the nineteenth century gardens and parkland. Former and current waterfilled features within the grounds of the hall have the potential to preserve a wide range of evidence including organic materials and palaeoenvironmental remains.

Medieval and later settlement evidence is more likely to be sited along the street frontage, the garden areas may also contain evidence for ancillary activity, such as wells, cess-pits, yards and middens, as well as small-scale industrial activity.

The Second World War defences have been removed, however the extent of the removal of the pillbox along The Street is unclear and below ground remains may survive within the grounds of the property known as The Grange or The Old Rectory. The survival of bone in soils formed on sand and gravel geology is often poor, however cremated bone within burial vessels would be protected from the acidic nature of the soils. There would be good survival of flint artefacts, ceramics, building materials and metal within the Conservation Area. Environmental remains could be preserved in deeper features, such as wells, and provide information on the wider landscape as well as evidence for food and cereal production.



3. Assessment of Significance

3.1 Summary

Tendring Village Conservation Area is a historic rural settlement which has been inhabited from the prehistoric and developed during the medieval period as a linear village straddling one of the main cross-country routes through the Tendring District. It is notable for the presence of the well-preserved thirteenth century Church of St Edmund King & Martyr, which, with its tower and spire, dominates the views from and towards the village core.

The most significant buildings are concentrated around the Church at the west end of The Street, forming an interesting group which includes the site of the historic manor at Tendring Hall, with its barns and outbuildings now forming Maud's Court, the former public house of the Crown and the adjoining Church Cottage, the Village Hall and Church House.

The central section of The Street is dominated by the extensive grounds of the Old Vicarage (The Grange). This is set within a substantial garden which extends towards the countryside to the north with a number of outbuildings, and has a prominent front boundary with flint wall and mature vegetation which precludes the view of the house from the street.

The Street becomes Thorpe Road as it continues east. Thorpe Road consists of mostly eighteenth and nineteenth century cottages on both side of the road. On the north side, four pairs of two storey cottages are visually connected by an attractive front brick wall with triangular section copings. Rosewood and the adjoining cottage retain most of their original features. The Conservation Area terminates on this side with the attractive pargetted façade of Birch Cottage and Sunnyside.

The south side of Thorpe Road is dominated by Ilex Lodge, the former entry lodge to New Hall, and Old Post Cottage.

The historic building stock around the Old Vicarage is predominantly residential cottages that front the road. There are a number of twentieth century properties infilling the land between historic properties. These are generally set back behind individual or grouped accesses and they are neutral additions which do not detract from the character and appearance of the Conservation Area.



3.2 Significance of buildings

Where visible from areas of public realm, the buildings within the Tendring Village Conservation Area have been assessed. The map on page 23 (Figure 24) should be read in conjunction with the key notes opposite. These outline the broad descriptions of positive, neutral and negative attributed to buildings within the Conservation Area. It should be noted that just because a building is positive it does not mean it cannot be enhanced. Some positive buildings may have intrusive aspects (such as inappropriate windows) and are addressed in the management plan. The buildings identified as 'Positive with opportunity for enhancement' tend to have more bespoke or fundamental issues that are not generally observed or widespread across the area.

- **Positive:** these are buildings that have been identified as positive contributors to the character or appearance of the Conservation Area. Whilst identified as positive there are likely to be enhancements which can be made to better reveal the architectural interest of the building and improve its contribution to the character and appearance of the Conservation Area. These general enhancements are noted in the management plan. One example would be the replacement of windows where the buildings have UPVC. The upgrade of these items would be beneficial as a general rule.
- **Positive with opportunity for enhancement:** these are buildings have been highlighted as they are positive contributors, however, they have been compromised due to intrusive alterations or additions. These buildings can be enhanced through the removal, replacement or redesign of intrusive or unsympathetic alterations. In the case of Brightlingsea Hall, buildings have been highlighted which require changes that go further than the widespread issues such as inappropriate windows and can include buildings with unsympathetic roof replacements, replacement windows, doors, and extensions.
- **Neutral:** These buildings make no beneficial or adverse contribution to the character or appearance of the Conservation Area.
- **Negative:** These buildings make an adverse or intrusive contribution to the character or appearance of the Conservation Area. None have been identified within the Conservation Area.
- **Other:** It was not possible to view these buildings from the public realm to ascertain their contribution to the Conservation Area.

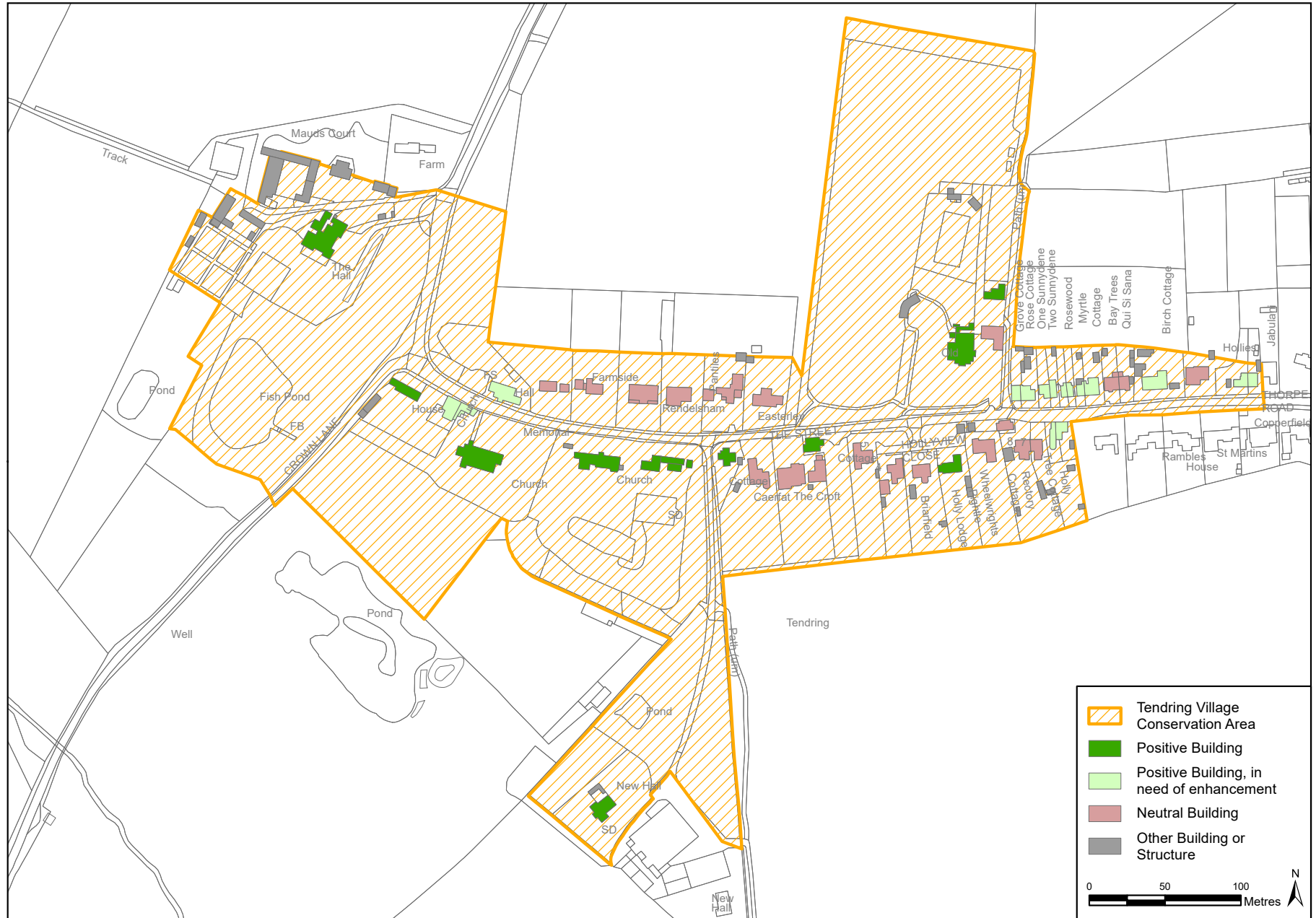


Figure 23 Map showing significance of buildings within the Tending Village Conservation Area



3.3 Character Analysis

Summary of character

The character of the Conservation Area derives from its small size, low density of buildings, and its linear development along The Street. Although there are few buildings these are varied in character, ranging from the historic ecclesiastical landmark of St Edmund King and Martyr Church, the former Crown Inn, the village school, the historic seventeenth century hall and barn complex, the farm complex of New Hall and a number of historic cottages.

Land Usage

The land usage is predominantly residential. There were historically some commercial properties, including the public house, the store, a Post Office, and a smithy, however these have now been either demolished or converted to residential use.

The Church and its surrounding churchyard are located to the west end of The Street. The church is set back from the road and the churchyard is verdant with many mature trees. The historic ecclesiastical use of the land here is prominent; the churchyard contains many headstones, a War Memorial within the front boundary and Commonwealth war graves. The Old Vicarage is located at a distance on the opposite side of The Street and is currently a private dwelling.

There is only one area of public realm adjoining the Village Hall and opposite the church, comprising of a small green with the Village sign, and a gravelled area with planting and benches. There is also a small carpark at the rear of the Village Hall.

Landmark Buildings

The area contains the Grade II* listed Church of St Edmund King and Martyr. Due to its local importance, use and scale, it is a key landmark within the Conservation Area. There are views of the tower and spire from several locations within the Conservation Area and from the surrounding countryside.

Crown House, formerly the Crown Inn, marks the entrance into the historic core of Tendring Village. With its long façade painted in “Suffolk” pink, substantial central chimney stack and the plain rendered cartouche in the centre of the façade, the building still plays a crucial role within the streetscape and the views within the village.

Crown House forms an interesting group with Church Cottage. This seventeenth century cottage was originally split into two dwellings with a pump house, used as bakery, at the far end.

Old Post Cottage is prominent on The Street with its red plain tiled gambrel roof and the central red brick chimney stack.

Local Building Materials and Details

St Edmund’s Church is built of stone and flint rubble, with the north aisle largely covered with plaster, under a clay tile roof. The dressings are of limestone. The use of stone and flint sets it apart from the other vernacular historic buildings within the Conservation Area.

The majority of buildings within the Conservation Area are roofed in clay tiles, with few examples of historic buildings featuring natural slate roofs. However, most of the twentieth century buildings are roofed in unsympathetic concrete tiles.



Figure 24 Stone and flint wall with limestone dressing at St Edmund's Church



Figure 26 The nineteenth century cottages with a variety of red brick and painted render elevations with clay roof tiles

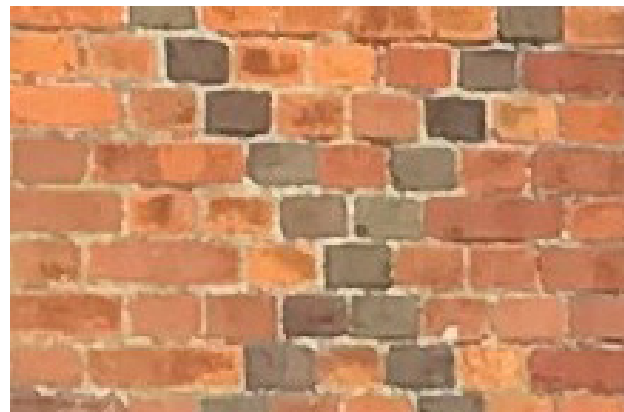


Figure 25 Red brick with with blue diaper work detail of the Village Hall facade

The eighteenth and nineteenth century cottages on both sides of The Street and Thorpe Road are constructed in a variety of external finishes and features which, despite the recent alterations and extensions, positively contribute to the streetscene. Facades are predominantly painted render, generally off white or “Suffolk” pink, and red brick.

A group of cottages on the north side of Thorpe Road and to the east of the Rectory, appears for the first time in the 1874 Six-inch OS Map, under the name of The Row.

Grove Cottage occupies a prominent corner position facing the Old Rectory and marking the entrance to the public footpath. The cottage was originally brick but has been clad with fake timber cladding at some point in the past. The adjoining Rose Cottage has been re-roofed with cement pantiles and a prominent timber clad porch has been added to the main elevation, however it has traditionally detailed metal framed windows with leaded lights and is in keeping with the character of the Conservation Area.

Of this group of cottages, Rosewood and Birchdale retain most of their original features and symmetry, although the original sashes have been replaced. Squirrel and Myrtle Cottage are both rendered

and much altered. The extensive concrete paved driveway of Myrtle Cottage, in particular, is a negative feature within the otherwise uniform row of well kept front gardens with grass, planting and mostly gravelled hardstanding.

The pargeted façade of Birch Cottage is a unique and attractive feature within the Conservation Area and, with its mature garden behind the original red brick boundary wall, is a prominent element of the street scape.

Sunnyside and The Cottage mark the end of the Conservation Area on this side of Thorpe Road. The original pair of cottages has been largely extended on the west side, with the demolition of the lean-to and chimney.

On the south side of The Street and Thorpe Road, the historic core of the village is more diluted. With the exception of the Grade II Listed Old Post Cottage, there are only few surviving buildings of historic and architectural interest which make a positive contribution to its character and appearance and to the streetscape.

Ilex Cottage, the former entrance lodge to New Hall, is located at the junction between The Street and the public footpath Tendring 10 leading to New Hall and Holland Brook valley. It is a late nineteenth century, modest single storey cottage with white rendered elevations and slate roof.

Holly Tree Cottage and Golden Privet are similar in scale and design to the cottages on the north side of Thorpe Road but they have been considerable extended to the rear and the side and they are set directly onto the road. The pebbled dash render of Golden Privet and the replacement uPVC windows of Hollytree Cottage are also a negative feature within the streetscape.



Figure 27 Flint rubble boundary to The Old Rectory

The historic barns at Tendring Hall and New Hall are red brick and black featheredge, timber weatherboarding. Some of the more recent dwellings along the Street also have painted timber cladding.

Most of the historic windows in the Conservation Area would have been timber sashes or casements. A large proportion of these fixtures have been replaced with uPVC presenting a different and untraditional aesthetic. Rose Cottage, adjacent to Grove Cottage, has attractive traditionally detailed metal casement windows with leaded lights which contribute to the variety of the building stock.



Figure 28 Brick wall with triangular section copings to the cottages along Thorpe Road

Boundaries are a prominent feature of the Conservation Area and there is a large variety of boundary treatment, including the flint rubble masonry wall to the churchyard, tall hedges and the front brick wall with triangular section copings to the nineteenth century cottages along Thorpe Road . The formal grounds of The Old Rectory also have a prominent brick wall to the road frontage, with flint rubble around the main entrance and side footpath, and other elements of red brick over a rendered wall with a mature tall hedge.

Notable features which are mostly secluded from view due to overgrown vegetation, are the original gothic piers marking the entrance to the driveway to New Hall.



Figure 29 Gothic piers marking the entrance to the driveway to New Hall

Landscaping, Open Spaces and Public Realm

The Tendring Village Conservation Area is very verdant in character due to the presence of tall hedgerows and mature trees along property boundaries, as well as the extensive gardens of Tendring Hall, Church Hall and the Old Rectory.

In approaching the Conservation Area from north-west, Tendring Hall is set well back from the road in ornamental grounds and secluded by dense mature hedgerows and trees which open up at the main entrance gate offering glimpses of the house and its outbuildings between mature chestnut trees.

Opposite Crown House and Church Cottage is the landscaped open space beside the Village Hall. This

is a small green area which was previously occupied by the smithy, with the village sign marking the entrance to the Tendring Village Conservation Area (Figure 31). A small, gravelled area with benches and mature planting screens the small carpark at the rear of the Village Hall .

The most notable open space is the churchyard, which is bounded by a low wall along The Street and offers wide views of the open countryside to the south of the Conservation Area. The many mature trees along the side boundaries make an important contribution to the appearance of the area and provide a sense of seclusion.



Figure 30 The churchyard

The main road is framed by mature hedges on both sides, the most distinctive being that fronting the nineteenth century Church House. The gardens here are a particular feature of the house, with clipped and shaped yew hedges with topiary, lawns with flower beds and shrubberies, mature trees, a rose garden and pond.

The Old Rectory is also set in its extensive historic grounds surrounded by mature trees along the boundaries and tall boundary walls which preclude the view of the property from the public road.

Modern properties are generally more set back from the street with large front gardens and driveways behind tall hedges.

There is little street furniture within the Conservation Area and along the highway. The only two notable items of street furniture are the village sign at the west end of The Street and a telephone box on the side of Holly Tree Cottage and Golden Privet, which has been converted into a small street library.



Figure 31 Village sign



Figure 32 Telephone box



Figure 33 Gravelled area adjoining the Village Hall



Contribution by Key Un-Listed Buildings

There are numerous buildings that contribute to the character and appearance of the area; however some are considered to make a key contribution and have been identified in Section 2.4 and below.

New Hall

The site of New Hall is depicted in the 1777 Map of Essex and might be identifiable with one of the medieval manors surveyed in the Domesday Book. The current building was built in 1864 and is a substantial mid-nineteenth century building of red brick with shaped gables, hidden from view behind a mature hedgerow screen. It is in an isolated location from the village and is accessible from the south side of The Street through a drive beside the former lodge, Ilex Cottage, and the original gothic gate piers. The view approaching New Hall is dominated by groups of mature poplar trees and the barns of the original farmyard (outside the Conservation Area boundary), some of them still retaining most of their original features but others being modern replacements.

The Hall is in a prominent position which benefits from important views of the open countryside to the south towards the Brook and of the village core with the landmark of St Edmund's Church and its spire.

This property can be considered a non-designated heritage asset for its historic and architectural interest.

The Village Hall (former National School)

The Village Hall, was built in 1842 as National School. It is a single storey building which occupies a prominent position at the entrance of the Village and facing St Edmund's Church with its steeply pointed gables, and its facing of red brick with blue diaper work.

The Hall can be considered a non-designated heritage asset for its historic, social and communal interest and architectural significance.

Church House

Built in 1855 as a Dower House for Tendring Hall, Church House is a two-storey villa constructed from brick with a slate roof. It is set in its original garden with a number of substantial outbuildings which are likely to be contemporary to the main house. The House was sold in the 1930s to a Mrs Sykes who remodelled it and employed English garden designer Percy Cane to redesign the gardens.

The relatively unaltered and traditional appearance of the property positively contributes to the area. Given the age of the property and its prominence within the street scene, this property is also considered to be a non-designated heritage asset.

The Old Rectory (former The Grange)

The Old Rectory is a large, grand regency building which was built circa 1810 and, despite numerous extensions and alterations, still retains most of its original features and character. It is a two storey house, with a white painted brick elevation under a hipped slate roof, set back from the street scene and secluded in its extensive grounds behind a substantial boundary wall and mature hedgerows and trees. The house is only really visible from the public footpath to the east, leading to the open rural fields to the north of the Conservation Area. This footpath runs past an attractive group of outbuildings in red brick which are also nineteenth century.

The Old Rectory can be considered a non-designated heritage asset for its historic and architectural interest.



3.4 Key Views

Key views are identified on Figure 35. The views included in this assessment are not exhaustive; for example, there are also glimpsed and kinetic views informal glimpsed views that contribute to the character and appearance, particularly those along the Street and towards the spire of St Edmund's Church. Any proposals for development within the Conservation Area, or its environs, should consider the views below and any others which may be relevant or highlighted as part of a bespoke assessment of that proposal.

Views of St Edmund's Church

The principal views of St Edmund King and Martyr Church are from the west entrance to Tendring Village and southwards along The Street. These views take in the Grade II* listed landmark within the Conservation Area, and highlight its prominent location as part of the important group of buildings forming the historic core of the village. The close relationship between the Church, the public house, the shop, the school, the manor house, the now demolished smithy, which formed the formal centre of the nineteenth century village is still clearly discernible in these views, particularly when approaching the village travelling along School Road..

The church tower and its spire are a very prominent feature in views towards the area from the surrounding fields crossed by footpaths; and it acts as a waymark in the landscape while approaching the village.

Views into the surrounding landscape

The views into the surrounding open landscape, particularly along the public footpaths leading to New Hall and The Old Rectory and out of the boundary, make a positive contribution to the rural character of the Conservation Area.

Other important views into the surrounding landscape include the views from Tendring Hall down Crown Lane and north along School Road.

The churchyard at the rear of St Edmund's benefits from an open and wide view of the agricultural fields with New Hall in the background, which contributes to the rural sense of seclusion and isolation of its setting.

Views of The Row

The Old Rectory marks the entrance to the more residential part of the Conservation Area. Views of Thorpe Road, with Grove Cottage in its prominent corner position allow for an appreciation of the significance of the cottages as a group.



3.5 Setting of Tendring Village Conservation Area

The NPPF describes the setting of a heritage asset as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

Historic England Good Practice Advice Note on the Setting of Heritage Assets (2017) indicates that the setting of a heritage asset is the surroundings in which the asset is experienced. It goes on to note ‘Where that experience is capable of being affected by a proposed development (in any way) then the proposed development can be said to affect the setting of that asset’. Historic England’s advice note on setting includes a: “(non-exhaustive) check-list of potential attributes of a setting that may help to elucidate its contribution to significance’. As the advice note states, ‘only a limited selection of the attributes listed will be of a particular relevance to an asset.’ This checklist has been used to inform this assessment.

The Conservation Area draws some of its significance from key features outside of its boundary, most notably from the views towards the open countryside surrounding the whole area and the ancient woodlands towards south, at the edge of the Holland Brook Valley.

Due to the topography of the Conservation Area, the land gently slopes down towards Holland Brook, this affords views from high ground into the wider area to the south of the Conservation Area. From the grounds of New Hall, Tendring Mill and the Grade II listed Hollywood Farmhouse are visible in the distance.

The land to the north is flatter in nature and provides open views of the countryside towards Tendring School and the settlement of Goose Green to north west, particularly along the public footpath (018 Tendring). This footpath also permits views back towards the Conservation Area from within the surrounding agrarian landscape, contributing positively to the experience and understanding of the Conservation Area as a historic, rural village.

The wider setting is formed of arable farmland and brooks. The surrounding fields make a positive contribution to the rural character of the Conservation Area.

The location of the Church and height of its spire means it is visible widely within the landscape, making it an important landmark in the approach to the village.

The Church also serves as a landmark for the surrounding community and has a strong connection to the village. The wider views of the Church and the tower from along The Street and from within the Conservation Area are important in creating a sense of place.



Figure 35 View of the Church spire from the open countryside North of the Conservation Area



Figure 36 View of the Churchyard towards the open fields and New Hall



Figure 37 View south of New Hall towards Holland Brook Valley



Figure 38 View of the open fields south east of the Conservation Area



Figure 39 view North along the public footpath 18 Tending running along the Old Rectory boundary

4. Opportunities for Enhancement

The following opportunities for enhancement have been identified and are summarised below in brief. The list is in no way exhaustive, and neither are the opportunities identified unique to Tendring Village, with many being shared with other Conservation Areas.

Car Parking

Car parking can have an adverse effect on the character of a conservation area, impacting the street scene and how the area is experienced. Tendring Village is fortunate that car parking is not a prevalent issue to the character and appearance of the Conservation Area. This is largely a result of many of the properties benefitting from plots with sufficient space for car parking. There are instances of on-street parking along The Street facing Hollytree Cottage and Golden Privet which has a negative effect on the streetscape, however, it does not appear overcrowded.

There is only one formal car park in Tendring Village, at the rear of the Village Hall; however, this is set back from The Street and the setting of St Edmund's Church and is well screened from the view.



Figure 40 Loss of original features with the replacement of timber sashes and casement with uPVC

Inappropriate alterations and materials

Throughout the Conservation Area are examples of inappropriate and unsympathetic additions which can have a cumulative negative impact on the area.

The replacement of original timber frame windows and doors with low quality uPVC is a major concern within the Conservation Area which can affect the historic character and appearance of buildings and have a detrimental impact on the views along The Street.

Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. Historic England Guidance *Traditional Windows, Their Care, Repair and Upgrading* provides information on how to sympathetically and efficiently repair and upgrade traditional historic windows to improve their thermal efficiency by draughtproofing or installing secondary glazing. The guidance also advises that “the loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right... The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing.” This guidance should inform future window and door repair and replacements.

Throughout the Conservation Area there are several examples where the introduction of modern materials, particularly cementitious renders and roof tiles which are out of keeping with the area, have an impact the character of the area and group value of a street scene.

The Village Hall has been extended with a side extension clad in an unsympathetic fibre cement boarding which has a negative impact on the views of the Village Hall while entering the village from west.

There are some instances where solar panels have been applied to the front pitches of buildings within the setting of the Conservation Area. Whilst sustainability and energy efficiency are legitimate issues, for historic buildings or buildings in conservation areas, a balance must be achieved in order to avoid damage both to the significance of the building and site and its fabric. As such, Historic England has published guidance for building owners and occupiers who are considering



Figure 41 Side extension at the Village Hall clad with fibre cement boards



Figure 42 Solar panels within the setting of the Conservation Area

installing solar PV panels; *Energy Efficiency and Historic Buildings; Solar Electric (Photovoltaics)*. This guidance provides advice on how to minimise the potential damage to historic fabric, and the visual impact of a renewable installation on the character and appearance of the historic building or site.

Modern Development

Later twentieth century infill developments are a common feature within the Tendring Village Conservation Area. New dwellings facing The Street are generally set back from the road and secluded behind high hedgerows and mature planting. With the exception of Rendlesham at the west end of the Conservation Area, these are generally

considered neutral additions due to their siting, scale, use of materials and form. However, they have diluted the legibility the historic core, particularly to the west end of the village.

Interpretation

With the exception of the Tendring Village sign marking the entrance into the village, there is no interpretation within the Conservation Area.

There is therefore opportunity to enhance heritage interpretation of Tendring Village, through digital resources and physical interpretation on site. One possible location may include the triangular green adjoining the Village Hall.

Maintenance

The Conservation Area, which is mostly residential, is generally well maintained, with the exception of Church Cottage at the west end of The Street.

Grade II Listed Church Cottage is currently empty and in state of advanced disrepair, with flaking or missing paintwork on walls, windows and doors, damaged or rotted joinery, cracked render or brickwork which requires repointing, redundant signage and lighting fixture. Empty buildings detract from the quality of the Conservation Area as they often fall into rapid decline, due to associated issues of neglect and a lack of maintenance.



Figure 43 Church Cottage in state of disrepair and Heras fences at the boundary of Crown House



Figure 44 Damaged brick boundary wall to the row of cottages



Figure 45 Peeling cement render from the boundary wall to the Old Rectory

At the time of writing, the high hedgerow at the boundary of Crown House has been removed and replaced with temporary Heras fencing.

The result, overall, is an unattractive appearance that detracts from the significance of these two designated heritage assets, the setting of St Edmund's Church and the character and appearance of the Conservation Area.

The red brick front boundary to The Old Rectory is pointed with cement mortar and partially covered with cement render which is now failing and revealing damaged brickwork and open joints. The red brick boundary wall to the row of cottages along Thorpe Road, which is also a defining feature of the Conservation Area, is also showing large sections of damaged brickwork and open joints.

Public Realm

The Conservation Area contains limited public open spaces but they are well maintained and clearly tended for by the local community. Street furniture is limited and generally subtle and of an acceptable quality This is positive and the lack of modern features such as signs, lampposts and other paraphernalia contributes to the traditional character of the street scene.



5. Management Proposals

There are a wide range of opportunities for the Conservation Area, many of which share common themes. This section builds on the opportunities identified in Section 4 and seeks to recommend management proposals which address these.

5.1 Positive Management: Short term

The first set of proposals relate to positive management and focus on good practice and improved ways of working with the local planning authority. These are generally low cost and can be implemented within a short timeframe, typically within one or two years.

Enforcement

Where the necessary permission has not been sought for alterations, such as advertising signage and building alterations which are not contained within the General Permitted Development Order, the Local Planning Authority's powers of enforcement should be considered. This could assist in reinstating any lost character or architectural features whose loss may have a negative cumulative effect on the Conservation Area, as well as avoiding a precedence being set for similar, uncharacteristic works.

Heritage Statements, Heritage Impact Assessments and Archaeological Assessments

In accordance with Paragraph 194 of the NPPF, applicants must describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

All applications and development proposals within the Conservation Area and its setting require an appropriately detailed Heritage Statement. Any application without a Heritage Statement should not be validated.

The key views analysed within this document are in no way exhaustive. The impact of any addition, alteration or removal of buildings, structures or trees on key views should be considered to aid decision making. This includes development outside the Conservation Area. Where appropriate, views must be considered within Design and Access or Heritage Statements. This should be in accordance with Historic England's *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (2019)*. Applications which fail to have assessed any impact upon views and setting should not be validated.

Local Heritage List

A Local List identifies buildings and structures of local architectural and/or historic interest, and these are considered to be 'non-designated heritage assets' under the provisions of the NPPF. Local Lists can be beneficial in ensuring the upkeep and maintenance of historic buildings that contribute to the character of the settlements. There are some buildings and features within the Conservation Area which make a positive contribution to the special interest of the area, which indicates that a Local List may be beneficial to ensure the upkeep of buildings which are significant to Tendring Village's history and character.

There are buildings within the Conservation Area which are of sufficient quality to be considered for local list status, as highlighted in Section 2.4.

The exercise of creating a Local List is currently underway by Tendring District Council. It will also facilitate a greater understanding of the area and could be utilised as a public engagement strategy to improve awareness and understanding.



Article 4 Directions

Article 4 Directions are additional planning controls which can be introduced by a Local Planning Authority to revoke certain Permitted Development Rights. Permitted Development Rights allow building owners to carry out certain works to their properties without the need for planning permission and are set out within the General Permitted Development Order (GPDO).

Article 4 Directions served on properties within the Conservation Area would introduce the need to apply for planning permission for certain works and this would allow the Council to better preserve and enhance the area by ensuring high quality design and use of traditional materials. An example of an Article 4 Direction that would be beneficial would be the removal of Class A of the GPDO which would limit changes to front elevations of buildings such as replacement windows and doors.

Neutral and Negative Elements

Tendring Council must not allow for the quality of design to be impacted by the neutral and negative elements of the built environment. Schemes which enhance the built environment and look to conserve and reinstate historic features should be treated favourably. It is also considered that poor quality or unsympathetic schemes do not preserve the special interest of the Conservation Area and therefore are discouraged, both within the Conservation Area and its setting; this is due to the potential impact to the character and appearance of the area.

New Development

To be successful, any future development needs to be mindful of the local character of the Conservation Area, while at the same time addressing contemporary issues such as sustainability.

Successful new development will:

- Relate to the geography and history of the place and the lie of the land;
- Sit happily in the pattern of existing development and routes through and around it (including public footpaths);
- Respect important views;
- Respect the scale of neighbouring buildings; and
- Use materials and building methods which as high in quality of those used in existing buildings.

Tendring District Council should guide development in a positive manner by:

- Engaging with developers at an early stage through the Pre-Application Process to ensure modern development is high quality in design, detail and materials.
- Ensuring large scale development schemes are referred to a Design Review Panel (or similar) to ensure that new buildings, additions and alterations are designed to be in sympathy with the established character of the area. The choice of materials and the detailed design of building features are important in making sure it's appropriate to a conservation area.
- Seeking opportunities for developers to make a positive contribution to the wider historic environment through Section 106 Agreements.

Public resources

The preservation and enhancement of private properties can be improved through the publishing of resources aimed to inform property owners and members of the public. An introductory summary of the Conservation Area Appraisal in the form of a leaflet or factsheet(s) is a simple way to communicate the significance of the area and ensure members of the public are aware of the implications of owning a property within a conservation area. In addition, a maintenance guide would assist property owners in caring for their property in an appropriate manner. A single Good Practice Design



Guide on standard alterations such as windows, doors, rainwater goods, boundaries and roof extensions will ensure inappropriate development does not continue to be the accepted norm.

Topics which could be relevant to Tendring Village include:

- Guidance on appropriate design and materials for windows and doors and encouraging the retention or reinstatement of historic glazing patterns and door designs and the use of appropriate materials.
- Guidance on the traditional form of boundary treatments and encourage their reinstatement where they have been removed or compromised.
- Guidance on traditional roofing materials and encouraging the reinstatement of good quality slate and tiles and the removal of unsympathetic modern materials.

Poor maintenance leads to the deterioration of the fabric of the built environment and results in a loss of architectural details. Improved awareness of simple maintenance and repair would be conducive with the preservation of the area's built heritage. With few exceptions, the properties within the Conservation Area are well maintained. This attitude must be maintained and encourage in order to preserve the character of Tendring Village's built heritage.

Tree Management

In line with the Town and Country Planning Act, all trees in Conservation Areas are afforded the same protection as a Tree Preservation Order. Trees which have a trunk diameter of more than 75mm, at a height of 1.5m from the ground, may not be felled or lopped unless six weeks written notice has been given to the Council. Six weeks' notice has to be given to the council under S211 of the Act.

It is also considered that any prominent trees, and trees with amenity value on private land throughout the Conservation Area should be monitored and maintained appropriately, particularly those within the grounds of Tendring Hall, the Old Vicarage and the churchyard. This will maintain the green character of the area. Any tree that makes a positive contribution to the area should be retained, maintained and, if felled (only if dead, dying or dangerous) replaced with an appropriate new tree.

5.2 Positive Management: Longer term

The second set of proposals are also focussed around positive management but either take longer to implement or are better suited to a longer time frame.

Character Appraisal and Management Plan

The Conservation Area Appraisal and Management Plan should be reviewed every five years to monitor change and inform management proposals.

Conservation Area Boundary

The Conservation Area boundary has been revised within this appraisal in accordance with the NPPF (2019) and *Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management (2018)*. The boundary now excludes the late nineteenth-century cottages to the east end of the area, due to the limited contribution they make to the area. The boundary should continue to be assessed as part of future reviews of the Management Plan to ensure it is robust and adequately protects the significance of the area.

Interpretation: Improved Understanding and Awareness

There is currently no interpretation across the Conservation Area. There is scope to introduce some form of interpretation within the Conservation Area aimed at improving understanding of the historic development of Tendring Village.

Sustainability and Green Infrastructure

Climate change and renewable energy are growing considerations around change in the built environment. Some forms of renewable energy are less compatible with conservation areas, especially if implemented unsympathetically. Solar panels, alternative heat and energy sources and air conditioning units installed in prominent locations are intrusive to the character and appearance of Tendring Village.



Retrofit of houses within the Conservation Area, with triple glazing or external cladding, for example, is likely to be harmful to the significance of the Conservation Area and would not be considered a suitable solution.

Historic England are currently undertaking research into the role that cultural heritage and historic buildings can play in climate change mitigation and adaptation, and have produced a suite of guidance documents which support decision making including:

- Historic England Advice Note 14: Energy Efficiency and Traditional Homes (2020)
- Historic England, Energy Efficiency and Historic Buildings: How to Improve Energy Efficiency (2018)
- Historic England, Traditional Windows: their care, repair and upgrading (2017).

These guidance documents should be used and promoted within the Conservation Area, using a holistic, 'whole building' approach when tackling these issues.

5.3 Funding Opportunities

There are three main funding opportunities which would assist in the execution of these plans:

National Heritage Lottery Fund

The National Heritage Lottery Fund is the single largest dedicated funder of heritage in the UK and therefore is the most obvious potential source of funding. Funding is often targeted at schemes which preserve, enhance and better reveal the special interest of the area whilst also improving public awareness and understanding. Grant opportunities and requirements change overtime, for up-to-date information on NHLF schemes Tendring Council should consult their appointed Heritage Specialist.

Section 106 Agreements

Planning obligations, also known as Section 106 agreements, can be used by the local authority to ensure any future development has a positive impact upon the Conservation Area. These agreements could be used to fund public realm or site specific improvements.

Partnership Schemes in Conservation Areas (Historic England)

Partnership Schemes in Conservation Areas is a programme run by Historic England to target funding for the preservation and enhancement of conservation areas. As the name suggests, the scheme forms partnerships with local authorities (along with any additional funding partners) to facilitate the regeneration of an area through the conservation of its built heritage. The scheme makes funds available to individuals to enable them to carry out repairs or improvement works to their property to enhance the area. This would be suitable to preserve and enhance either the shop frontages or the architectural detailing.



6. Appendices

6.1 Frequently Asked Questions

What is a conservation area?

Conservation areas are designated by the Local Planning Authority as areas of special architectural and historic interest. There are many different types of conservation area, which vary in size and character, and range from historic town centres to country houses set in historic parks. Conservation area designation introduces additional planning controls and considerations, which exist to protect an area's special character and appearance and the features that make it unique and distinctive. Although designation introduces controls over the way that owners can develop their properties, it is generally considered that these controls are beneficial as they sustain and/or enhance the value of properties within conservation areas.

The National Planning Policy Framework regards conservations areas as 'designated heritage assets'.

The 1990 Planning (Listed Buildings and Conservation Areas) Act specifies the general duty of Local Authorities, in the exercise of planning functions (Section 72). The 1990 Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

How are conservation areas designated and managed?

The designation process includes detailed analysis of the proposed conservation area and adoption by the local planning authority. A review process should be periodically undertaken, and the Conservation Area assessed to safeguard that it retains special architectural or historic interest. Threats can be identified, and the boundary reviewed, to ensure it is still relevant and appropriate.

This Conservation Area is supported by an appraisal and management plan. The appraisal describes the importance of an area in terms of its character, architecture, history, development form and landscaping. The management plan, included within the appraisal, sets out various positive proposals to improve, enhance and protect the character and appearance of the Conservation Area.

How can I find out if I live in a conservation area?

Boundary maps of all conservation areas in the district can be found on Tendring District Council's website. These can be accessed via this [link](#).

What are the Council's duties regarding development in conservation areas?

The Local Authority must follow the guidance in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). These set out in clear terms how development proposals within Conservation Areas should be considered on the basis of whether they preserve and enhance the character and appearance of the area. Applications which fail to preserve or enhance the character of the Conservation Area are likely to be refused as a result. An authorities Local Plan also typically includes a specific policy on Conservation Areas.

Do I need permission to alter a property in a conservation area?

Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, certain minor works and alterations are considered 'permitted development' and can be carried out without planning permission. However, some permitted developments rights do not apply in conservation areas, and some buildings may not have any permitted development rights at all, such as blocks of flats. Different rules also apply if a building is listed.



Permission is required for any external alterations which involve cladding, rendering, or adding pebble dash, artificial stone or tiles to the exterior of a dwelling within a conservation area. All alterations to the roof of a dwelling within a conservation area also require planning permission.

Extensions to the side of buildings in conservation areas will need planning permission, as will all two storey rear extensions. Porches, subject to size and relationship to the highway, may need planning permission. In all cases, the Local Planning Authority will be able to provide advice as to how to proceed.

What is an Article 4 Direction?

Some conservation areas are covered by an Article 4 Direction, which brings certain types of permitted development back under the control of a local planning authority. This allows potentially harmful proposals to be considered on a case by case basis through planning applications.

Article 4 Directions are written specifically for the area they apply to and are used to control specific works that could threaten the character of an area. As an example, in some conservation areas, an Article 4 Direction will remove permitted development rights for the replacement of windows and doors, as these are architectural features which contribute positively to the special interest of the conservation area. The loss of these features would be considered harmful, therefore an Article 4 Direction would require that a planning application is required for these works, and the proposals considered by the local planning authority and approved before conducted. Historic England provides information on Article 4 Directions on their website, and the local planning authority will also publish information regarding any Article 4 directions in their district.

Do I need to make an application for routine maintenance work?

If routine maintenance works are to be carried out using authentic materials and traditional craft techniques, on a like-for-like basis, it is unlikely that you will need to apply for permission from the local authority. However, it is strongly recommended that you contact the local planning authority for clarification before commencing any works. The use of a contractor with the necessary skills and experience of working on historic buildings is essential. Inappropriate maintenance works and the use of the wrong materials will cause damage to the fabric of a historic building.

Will I need to apply for permission for a new or replacement garage, fence, boundary wall or garden structure?

Any demolition, development or construction in conservation areas will generally need planning permission. A replacement boundary, garage, cartlodge or greenhouse will need to be designed with the special historic and architectural interest of the Conservation Area in mind. Tendring District Council will provide advice as to how to proceed with an application.

Can I demolish a building in a conservation area?

Demolition, or substantial removal of part of a building within a conservation area, will usually require permission from the local planning authority. It is important to speak to them before beginning any demolition works, to clarify if permission is required. Can I remove a tree within a conservation area?

If you are thinking of cutting down a tree or doing any pruning work, the local planning authority must be notified six weeks before any work begins. This enables the authority to assess the contribution the tree makes to the character of the conservation area and, if necessary, create a specific Tree Preservation Order (TPO) to protect it.



The legislation relating to trees is included within Part VIII of the Town and Planning Act 1990 which is supplemented by the The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Further information on TPOs and trees in conservation areas can be found on Historic England's [website](#).

How do I find out more about a conservation area?

Historic England's website has information on conservation areas and their designation. Further information on the importance of conservation areas, and what it means to live in one, can also be accessed via their [website](#).

Historic England has also published an advice note called Conservation Area Designation, Appraisal and Management which sets out advice on the appraisal of conservation areas and managing change in conservation areas.

In addition, local planning authorities have information on the conservation areas within their boundaries available on their websites. They will have information pertaining to when the conservation area was designated, how far it extends and the reason for its designation.



6.2 Bibliography

Publications

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Essex Place-names Project (Essex Society for Archaeology & History), 2014. Available at: <https://www1.essex.ac.uk/history/esah/essexplacenames/Books.asp>

J. Bettley and N. Pevsner, Essex (Pevsner Architectural Guides: Buildings of England), (Yale University Press) 2007 'Tendring', in An Inventory of the Historical Monuments in Essex, Volume 3, North East (London, 1922), pp. 212-213. British History Online <http://www.british-history.ac.uk/rchme/essex/vol3/pp212-213>

Tendring Village Conservation Area Appraisal, Tendring District Council (2006)

www.gersociety.org.uk 2018 Review of The Mistley, Thorpe and Walton Railway published 1946 by Thomas Peacock Archives

Archives

Essex County Council (ECC)

Historic Environment Record (ECC)

6.3 Legislation, Policy and Guidance

LEGISLATION/POLICY/GUIDANCE	DOCUMENT	SECTION/POLICY
Primary Legislation	Planning (Listed Buildings and Conservation Areas) Act 1990	66: General duty as respects listed buildings in exercise of planning functions. 72: General duty as respects conservation areas in exercise of planning functions.
National Planning Policy	National Planning Policy Framework (2021) DLUGH	Section 16; Annex 2
National Guidance	National Planning Practice Guidance (2014) DLUGH	ID: 18a
National Guidance	Historic England (2017) Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets	
National Guidance	Historic England Good Practice Advice in Planning Note 1 (2015) The Historic Environment in Local Plans	
National Guidance	Historic England Good Practice Advice in Planning Note 2 (2015) Managing Significance in Decision-Taking in the Historic Environment	
National Guidance	Historic England Advice Note 1 (2019) Conservation Area Appraisal, Designation and Management	
National Guidance	Historic England (2017) Traditional Windows	
National Guidance	Historic England, High Streets for All (2018) Advice for Highway and Public Realm Works in Historic Places	
National Guidance	Historic England (2017) Repointing Brick and Stone Walls Guide for Best Practice	



LEGISLATION/POLICY/GUIDANCE	DOCUMENT	SECTION/POLICY
National Guidance	English Heritage (2019) Conservation Principles, Policies and Guidance	
Local Policy	Tendring District Council Local Plan (2007)	QL9 – Design of New Development QL11 – Environmental Impacts and Compatibility of Uses EN1- Landscape Character EN17- Conservation Areas EN20- Demolition within Conservation Areas EN21- Demolition of Listed Buildings EN22- Extension and Alterations to Listed Buildings EN23- Development within the Proximity of a Listed Building



6.4 Glossary

Term	Description
Archaeological interest	There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.
Conservation (for heritage policy)	The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.
Designated heritage asset	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Local List	Local listing is a concept that is designed to ensure that the historic and architectural interest of buildings that are of local importance but do not meet the criteria for being nationally listed is taken account of during the planning process. Local lists can be used to identify significant local heritage assets to support the development of Local Plans.



Term	Description
Non-designated heritage assets	Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. Only a minority of buildings have enough heritage significance to merit identification as non-designated heritage assets.
Setting of a heritage asset	The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
Significance (for heritage policy)	The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

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PLANNING POLICY AND LOCAL PLAN COMMITTEE

27 JULY 2023

REPORT OF DIRECTOR (PLANNING)

A.1. CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS FOR ARDLEIGH, GREAT HOLLAND AND TENDRING VILLAGE

(Report prepared by William Fuller)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
<p>To report to Planning Policy and Local Plan Committee the final set of 'Conservation Area Appraisal and Management Plans' prepared for the Council by Essex Place Services, and for the Committee to agree a recommendation to Cabinet that they be published for consultation.</p>
EXECUTIVE SUMMARY
<p>This Committee has previously considered seventeen of the District's twenty Conservation Area Management Plans over the last couple of years.</p> <p>This report asks Members to consider the final three Conservation Area Appraisals of Ardleigh, Great Holland and Tendring Village. The Committee is asked to consider these appraisals and to agree a recommendation to Cabinet to publish them for consultation.</p> <p>Once these Appraisals have been considered at this Committee, this will conclude the appraisal of all the Conservation areas in the District.</p>
RECOMMENDATIONS
<p>That the Planning Policy and Local Plan Committee:</p> <ol style="list-style-type: none">1. Considers the new Conservation Area Appraisal and Management Plans for Ardleigh (Appendix 1), Great Holland (Appendix 2) and Tendring Village (Appendix 3) Conservation Areas.2. recommends to Cabinet that the above documents (forming Appendices 1, 2 and 3) be published for consultation with the public and other interested parties.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
<p>The Conservation Area Appraisals will support the Corporate Plan 2020-24 (aligned with the core themes of Tendring4Growth and Community Leadership) through delivery of interventions aimed at:</p>

- Delivering High Quality Services
- Community Leadership Through Partnerships
- Building Sustainable Communities for the Future
- Strong Finances and Governance
- A Growing and Inclusive Economy

RESOURCES AND RISK

Resources: TDC Officers are leading on this project with the input of Essex County Council Place Services under a service level agreement.

Adoption of the Conservation Area Appraisals will assist in attracting external funding for heritage related activity in the District. Potential sources of funding include:

- National Heritage Lottery Fund
- Section 106 Agreements
- Partnership Schemes in Conservation Areas with Historic England

Risks: The adoption of the Conservation Area Appraisals supports the Council's duties to maintain and enhance heritage assets and so reduces the risk of the district's heritage assets being diminished or lost.

LEGAL

National Planning Policy Framework (February 2019), paragraph 185 states:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- (d) Opportunities to draw on the contribution made by the historic environment to the character of a place.

Consideration of any legal implications of actions proposed in the strategy will be needed in due course.

OTHER IMPLICATIONS

Crime and Disorder: Heritage assets are, unfortunately, vulnerable to crime. Having a strategy for promoting heritage assets in the district should contribute positively to their maintenance.

Equality and Diversity: The recommendations in this report are aimed at benefitting all who live, shop, work and visit the District.

Health Inequalities: There is a growing wealth of evidence that demonstrates the role heritage plays in improving mental wellbeing and physical health. People who visit heritage sites reported higher life satisfaction and happiness scores, as well as lower anxiety (Department for Culture Media and Sport 2015). Across Essex there are a number of schemes and organisations to encourage and support healthy activity, such as Active Essex and Healthy Life Essex. Tendring's heritage provides a positive platform to encourage people to enjoy the outdoors and take positive steps for their personal health and wellbeing. Heritage Trails, for example, are already established in Harwich and Dovercourt, Frinton-on-Sea, Clacton-on-Sea, Jaywick Sands and Walton-on-the-Naze, they encourage walkers to take routes through the historic environment. Promoting these to new groups and partnering with healthy organisations can open heritage to new audiences and increase wellbeing.

Area or Ward affected: All, with a focus on those where Conservation Areas are being reassessed.

Consultation/Public Engagement: Members will recall that it was agreed at the October Committee meeting to send the first five Conservation Area Appraisals to public consultation. Officers are in negotiation with Place Services on the exact arrangements for this. It is anticipated that this will take place at the end of April – after the closure of the Tendring Colchester Borders Garden Community Garden Community Development Plan Document consultation – for a period of six weeks.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council's Heritage Strategy was considered by the Local Plan and Planning Policy Committee in 2019. At that meeting it was resolved that the Committee noted the Strategy and comments made by Members at the meeting.

In 2020 Cabinet agreed to formally adopt the Council's Heritage Strategy. This Strategy contained a number of actions which were envisaged to be carried out by the Council and its partners throughout the lifetime of the Strategy. Two of these actions were for Officers to update Conservation Area Appraisals and prepare a 'Local List' of non-designated heritage assets within the District.

Between 2021 and early 2023 Members of this committee were presented with the first seventeen Conservation Management Plans. The first ten of these have been the subject of public consultation, the results of which will be presented to the Committee in due course.

Members are now presented with the final three draft Conservation Area Appraisals being:

- Ardleigh Conservation Area,
- Great Holland Conservation Area, and,
- Tendring Village Conservation Area.

CONSERVATION AREA APPRAISALS

Each of the Conservation Area Appraisals share a broadly similar structure. At the start of each Appraisal a section detailing the context and general character of the Conservation Area and the evolution of the Conservation Area is given.

The following areas of assessment are specific to each Conservation Area so have their own section headings.

Alterations To Boundaries

At Ardleigh it is proposed to revise the boundary to remove the modern residential developments including Picotts Place and other modern dwellings constructed in the land formerly occupied by Ardleigh Hall. The Limes; Church View and Chapel Croft; and Forge Court are also proposed for removal from the Conservation Area boundary as they are of low historic interest and make a limited contribution to the character and appearance of the Conservation Area.

It is proposed to extend the boundary to include the Ardleigh Studios (former goods sheds) located to the south of the railway line. These buildings appear to be mid-late nineteenth century in origin and contribute positively to the architectural interest and industrial history of the Conservation Area. Minor alterations are also proposed to rationalise the Conservation Area boundary against existing plot boundaries.

At Great Holland the war memorial on Rectory Road was not included within the previous boundary. The small extension is therefore recommended to include the monument. It is an unusual memorial, built of brick and tile, and originally functioned as a drinking fountain. The memorial makes a beneficial contribution to the character of the area and has communal, historic and aesthetic value.

The 1981 boundary terminated at the Saltings (number 30 Manor Road). A second extension is recommended to the south-western end of the boundary on Manor Road, to include the Village Hall and the dwelling at number 25 Manor Road. The Village Hall was constructed in 1909 and historic photographs show it was a rendered building with a louvered cupola, arch headed windows, a central clock on the main façade and iron brackets supporting the guttering (Figure 5). The building has undergone unsympathetic alterations over the decades, with the tops of the arched window openings being infilled to form square openings, the replacement of the original windows with uPVC and the building finished with pebble-dash render. The original form of the windows is still visible within the render. The iron brackets supporting the guttering still remain, as does the clock, while the cupola was reinstated in 2012. The building has historic and communal value and has a prominent presence in the street scene when looking west down Manor Road from the area in front of the Ship Inn, or from outside the Conservation Area looking east.

Opposite the Village Hall is the dwelling at number 25. This is a distinctive, late Victorian detached house which has its original windows and decorative joinery above ground floor level. It is understood

to have been the home of Henry Ratcliffe, who established a foundry and lawnmower production business on the site of what is now Great Holland Court (off Manor Road) in the late-nineteenth century. Thus, the building is of local architectural and historic interest. The proposed boundary extension excludes the modern development at Great Holland Court and the modern dwellings at 31-35 and 28-26 Manor Road.

In Tendring village, it is proposed to revise the boundary to remove the modern residential developments at the east end of Thorpe Road, on the southern side, beyond Holly Tree Cottage. These dwellings are of limited historic interest and architectural interest and make little contribution to the special interest of the Conservation Area

It is also proposed to remove the two large open fields immediately to the south of the modern residential development on Thorpe Road. While the fields contribute to the rural character of the setting of Tendring Village, they do not have a strong historic or functional relationship with historic buildings along The Street and Thorpe Road, nor do they hold any inherent special historic or architectural interest. These fields do, however, contain undated archaeological features which contribute to our understanding of the historic landscape and activity prior to the settlement of the village. It is, therefore, considered they are better recognised as key elements of the setting of the Conservation Area, providing an appreciation and understanding of the historic development and context of the area.

Designated Heritage Assets

The Appraisals make note of the listed buildings, scheduled monuments and registered parks and gardens in each Conservation Area.

Proposed Non-designated heritage assets.

There is some overlap between these Appraisals and the Local List project which came before Members in October last year. Each of the Conservation Area Appraisals proposes a number of buildings to be considered on the Council's Local List.

These buildings have been identified as they are either considered to be good examples of their type or architectural style, are prominent local landmarks, demonstrate use of local materials or design features, or are connected to local historical events, activities or people, and are all relatively complete in their survival.

At Ardleigh

- The Hollies
- Numbers 1-6 The Street and Post Office
- Hall (west of the Vicarage)
- The Dairy
- Numbers 1-3 Chapel Cottages, Colchester Road
- Number 5 Station Road
- Tavern House
- Station House
- Ardleigh Studios (former goods sheds)

At Great Holland

- The Ship Inn, Rectory Road
- Number 25 Manor Road
- Sea View Rectory Road
- The Rectory
- The War Memorial
- The Village Hall

At Tendring Village

- New Hall
- The Village Hall (former National School)
- Church House
- The Old Rectory (formerly The Grange)

Heritage at Risk

At the time of writing in 2023, no buildings within any of the three Conservation Areas feature on the national list of Heritage at Risk published by Historic England.

Archaeology

Throughout these Conservation Areas there is the potential for a multitude of below-ground heritage assets yet to be discovered. In general, the appraisals promote a cautious approach to development which might disturb or destroy these assets.

Assessment of significance

A detailed assessment of significance of each of the Conservation Areas is then presented. These Conservation Areas are split into distinct character areas. Each assessment considers the following features:

- Layout
- Building materials and boundary treatments
- Listed buildings and non-designated heritage assets.
- Other buildings
- Landscaping and open spaces
- Views

Opportunities for Enhancement

- In Ardleigh inappropriate signage has been identified at some of the commercial properties at the centre of the conservation Area.
- New development in the Great Holland Conservation Area can detract from its special architectural character.
- In all of the Conservation Areas, inappropriate use of materials including windows and doors is an issue.
- Also, in all the Conservation Areas no interpretation around heritage features in the village is given.

- In Tendring village and Gt Holland a number of solar panels have been inserted in prominent locations within the Conservation area which detracts from its character.

Management Proposals

- Production of a list of local non-designated heritage assets
- The council using Article 4 Directions and its enforcement powers within all Conservation Areas.
- The Council should work closely with the Highways Authority to address street clutter and signage in all three Conservation Areas
- All three Conservation Areas would benefit from heritage interpretation within the Conservation Area.
- Tendring village and Great Holland would benefit from the Climate Change and historic environment guidance produced by the County Council.

Funding Opportunities

- Heritage Lottery Fund
- Section 106 Agreements
- Partnership Schemes in Conservation Areas

CONCLUSION

Taking into account the discussion had at this meeting, Members of the Planning Policy and Local Plan Committee are asked to recommend to Cabinet that the three Conservation Area Management Plans be put to a six-week public consultation.

APPENDICES

Appendix 1 – Ardleigh Conservation Area Appraisal
 Appendix 2 – Great Holland Conservation Area Appraisal
 Appendix 3 – Tendring Village Conservation Area Appraisal

BACKGROUND DOCUMENTS

None

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CABINET

6 OCTOBER 2023

REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE

A.5 FINANCIAL PERFORMANCE REPORT 2023/24 – GENERAL UPDATE AT THE END OF JULY 2023

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide a general update and overview of the Council's financial position against the 2023/24 budget and looking ahead to 2024/25 and beyond.

EXECUTIVE SUMMARY

- These regular finance reports present the overall financial position of the Council by bringing together in-year budget monitoring information and timely updates on the development of the long-term forecast. (*Due to the timing of this report, the position reported is from 1 April 2023 to the end of July 2023 rather than just the position at the end of the first quarter*).
- The report is split over two distinct sections as follows:
 - 1) ***The Council's in-year financial position against the budget at the end of July 2023***
 - 2) ***An updated long term financial forecast***
- Last year an additional section was included within these reports that took a detailed view of items that will have an impact on the in-year position but also an on-going impact on the later years of the forecast. Although this report sets out a number of adjustments to the in-year budget, any longer term impact remains under review at the present time. However, they will be revisited as part of developing the forecast for 2024/25 and beyond and reported within future financial performance reports.

SECTION 1 - In respect of the in-year financial position at the end of July 2023:

- The position to the end of July 2023, as set out in more detail within the appendices, shows that overall the General Fund Revenue Account is underspent against the profiled budget by **£1.747m**.
- As part of developing the budget for 2023/24, which was agreed by Full Council in February 2023, a number of adjustments were made to reflect emerging and/or on-going issues. Therefore, only a limited number of variances have developed during the first four months of this year. Where variances have been highlighted, these broadly reflect known issues where further review / consideration may be necessary or reflects the timing of general expenditure and/or income budgets.

- It is acknowledged that other expenditure or income trends may still emerge / develop over the remainder of the year.
- This report also sets out a number of further potential issues although no adjustments have been made to the budget at the present time as they remain subject to ongoing review and / or reporting separately later in the year.
- In respect of other areas of the budget such as the Housing Revenue Account, capital programme, collection performance and treasury activity, apart from additional details set out later on in this report, there are no other major issues that have been identified to date. In respect of treasury activity, the transactions undertaken with Birmingham City Council are highlighted in this report along with the commitment to report back to Cabinet to present the outcome of their Full Council meeting where they will be considering their Section 151 Officer's Section 114 report.
- Any emerging issues will be monitored and updates provided in future reports, which will include their consideration as part of updating the long-term financial forecast.
- A number of in-year budget adjustments are proposed as set out in **Appendix 1H**, with an associated recommendation also included within this report. The same appendix also sets out a number of items that were requested to be carried forward by Services from 2022/23. These are presented for consideration by Cabinet as they did not meet the criteria relating to carry forwards, but it may still be advantageous to approve them to enable the associated work / projects to be undertaken in 2023/24.
- As mentioned within earlier reports, the Chief Executive continues to chair the regular Budget, Performance and Delivery meeting of Senior Managers where any emerging issues such as those highlighted within this report and appendices are identified / discussed.
- The net impact of the proposed budget adjustments will be moved to the Forecast Risk Fund. At the end of July 2023, it has been possible to make a contribution to the fund of **£0.169m**, which supports the requirement set out in the long-term forecast of identifying in-year savings of **£0.250m** each year.
- In addition to the above, it is also proposed to continue to be a member of the Essex Business Rates Pool and Essex Council Tax Sharing Agreement if it remains advantageous to do so in 2024/25.

In respect of the updated long term financial forecast:

- The forecast has been reviewed and updated at the end of July 2023 and is set out in Appendix 2A. It continues to reflect the very challenging financial position faced by Local Authorities, which includes the inflationary pressures currently being experienced.
- The revised forecast also seeks to better balance optimism / pessimism bias that is inherent in any forecasting process and includes the use of one-off funding such as the New Homes Bonus in the short term.

- Work remains ongoing within Departments and with Portfolio Holders with the aim of remaining 'sighted' on potential future cost pressures. Some of these are included in **Appendix 1H** where there is already an impact in 2023/24.
- The long-term approach alongside the Forecast Risk fund provides additional flexibility and time to make better-informed decisions. However, significant on-going savings are still required.
- Based on the updated forecast, ongoing savings of **£3.000m** are required across 2024/25 to 2026/27. This is significant, especially in the context of the Council's overall net budget being just over **£14.000m** and it presents the Council with a major challenge.
- Developing the framework against which the required savings can be identified therefore remains a key activity over the coming months alongside the development of the new Corporate Plan. The level of resources required to not only develop the above framework but to deliver the required savings, should not be underestimated, especially when set against other existing commitments such as delivering the Levelling Up projects and Freeports. There therefore needs to be a clear focus on the timely development of the plan whilst managing competing resources over the coming months.
- Although consideration will be given to extending the current forecast period beyond 2026/27, the long-term forecast approach still provides an effective method of managing financial risks, and remains underwritten by the Forecast Risk Fund.
- As mentioned during the development of the longer-term approach to the budget over recent years, it is important to continue to deliver against this plan as it continues to provide a credible alternative to the more traditional short-term / annual approach.
- The challenges faced by the Housing Revenue Account are also significant and include increased expectations and requirements that are likely to emerge from the Social Housing Regulation Act and associated enhanced powers of the Housing Regulator. The HRA 30 Year Business plan will be developed over the coming months with the aim of responding to such challenges set against the wider context of continuing to provide a financially sustainable position in the long term.

RECOMMENDATION(S)

It is recommended that Cabinet:

- notes the Council's in-year financial position at the end of July 2023 along with the updated financial forecast for 2024/25 and beyond;**
- approves the proposed adjustments to the 2023/24 budget as set out in Section 1 of Appendix 1H and requests Officers to review the potential on-going impact in 2024/25 and beyond where necessary as part of developing the forecast and detailed estimates for further consideration by Cabinet later in the year;**
- notes the outcome of the review of carry forwards from 2022/23 approved under delegation to the Portfolio Holder for Corporate Finance and Governance as set out in Table 1 of this report and -**

- i) approves items 1 and 2 set out in Section 2 of Appendix 1H;
 - ii) requests Officers to provide additional information relating to items 3 to 6 set out in Section 2 of Appendix 1H for inclusion in the Financial Performance Report for Quarter 2 that is scheduled to be presented to Cabinet in November 2023;
- (d) notes the treasury transactions with Birmingham City Council set out in this report and request Officers to provide an update in Quarter 2 setting out the response of the Full Council meeting at Birmingham City Council to their Section 151 Officer's recent Section 114 reports;
- (e) the Council continues to be a member of the Essex Business Rates Pool and Council Tax Sharing Agreement with ECC in 2024/25 if it remains financially advantageous to do so;
- (f) notes the updated financial forecast set out in this report and requests Officers, in consultation with Portfolio Holders, to further develop the financial forecast proposals alongside the development of the Council's priorities as part of the wider framework within which to identify the necessary budget reductions to support the Council's long-term financial sustainability; and
- (g) asks that the Resources and Service Overview and Scrutiny Committee be consulted on the latest financial position of the Council set out in this report.

REASON(S) FOR THE RECOMMENDATION(S)

To set out the latest financial position for the Council and to respond to emerging issues in 2023/24 and to develop the budget and long term forecast from 2024/25.

ALTERNATIVE OPTIONS CONSIDERED

This is broadly covered in the main body of this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Effective budgetary control is an important tool in ensuring the financial stability of the authority by drawing attention to issues of concern at an early stage so that appropriate action can be taken. Financial stability and awareness plays a key role in delivering the Council's corporate and community aims and priorities.

Cabinet approved its emerging Corporate Plan and Vision at its meeting in July 2023, which has been the subject of public consultation and the outcome will be reported back to the November Cabinet meeting. One of the 5 themes proposed is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money and assets on. Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and based upon engagement with our residents.

The forecasting and budget setting process will have direct implications for the Council's ability to deliver on its objectives and priorities. The current 10-year approach to the forecast seeks to establish a sound and sustainable budget year on year through maximising income whilst limiting reductions in services provided to residents, business and visitors. The approach set out in this report continues to be set against this wider context.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Internal consultation is carried out via the Council's approach to developing the budget as set out within the Constitution. External consultation also forms part of developing the budget, and is carried out early in the year as part of finalising the position for reporting to Full Council in February.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	Yes	If Yes, indicate which by which criteria it is a Key Decision	<input type="checkbox"/> Significant effect on two or more wards <input checked="" type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	This item has been included within the Forward Plan for a period in excess of 28 days via the inclusion of the regular Financial Performance Update Report item.

Yes The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 ("the 1999 Act") to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in all spending decisions.

Best value authorities must demonstrate good governance, including a positive organisational culture, across all their functions and effective risk management. They are also required, pursuant to section 3 of the 1999 Act, to consult on the purpose of deciding how to fulfil the Best Value Duty.

Government have recently consulted on revised Statutory Guidance on the Best Value Duty issued to local authorities in England under section 26 of the 1999 Act, which best value authorities are required to have regard to. To provide greater clarity to the sector on how to fulfil the Best Value Duty, the draft statutory guidance sets out seven overlapping themes of good practice for running an authority that meets and delivers best value. These seven best

value themes build on the lessons learned from past interventions, including those which the Government published in June 2020, and reflect what most local authorities already do or are striving to achieve. While these themes are all interdependent, strong governance, culture, and leadership underpin effective partnerships and community engagement, service delivery, and the use of resources, continuous improvement is the outcome of all the themes working well together. A detailed description of these themes, including characteristics of a well-functioning local authority and indicators used to identify challenges that could indicate failure, is set out within the draft guidance and financial management and sustainability is a reoccurring expectation throughout the themes and indicators.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The financial implications are set out in the body of the report.

Although the availability of financial resources is a key component in the delivery of services there will also need to be appropriate input of other resources such as staffing, assets and IT.

The approach set out in this report has been discussed with the Council’s new External Auditor, albeit informally. There were no major concerns raised but they will undertake their own independent and detailed review as part of their commentary on the Council’s use of resources.

In terms of the Council’s previous External Auditor, their work remains focused on the outstanding Statement of Accounts for 2020/21 to 2022/23. It is hoped that they will be in a position to provide their own updated commentary on the Council’s use of resources in October / November 2023.

Yes	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:
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The Section 151 Officer is the author of this report.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	This is addressed in the body of the report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	

MILESTONES AND DELIVERY

This reports forms part of the Council’s wider budget setting processes. Additional update reports will therefore be presented to Cabinet in November, December and January as part of developing the detailed estimates that will be presented to Full Council in February 2024.

ASSOCIATED RISKS AND MITIGATION

There are significant risks associated with forecasting such as cost pressures, inflation and changes to other assumptions that form part of the financial planning process. The Council’s

response is set out in the body of this report and will continue to be addressed as part of the future financial updates reports highlighted earlier.

It is also worth highlighting emerging risks associated with the establishment of the Office for Local Government (OFLOG) and the enhanced role of the Housing Regulator via the Social Housing Regulation Act. These will undoubtedly have significant financial consequences for Local Authorities, either directly or where increased capacity may be required to respond to any emerging requirements. This will be considered further as part of developing the forecast over the coming months.

As set out in **Appendix 2A**, the Forecast Risk Fund remains available to support the longer-term approach, with the additional contributions made to the reserve in 2023/24 providing further flexibility in terms of developing the required framework in which to identify the necessary savings to support an on-going financially sustainable position over the next few years.

However, it is important to note that the Council still prudently maintains reserves to respond to significant / specific risks in the forecast such as **£1.758m** (NDR Resilience Reserve) and **£1.000m** (Benefits Reserve), which can be taken into account during the period of the forecast if necessary. The Council also holds **£4.000m** in uncommitted reserves, which reflects a best practice / risk based approach to support its core financial position.

EQUALITY IMPLICATIONS

There are no direct implications that significantly impact on the financial forecast at this stage. However, the ability of the Council to appropriately address such issues will be strongly linked to its ability to fund relevant schemes and projects and determination of the breadth and standard of service delivery to enable a balanced budget to be agreed.

An impact assessment will be undertaken as part of any separate budget decisions such as those that will be required to deliver savings.

SOCIAL VALUE CONSIDERATIONS

There are no direct implications that significantly impact on the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the budget as necessary.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There are no direct implications that significantly impact on the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the budget as necessary.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

Health Inequalities

Area or Ward affected

Please see comments above

PART 3 – SUPPORTING INFORMATION

SECTION 1 – IN YEAR FINANCIAL PERFORMANCE AGAINST THE BUDGET AT THE END OF JULY 2023

The Council's financial position against the approved budget has been prepared for the period ending 31 July 2023.

As highlighted earlier, as part of developing the 'base' budget for 2023/24 earlier in the year, a number of adjustments were made to reflect emerging and/or on-going issues, with therefore only a limited number of variances developing to date. Where variances have been highlighted, these broadly reflect known issues where further review / consideration may be necessary.

Although proposed budget adjustments are highlighted within **Appendix 1H** in response to the emerging / developing issues, the detailed position at the end of July 2023 is set out within **Appendix 1**, with some additional comments included below against the six key areas of the budget where necessary:

GENERAL FUND REVENUE

The position to the end of July 2023, as set out in more detail in the Executive Summary attached, shows that there is an overall net underspend of **£1.747m**.

Apart from the impact associated with the proposed adjustments set out within **Appendix 1H**, the remaining variance is primarily due to the timing of expenditure and income, one example being the timing of when housing benefit payments are made and when the money is reimbursed by the Government via the associated subsidy system.

Notwithstanding the above, it is important to highlight the following:

Waste, Recycling and Street Cleansing – two budget adjustments are set out within **Appendix 1H**. One relates to the unavoidable cost of disposing of residual waste to an alternative disposal site and the other to provide essential additional capacity to support the upcoming tender process.

Parking income – parking income is currently ahead of the budget by **£0.123m**. No adjustment to the budget is proposed at the present time, but the position will be kept under review across the next two quarters to identify if this favourable position is likely to remain until the end of the year.

Another issue relating to the parking service is the potential financial deficit associated with the North Essex Parking Partnership. As previously mentioned, financial risks of being a member of this partnership started to emerge last year and there is currently no provision included within the budget to respond to such an eventuality.

As previously discussed, the NEPP does not appear to be recovering from the impact of COVID 19, with the level of income being less than pre-pandemic levels, which is in addition to the on-going impact of inflation. Recent years have seen the partnership draw money down from its reserves to meet any deficits that have accrued, which has resulted in reserves no longer being available to underwrite its financial risks in 2023/24.

As part of its partnership role, the Council continues to seek assurances from the Lead Authority around how the financial risks of the partnership will be managed in 2023/24 and beyond to avoid as far as reasonably possible a deficit position occurring / continuing. This issue remains under review and further updates will be provided as part of future financial performance reports.

Homelessness net costs– demand for homeless accommodation remains high. Although the service remains committed to exploring options to respond to this demand in the most advantageous way, an adjustment to the budget is included within **Appendix 1H**, as an initial sum to meet the expected on-going cost in the short term.

Vacancy savings - when viewed corporately, employee costs remain behind the budget. A favourable budget adjustment is usually undertaken at the end of each quarter to utilise the accrued savings. However, it is not proposed to make such an adjustment at the present time given that the national pay negotiations for 2023/24 remain on-going. Based on the most up to date information, it is expected that the pay award will be higher than the amount originally forecast, which in turn will likely need to be supported by any accrued savings to date.

Treasury Investment Income – given that interest rates remain relatively high, investment income is significantly ahead of the budget. An initial favourable budget adjustment is therefore set out within **Appendix 1H** to reflect the most up to date forecast, which will be subject to on-going review in later quarters.

Leisure Centre Fees and Charges and VAT – following the consideration by the courts, it has been determined that Local Authorities who provide in-house leisure services to the public are doing so under a statutory framework and therefore the charges made should be treated as non-business instead of being standard rated as has historically been the case. Work remains on-going to finalise the impact of this change, with the outcome planned to be set out in an upcoming separate report. No adjustment to the budget is therefore proposed at the present time until this associated report has been considered.

Garden Waste Fees and Charges Income – the Audit Committee recently considered an issue emerging within the garden waste service where there was a risk that some customers may be receiving a service without having paid the associated fee. The Service remains committed to resolving this issue as soon as possible with the first phase relating to finalising a robust customer database along with other associated improvement actions. Although work will be undertaken to seek payment where customers have benefited from the service but have yet to pay the associated fee, it may result in a level of unrecoverable debt that may need to be written off – this would be a cost that would be charged to the service. It is proposed to provide an update as part of the financial performance report for the second quarter of this year.

Careline Net Costs - as previously discussed, one of the key parts of the budget that remains under on-going review is the financial performance of the Council's Careline Service, especially in light of the adverse outturn position for 2022/23. The Department remains committed to delivering the service within budget and a further detailed review of the associated business plan is currently underway with the aim of reporting the outcome to Cabinet in November. Although subject to the outcome of this separate review, it is likely there will be additional net costs associated with continuing to deliver this service.

As mentioned within earlier reports, the Chief Executive continues to chair the regular Budget, Performance and Delivery meeting of Senior Managers where any emerging issues such as those highlighted above are discussed / identified / explored. This is also supported by the departmental planning process, which in turn supports the delivery of the on-going corporate investment / cost pressure plan approach.

The impact of the issues set out above, along with potential other emerging issues during the year will be kept under review as part of future financial performance reports, which will include identifying if there are any longer term impacts in 2024/25 and beyond that will need to be included in future iterations of the financial forecast.

The overall position set out in **Appendix 1H** results in a net contribution to the Forecast Risk Fund of **£0.169m** being made for the period to the end of July 2023, which represents the first contribution to the fund as part of the commitment to contribute **£0.250m** over the course of the whole year that is built into the long-term plan. Although subject to the on-going impact from issues such as those highlighted above, opportunities to contribute further money to the fund will be explored over the second half of the year.

COLLECTION PERFORMANCE

A detailed analysis of the current position is shown in **Appendix 1E**.

There undoubtedly remains an on-going impact from COVID 19 on collection performance along with the cost of living challenges currently faced by local residents. Any necessary recovery action will continue over the second half of the year, with the aim of maximising the level of collection performance wherever possible.

In respect of general debt, the performance this year is running slightly behind the position at the same time last year. This is primarily due to a limited number of larger items which have now either been paid or are subject to review e.g. money owed by customers of the Council's green waste service that relates to the issue highlighted earlier.

The Council remains a member of the Essex Business Rate's Pool in 2023/24 along with benefiting from the Council Tax Sharing Agreement with Essex County Council. These two schemes have continued to provide a financial benefit to the Council over recent years and it is proposed to continue the same approach in 2024/25. An associated recommendation is therefore set out above to support the Council's continued involvement in both schemes whilst it remains financially advantageous to do so.

HRA REVENUE

An overall position is set out in the Executive Summary with further details included in **Appendix 1C**. At the end of July 2023 the HRA is showing a net underspend of **£0.290m**, which reflects a number of smaller variances across various HRA budgets.

As previously reported, the Service remains committed to returning / maintaining void performance at the historic level of 2%, with the rate currently at 2.34%.

It is worth highlighting the accounting 'cut-off' issue relating to rents that emerged at the end of 2022/23 that was reported within the associated outturn report. At the time of finalising the outturn for 2022/23, it appeared that the level of prepaid rent had been overstated at 31

March 2023. This in turn had the impact of reducing the total amount of income credited to 2022/23, and given the deadline to finalise the outturn position, it had not been possible to explore the issue further at that time. However, the associated review has now been undertaken and it has been confirmed that the level of prepaid rent at the end of 2022/23 had been overstated by **£0.298m**. This money with therefore need to be considered in 2023/24 alongside the preparation of the accounts and any adjustments required as part of the work of the External Auditor on the 2022/23 accounts.

CAPITAL PROGRAMME – GENERAL FUND

The overall position is set out in **Appendix 1D**.

As at the end of July 2023, the programme is broadly on target against the profiled position.

The Starlings Capital Scheme is now nearing completion and will be subject to a formal review, the outcome of which is planned to be reported within a separate report later in the year. Based on the most up to date position, it is expected that additional costs are likely to emerge as part of its completion, which will be considered further in the financial performance report at the end of Quarter 2 that will be presented to Cabinet in November 2023.

CAPITAL PROGRAMME – HOUSING REVENUE ACCOUNT

The overall position is set out in **Appendix 1D**.

As at the end of July 2023, the programme is ahead of profile by **£0.163m**.

This budget relates primarily to the on-going major repairs and improvements to the Council's own dwellings. A number of individual schemes within the wider improvement / enhancement and adaptations scheme are ahead of budget at the present time. However, the position is currently being reviewed with the aim of delivering the programme of activities within the overall annual budget for the year. It is recognised that the timing of certain activities may result in additional costs being incurred in 2023/24, which will be explored further and reported back to members as part of the next financial performance report.

TREASURY ACTIVITY

A detailed analysis of the current position is shown in **Appendix 1F**.

The Annual Capital and Treasury Strategy for 2023/24 (including the Prudential and Treasury Indicators) was approved by Full Council in March 2023, with all activity to date therefore undertaken in accordance with this strategy and associated treasury management practices.

It is worth highlighting the issue recently brought to the attention of members concerning money that has been lent to Birmingham City Council. A total of **£6.000m** has been lent to the City Council, with **£4.000m** due to be repaid in February 2024 and the remaining **£2.000m** being repaid in June 2024. Although Birmingham City Council have issued a S114 notice, there is only a negligible risk associated with these treasury related transactions as Local Authorities cannot go bankrupt and the mechanisms associated with such an event ensure that commitments are met and the money repaid when it is due to be repaid. This is

a well-publicised position and one echoed by various commentators associated with the sector, such as the Chief Executive of CIPFA.

Birmingham City Council are due to meet shortly to consider their response to the S114 notice, and further updates will be provided to Members in the next financial performance report.

Carry Forwards from 2022/23

In line with an associated delegation, the Portfolio Holder for Finance and Governance recently reviewed / approved the carry forwards from 2022/23 that had been requested by Services. Although subject to a separate published decision, a summary of the outcome of this review / decision is as follows:

Table 1

Area of the Budget	Total Carry Forwards Requested	Carry Forwards Approved	Carry Forwards No Longer Required	Carry Forwards Submitted to Cabinet for Further Consideration
(a)	(b)	(c)	(d)	(e)
General Fund Revenue <i>(Incl. Revenue Contribution to the Capital Carry Forward Requests of £2,046,870)</i>	£15,778,730	£15,022,610	£396,040	£360,080
General Fund Capital Schemes <i>(Excl. Revenue Contribution to the Capital Carry Forward Requests as they are included in the figure above)</i>	£9,924,540	£9,924,540	Nil	Nil
TOTAL	£25,703,270	£24,947,150	£396,040	£360,080

In respect of the carry forwards no longer required of **£396,040** as set out in the table above, this amount has been added to the general favourable outturn variance for 2022/23 of **£3.112m**, which reflects Cabinet's decision at their meeting on 21 July 2023. This brings the total general favourable outturn variance for 2022/23 to **£3.508m**, which will be held in reserves for further consideration as part of developing the forecast and detailed budgets later in the year.

In respect of the carry forwards submitted to Cabinet for further consideration (column (e) within the table above), these are set out in **Section 2 of Appendix 1H**. These relate to items that do not strictly comply with the underlying carry forward criteria, but they may support initiatives and projects in 2023/24 and therefore it could be advantageous for them to be agreed as they further the delivery of priorities etc. In effect, they are an allocation from

the general outturn variance for the year. It is proposed to approve items 1 and 2 within **Section 2 of Appendix 1H**. In respect of items 3 to 6, it is proposed that Officers be requested to provide further details relating to these items to enable them to be considered further as part of the Q2 Financial Performance Report that is scheduled to be presented to Cabinet in November.

Other Matters

At its meeting in July, Cabinet considered a Section 5 report from the Monitoring Officer in response to the delay in the publication of the Council's Statement of Accounts for 2022/23. A further report setting out the most up to date position was considered by Full Council on 26 September 2023.

It is not proposed to repeat the details set out in the above reports here, but as requested by Cabinet, it is formally confirmed that the Council's Statement of Accounts for 2022/23 were published by 1 August 2023. This was broadly in line with the commitment made and brings to an end the period in which the Council was in breach of its statutory obligations. The Council is now working with its External Auditors in response to the continuing external audit delays and the Government's recently announced proposals that were set out in detail within the report to Full Council referred to above.

SECTION 2 – UPDATED LONG TERM FORECAST

The detailed budget for 2023/24, which was based on the most up to date financial forecast, was considered and agreed by Full Council on 14 February 2023. The report considered by Full Council also included a summary of the forecast up until 2026/27.

For completeness, a summary of the position presented to Full Council on 14 February 2023 is set out in the following table:

Table 2

Year	Net Budget Position*	Forecast Risk Fund - Estimated Surplus Balance at the end of the year
2024/25	£3.823m deficit	£2.569m
2025/26	£0.132m deficit	£2.687m
2026/27	£0.225m deficit	£2.711m

**includes removal of the prior year use of reserves etc. to balance the budget.*

The figures set out within the table were inclusive of the following on-going savings being achieved across the three remaining years of the forecast:

2024/25 – £1.150m

2025/26 – £4.250m

2026/27 – £0.450m

Total On-Going Savings Required - £5.850m

As highlighted in earlier reports, given the emerging financial issues, the long-term forecast is now being considered against a very different financial background to that originally expected during the earlier years of the forecast. Given the on-going and challenging

financial environment with significant inflationary pressures still remaining, a number of historic assumptions have been challenged as part of developing the current forecast - e.g. in previous years the Council has refrained from using one-off money to support the on-going budget, but given the scale of the financial challenge faced by the Council, this principle has become increasingly difficult to maintain in the immediate term.

However, as highlighted in previous reports, the long-term approach to the forecast does enable the flexibility and time to consider the longer-term plan and the savings that will be required in a more informed way and in light of the emerging Corporate Plan.

Set against the context above, the development of the forecast has continued in 2023/24, with the latest position set out in **Appendix 2A**. The revised forecast aims to balance the optimism / pessimism bias that is inherent within any forecasting process. A summary of the key changes are as follows:

Underlying Funding Growth in the budget – the assumptions broadly reflect those applied in earlier years of the forecast, such as the assumed inflationary increases in council tax and business rates. However it is assumed that the income from the growth in business rates will be higher than reflected in the earlier forecast as the Government are likely to maintain funding to provide ongoing ‘compensation’ where they have ‘frozen’ the business rates multiplier in previous years, and the transitional arrangements for the national business rates revaluation ‘cycle’ that was undertaken for 2023/24.

Revenue Support Grant – At this point in the budget cycle, it is usually assumed that the Government will not provide any on-going support to Local Authorities via the annual Financial Settlement process. However, given the current economic climate and the significant financial challenges faced by Councils, especially in light of the potential increase in Local Authorities issuing S114 notices, it is likely that the Government will provide on-going support, at least in the short to medium term. A level of financial support has therefore been included within the forecast, which will be subject to confirmation or otherwise by the Government in December 2023 as part of the Local Government Financial Settlement.

Removal of One-off items from the Prior Year – A limited number of items have been initially removed from the updated forecast at this stage. However, they remain subject to review as part of developing the forecast during the second half of the year and will be reinstated as part of the cost pressure review highlighted below if unavoidable and therefore likely to continue. Further updates will be provided in future financial performance reports.

Use of Potentially One-off Money – As highlighted earlier, the Council has historically refrained from using one-off money to support the underlying budget, but it is now proposed to include estimated income from the New Homes Bonus Grant and from the Council’s continued membership of the Essex Business Rates Pool. Although there are no long term guarantees around this funding, it is expected that they will continue in the short term, which reduces the risk over the remaining years of the forecast. This approach will need to be reviewed on an on-going basis and if any information comes to light that indicates an increased risk to this approach, then the forecast will be updated and reported to Members as soon as practicable.

Inflation – Although inflation continues to fall, it remains at a stubbornly high level compared to previous years. However, the Bank of England expects the rate of inflation to continue to

fall over 2023/24 and 2024/25, which will hopefully provide some relief to the financial pressures within the long-term forecast.

One area where the current high rate of inflation is continuing to have an impact is the national pay award negotiations for 2023/24. The figure for 2024/25 has therefore been updated to reflect the potential knock-on impact, which will also need to be reflected in the 2023/24 budget as highlighted earlier once agreed.

Unavoidable Cost Pressures – an initial ‘allowance’ of **£0.500m** is included in each year of the forecast. However, there are increasing pressures on this annual figure.

Work remains ongoing with Departments and Portfolio Holders with the aim of remaining ‘sighted’ on potential future cost pressures. Some of these are included in **Appendix 1H** where there is already an impact in 2023/24. Although the position will be updated as part of future financial performance reports, a summary of potential one-off and on-going items (such as those already identified in 2023/24) that will need to be considered, include the following:

- Potential net increases to cost of services – e.g. Careline and Homelessness
- Items funded in 2023/24 on a one-off basis which may continue in 2024/25 and beyond
- Increased contract costs e.g. Waste, Recycling and Street Cleaning when retendered and External Audit Fees
- Asset repairs and maintenance, IT equipment renewals
- Supporting the delivery of strategies, priorities and objectives
- Meeting coast protection responsibilities
- Areas of the budget currently experiencing reductions in income – how long will they continue for?
- Fixed term posts coming to an end e.g. Housing Early Intervention Officer and Family Support Officer

On-Going Savings Required

As set out in the forecast, a significant level of savings are required over the period from 2024/25 to 2026/27. However, after taking account of the various assumptions above, the savings targets have been revised to:

2024/25 – £0.500m

2025/26 – £1.000m

2026/27 – £1.500m

Total On-Going Savings Required - £3.000m

Although the above are lower than included in earlier forecasts, they still present a significant challenge, especially against the context of the Council’s overall current net budget of just over **£14.000m**. It is important to stress that the above represents the level of on-going savings required and not one-off.

It is worth highlighting that the savings required to support the Council’s long-term financial sustainability are to a large extent meeting the historic inflationary pressures over the last two years e.g. employee costs. Unlike utility costs that can fluctuate over time, employee costs only increase over time, which therefore places significant upward pressure on the Council’s financial position.

It is also important to highlight that the level of savings required will also need to continue to act as the 'safety valve' with the overall position being subject to further updates as part of reporting the quarterly position going forward, as any increases in net costs will likely require a corresponding increase in the savings required.

Members may recall the presentation at the member's induction day back in May 2023 where the Council's financial challenges were highlighted, and that looking ahead, the Council needed to develop a framework in which to identify the necessary on-going savings.

This included the following:

- Considering statutory service v discretionary services
- Reviewing service 'standards'
- Taking a zero based approach
- Exploring opportunities for efficiencies
- How we can do things differently.

Developing the above framework alongside the emerging Corporate Plan remains a key activity over the coming months. The level of time and resources required to not only develop the above framework but to also deliver the required savings should not be underestimated. Set against the ongoing delivery of existing projects such as the Levelling Up Scheme and Freeports, there needs to be a clear focus on the timely development of the plan whilst managing competing resources over the coming months.

In addition to the above, to effectively deliver the required savings, a number of key activities will need to be undertaken such as consultation alongside the completion of impact assessments, which will therefore need to be considered within any associated timetable.

As set out in earlier reports, the Council's long-term plan and Forecast Risk Fund provide flexibility and support against which the above can be considered. Extending the current financial forecast period will also be considered as part of developing the forecast over the second half of the year, that may provide further financial flexibility and support along with further opportunities to respond to the structural annual budget deficit that is still estimated to remain at the end of 2026/27.

The Forecast Risk Fund relies on in-year outturn contributions of **£0.250m** per annum to support the overall balance in the reserve, which in turn underwrites the various risks to the forecast. As set out in Section 1 of this report, it is proposed to make a contribution of **£0.169m** to the Forecast Risk Fund. Based on the updated forecast set out in **Appendix 2A**, the Forecast Risk Fund is estimated to total **£6.142m** at the end of 2023/24, which is therefore available to support the development of the forecast from 2024/25 and beyond.

As previously discussed, it is recognised that the use of reserves and one-off budgets to balance the budget is not sustainable in the long term. However, by balancing the use of existing reserves and potentially one-off funding in the short to medium term, it provides additional flexibility to develop the framework in which to identify the required savings from 2024/25.

The forecast does not reflect the Governments intended comprehensive spending review, as it is not clear when this will be undertaken. However, the forecast will be updated as necessary once additional information is announced by the Government.

Risk Assessment

Given the inherent risks to the forecast, a risk assessment of each line of the forecast is maintained. This is currently being reviewed in light of the updated forecast set out above with the aim of providing an updated position when the Q2 Financial Performance Report is presented to Cabinet in November 2023.

As indicated in recent S114 notices issued by some Local Authorities, a major issue faced by Councils is not having the necessary practical and pragmatic plans in place to identify the savings required to balance their budgets. The approach set out in this report has been discussed with the External Auditor, albeit informally and at a very high level, but they will expect the Council to have adequately progressed its financial plans as early as possible over the next six months, that in turn would help demonstrate a credible approach is in place to deliver a financial sustainable future for the Council.

Sensitivity Testing

Work remains in progress to update the usual sensitivity testing approach, with the outcome planned to be presented in reports later in the year as part of the development of the budget for consideration by Full Council in February 2024.

Housing Revenue Account

Some of the challenges set out above that relate to the General Fund will have an equally challenging impact on the HRA - one such example being inflation.

The HRA faces some significant financial pressures looking head such as the telescopic impact of the rent 'cap' in 2023/24 along with increased expectations that will emerge from the Social Housing Regulation Act and associated enhanced role of the Housing Regulator.

In light of the above, work remains in progress on revising the HRA 30 year Business Plan, with further updates planned to be reported to Cabinet later in the year.

Any urgent issues emerging in the interim period will be subject to separate reports / decision making processes where necessary.

PREVIOUS RELEVANT DECISIONS

General Fund Budget and Council Tax 2023/24 – Item A.1 Full Council 14 February 2023

Housing Revenue Account Budget 2023/24 - Item A.2 Full Council 14 February 2023

Detailed Outturn Report 2022/23 – Agreed by the Portfolio Holder for Corporate Finance & Governance 10 July 2023

Outturn Report 2022/23 – Item A.8 Cabinet 21 July 2023

Carry Forwards 2022/23 – Agreed by the Portfolio Holder for Corporate Finance & Governance 27 September 2023

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES**RELATING TO SECTION 1 OF THE REPORT**

Appendix 1 - Front Cover and Executive Summary

Appendix 1A – Summary by Portfolio / Committee

Appendix 1B – General Fund Budget Position by Department

Appendix 1C – Housing Revenue Account Budget Position

Appendix 1D – Capital Programme

Appendix 1E – Collection Performance – Council Tax, Business Rates, Housing Rent and
General Debts

Appendix 1F – Treasury Activity

Appendix 1G – Income from S106 Agreements

Appendix 1H – Proposed Adjustments to the Budget 2023/24

RELATING TO SECTION 3 OF THE REPORT

Appendix 2A – Updated Long Term Financial Forecast

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Tendring **District Council**



Appendices Included:

Executive Summary	A summary of the overall position.
Appendix 1A	A summary of the overall position by Portfolio/Committee split by GF and HRA
Appendix 1B	An analysis by Department of all General Fund Revenue budgets.
Appendix 1C	An analysis of Housing Revenue Account Revenue budgets.
Appendix 1D	The position to date for General Fund and HRA capital projects.
Appendix 1E	Collection Performance
Appendix 1F	Treasury activity.
Appendix 1G	Income from S106 Agreements.
Appendix 1H	Proposed Adjustments to the Budget

Financial Performance Report In-Year Performance as at end of:

July 2023

(The variance figures set out in these appendices that are presented in brackets represent either a net underspend to date position or additional income received to date)

Financial Performance Report - Executive Summary as at the end of July 2023

The tables below show the summary position for the General Fund, Housing Revenue Account, Capital, Collection Performance and Treasury Activity.

General Fund - Summary by Department Excluding Housing Revenue Account

	Full Year Budget £	Profiled Budget to Date £	Actual to Date £	Variance to Profile £
Office of the Chief Executive	(20,764,010)	(1,244,505)	(2,995,323)	(1,750,818)
Operations and Delivery	12,664,780	2,153,476	2,182,257	28,781
Place and Economy	8,099,230	1,355,251	1,330,266	(24,986)
Total General Fund	0	2,264,222	517,199	(1,747,023)

Housing Revenue Account

	Full Year Budget £	Profiled Budget to Date £	Actual to Date £	Variance to Profile £
Total HRA	0	(2,640,531)	(2,930,644)	(290,113)

Capital

	Full Year Budget £	Profiled Budget to Date £	Actual to Date £	Variance to Profile £
General Fund	14,657,070	1,023,310	1,023,297	(13)
Housing Revenue Account	11,909,950	2,413,743	2,576,911	163,168
Total Capital	26,567,020	3,437,053	3,600,208	163,155

Collection Performance

	Collected to Date Against Collectable Amount
Council Tax	27.78%
Business Rates *	33.73%
Housing Rents	96.25%
General Debt	71.24%

Treasury

	£'000
Total External Borrowing	33,988
Total Investments	84,564

* The figure is performance against the budgeted Collection Fund amount rather than the debit collectable.

Revenue Budget Position at the end of July 2023

General Fund Portfolio / Committee Summary

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £
Corporate Finance and Governance	(2,564,340)	(1,449,155)	(1,484,526)	(35,371)
Assets	517,170	1,167,217	1,181,349	14,132
Economic Growth, Regeneration and Tourism	1,576,110	108,433	16,766	(91,667)
Environment	9,429,710	2,588,932	2,552,107	(36,824)
Leisure and Public Realm	5,345,040	99,657	(81,226)	(180,883)
Housing and Planning	5,405,530	3,168,773	2,573,855	(594,917)
Partnerships	1,853,470	525,082	622,534	97,453
Budgets Relating to Non Executive Functions	798,780	351,150	370,495	19,345
	22,361,470	6,560,087	5,751,355	(808,732)
Revenue Support for Capital Investment	96,210	0	0	0
Financing Items	(6,962,650)	(298,184)	(1,236,477)	(938,294)
Budget Before use of Reserves	15,495,030	6,261,904	4,514,878	(1,747,026)
Contribution to / (from) earmarked reserves	(1,353,460)	(77,980)	(77,980)	0
Total Net Budget	14,141,570	6,183,924	4,436,898	(1,747,026)
Funding:				
Business Rates Income	(3,058,440)	(1,020,528)	(1,020,528)	0
Revenue Support Grant	(696,440)	(258,796)	(258,796)	0
Collection Fund Surplus	(783,670)	(235,101)	(235,101)	0
Income from Council Tax Payers	(9,603,020)	(2,405,277)	(2,405,274)	3
Total	0	2,264,222	517,199	(1,747,023)

Revenue Budget Position at the end of July 2023

HRA Portfolio Summary

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £
Economic Growth, Regeneration and Tourism	0	0	40,800	40,800
Housing and Planning	(1,673,700)	(2,640,531)	(2,971,444)	(330,913)
	(1,673,700)	(2,640,531)	(2,930,644)	(290,113)
Revenue Support for Capital Investment	613,630	0	0	0
Financing Items	1,340,100	0	0	0
Budget Before use of Reserves	280,030	(2,640,531)	(2,930,644)	(290,113)
Contribution to / (from) earmarked reserves	(280,030)	0	0	0
Total	0	(2,640,531)	(2,930,644)	(290,113)

Corporate Budget Monitoring - General Fund Budget Position at the end of July 2023

Department - Chief Executive, Finance, IT and Governance

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Analysis by Type of Spend					
Direct Expenditure					
Employee Expenses	11,678,630	2,929,498	2,726,951	(202,547)	
Premises Related Expenditure	390,810	183,418	183,378	(40)	
Transport Related Expenditure	121,610	47,188	47,610	422	
Supplies & Services	5,825,330	1,446,482	1,536,843	90,361	
Third Party Payments	117,000	87,000	84,300	(2,700)	
Transfer Payments	38,545,630	10,961,130	10,814,422	(146,708)	
Interest Payments	9,340	1,866	1,848	(18)	
Direct Capital Financing Costs	289,030	0	0	0	
Total Direct Expenditure	56,977,380	15,656,583	15,395,353	(261,230)	
Direct Income					
Government Grants	(46,535,070)	(11,413,257)	(11,947,223)	(533,966)	
Other Grants, Reimbursements and Contributions	(1,312,720)	(666,280)	(698,319)	(32,039)	
Sales, Fees and Charges	(1,303,190)	(380,577)	(371,573)	9,003	
Rents Receivable	(1,050)	(200)	(160)	40	
Interest Receivable	(923,920)	(443,093)	(1,375,722)	(932,629)	
RSG, Business Rates and Council Tax	(14,141,570)	(3,919,702)	(3,919,699)	3	
Total Direct Income	(64,217,520)	(16,823,108)	(18,312,696)	(1,489,588)	
Net Direct Costs	(7,240,140)	(1,166,525)	(2,917,343)	(1,750,818)	
Net Indirect Costs	(12,170,410)	0	0	0	
Net Contribution to/(from) Reserves	(1,353,460)	(77,980)	(77,980)	0	
Total for Chief Executive, Finance, IT and Governance	(20,764,010)	(1,244,505)	(2,995,323)	(1,750,818)	

Department - Chief Executive, Finance, IT and Governance

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Service/Function</u>					
Total for Chief Executive and Administration	0	125,483	86,568	(38,916)	
Total for Finance and IT Management and Administration	70	33,127	37,086	3,960	
Total for Finance	61,730	417,977	382,278	(35,698)	
Total for Finance - Other Corporate Costs	(4,302,950)	(3,740,971)	(4,739,565)	(998,594)	This primarily reflects the position against investment income which is included within Appendix H.
Total for Finance - Financing Items	(7,984,320)	61,730	53,310	(8,420)	
Total for Finance - RSG, Business Rates and Council Tax	(14,141,570)	(3,919,702)	(3,919,699)	3	
Total for Revenues and Benefits	2,125,470	3,441,933	2,632,941	(808,992)	This reflects the timing differences associated with Housing Benefit payments and the reimbursement by the Government via the related subsidy system along with vacancy savings accrued to date.
Total for IT and Corporate Resilience	2,200	761,220	816,982	55,762	
Total for Health and Community	163,160	15,257	16,724	1,467	
Total for Governance Management and Administration	0	38,163	38,616	453	
Total for Legal	0	148,203	153,848	5,645	

Department - Chief Executive, Finance, IT and Governance

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Total for Communications	0	23,703	23,592	(111)	
Total for Democratic Services and Elections	1,840,230	623,720	637,489	13,769	
Total for Corporate Procurement and Contracts	0	83,540	56,165	(27,375)	
Total for Partnerships Management and Administration	0	29,270	31,104	1,834	
Total for Customer and Commercial	0	65,170	29,788	(35,382)	
Total for People	(20,330)	157,953	162,619	4,666	
Total for Organisational Development	173,910	29,777	64,480	34,704	
Total for Health and Community	235,040	(50,233)	(19,517)	30,716	
Total for Customer Contact	10,300	209,930	209,056	(874)	
Total for Careline and Community	1,073,050	200,245	250,812	50,567	
Total for Chief Executive, Finance, IT and Governance	(20,764,010)	(1,244,505)	(2,995,323)	(1,750,818)	

Corporate Budget Monitoring - General Fund Budget Position at the end of July 2023

Department - Operations and Delivery

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Type of Spend</u>					
Direct Expenditure					
Employee Expenses	6,587,280	2,186,593	2,144,160	(42,433)	
Premises Related Expenditure	1,892,620	893,827	923,476	29,649	
Transport Related Expenditure	547,610	195,280	190,507	(4,773)	
Supplies & Services	2,513,670	835,189	1,216,222	381,032	
Third Party Payments	6,691,710	1,716,841	1,727,139	10,298	
Transfer Payments	349,860	117,737	473,510	355,773	
Total Direct Expenditure	18,582,750	5,945,466	6,675,013	729,547	
Direct Income					
Government Grants	(1,195,040)	(868,730)	(857,099)	11,631	
Other Grants, Reimbursements and Contributions	(1,661,770)	(247,483)	(349,918)	(102,434)	
Sales, Fees and Charges	(4,965,540)	(2,366,143)	(2,950,067)	(583,924)	
Rents Receivable	(384,800)	(193,354)	(241,633)	(48,279)	
Direct Internal Income	(166,390)	(94,040)	(94,040)	0	
Total Direct Income	(8,373,540)	(3,769,751)	(4,492,757)	(723,006)	
Net Direct Costs	10,209,210	2,175,716	2,182,257	6,541	
Net Indirect Costs	2,455,570	(22,240)	0	22,240	
Total for Operations and Delivery	12,664,780	2,153,476	2,182,257	28,781	

Department - Operations and Delivery

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Service/Function</u>					
Total for CD Operations and Delivery Management and Administration	0	109,307	126,818	17,511	
Total for Building and Public Realm Management and Administration	1,150	28,597	82,196	53,600	
Total for Public Realm	1,258,700	505,172	305,721	(199,451)	This primarily relates to increase parking income. It is not proposed to adjust the budget at the present time but the position will remain under review as part of future financial performance reports.
Total for Waste and Recycling	5,712,970	1,574,633	1,566,622	(8,011)	
Total for Property and Projects	(450,220)	(664,069)	(763,320)	(99,251)	
Total for Development and Building Management	2,260	10	453	443	
Total for Coastal and Engineering	3,089,460	512,320	447,939	(64,381)	
Total for Open Space and Transport	953,010	(22,876)	17,094	39,970	
Total for Housing and Environment Management and Administration	2,630	49,820	41,894	(7,926)	
Total for Housing	928,250	(239,301)	98,006	337,307	The variance primarily reflects the current cost of homelessness - please see adjustment set out in Appendix H.
Total for Environment	1,166,570	299,863	258,833	(41,029)	
Total for Operations and Delivery	12,664,780	2,153,476	2,182,257	28,781	

Corporate Budget Monitoring - General Fund Budget Position at the end of July 2023

Department - Place and Economy

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Type of Spend</u>					
Direct Expenditure					
Employee Expenses	5,670,530	1,873,023	1,827,774	(45,249)	
Premises Related Expenditure	1,048,320	527,459	762,966	235,507	
Transport Related Expenditure	45,190	16,108	11,543	(4,566)	
Supplies & Services	1,964,250	540,979	579,121	38,142	
Third Party Payments	45,870	30,000	(3,207)	(33,207)	
Total Direct Expenditure	8,774,160	2,987,569	3,178,197	190,628	
Direct Income					
Government Grants	0	0	(49,620)	(49,620)	
Other Grants, Reimbursements and Contributions	(29,400)	(8,620)	(64,032)	(55,412)	
Sales, Fees and Charges	(4,303,600)	(1,593,723)	(1,701,186)	(107,463)	
Rents Receivable	(81,450)	(29,975)	(33,094)	(3,119)	
Total Direct Income	(4,414,450)	(1,632,318)	(1,847,932)	(215,614)	
Net Direct Costs	4,359,710	1,355,251	1,330,266	(24,986)	
Net Indirect Costs	3,739,520	0	0	0	
Total for Place and Economy	8,099,230	1,355,251	1,330,266	(24,986)	

Department - Place and Economy

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Service/Function</u>					
Total for Place and Economy Management and Administration	0	44,357	42,393	(1,964)	
Total for Planning Management and Administration	0	664,440	525,585	(138,855)	This relates to the variance against employee costs which are proposed to be used to fund Agency Staff within the budget area immediately below - please see Appendix H for further details.
Total for Planning Development	1,601,000	(366,320)	(165,472)	200,848	This primarily relates to the cost of agency staff and the reduction in planning income - please see Appendix H for further details.
Total for Local Plan and Place Shaping Management and Administration	0	29,887	33,298	3,412	
Total for Strategic Planning	471,860	13,290	1,327	(11,963)	
Total for Place	10,620	1,483	0	(1,483)	
Total for Economic Growth	973,790	152,470	72,717	(79,753)	
Total for Sport and Leisure Operations	4,080,430	782,836	830,918	48,083	
Total for Tourism Arts and Events	961,530	2,922	(42,585)	(45,508)	
Total for Economy, Culture and Leisure Management	0	29,887	32,086	2,199	
Total for Place and Economy	8,099,230	1,355,251	1,330,266	(24,986)	

Corporate Budget Monitoring - Housing Revenue Account Budget Position at the end of July 2023

Housing Revenue Account

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Type of Spend</u>					
Direct Expenditure					
Employee Expenses	2,116,770	530,417	451,894	(78,522)	
Premises Related Expenditure	4,065,410	1,239,710	1,130,350	(109,361)	
Transport Related Expenditure	37,870	12,623	9,975	(2,648)	
Supplies & Services	645,110	208,738	195,658	(13,081)	
Third Party Payments	1,030	0	0	0	
Transfer Payments	17,000	5,667	14,187	8,521	
Interest Payments	1,205,860	66,797	59,505	(7,292)	
Direct Capital Financing Costs	2,027,930	0	0	0	
Total Direct Expenditure	10,116,980	2,063,952	1,861,569	(202,383)	
Direct Income					
Government Grants	0	0	0	0	
Other Grants, Reimbursements and Contributions	(8,440)	(147)	(2,638)	(2,491)	
Sales, Fees and Charges	(586,460)	(152,467)	(175,393)	(22,926)	
Rents Receivable	(14,532,500)	(4,551,870)	(4,614,176)	(62,306)	
Interest Receivable	(138,260)	0	(6)	(6)	
Total Direct Income	(15,265,660)	(4,704,483)	(4,792,213)	(87,730)	
Net Direct Costs	(5,148,680)	(2,640,531)	(2,930,644)	(290,113)	
Net Indirect Costs	5,428,710	0	0	0	
Net Contribution to/(from) Reserves	(280,030)	0	0	0	
Total for HRA	0	(2,640,531)	(2,930,644)	(290,113)	

Housing Revenue Account

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
<u>Analysis by Service/Function</u>					
Total for Finance - Financing Items	1,953,730	0	0	0	
Total for CD Operations and Delivery Management and Administration	(66,370)	0	(4,946)	(4,946)	
Total for Development and Building Management	5,155,040	1,265,598	1,157,034	(108,564)	
Total for Housing	(7,042,400)	(3,906,129)	(4,123,533)	(217,404)	
Total for Economic Growth	0	0	40,800	40,800	
Total for HRA	0	(2,640,531)	(2,930,644)	(290,113)	

Corporate Budget Monitoring - General Fund Capital Programme Position at the end of July 2023

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Expenditure					
Assets Portfolio					
Information and Communications Technology Core Infrastructure	70,480	0	0	(0)	
Office Rationalisation	108,340	12,110	12,108	(2)	
Carnarvon House Demolition	346,360	2,700	2,700	0	
Laying Out Cemetery	133,110	8,240	8,240	0	
Public Convenience Works	40,000	0	0	0	
Weeley Crematorium Works	160,300	61,880	61,877	(3)	
Total for Assets Portfolio	858,590	84,930	84,925	(5)	
Corporate Finance and Governance Portfolio					
Agresso e-procurement	84,000	0	0	0	
Total for Corporate Finance and Governance Portfolio	84,000	0	0	0	

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Economic Growth, Regeneration and Tourism Portfolio					
SME Growth Fund Capital Grants	43,250	0	0	0	
Starlings and Milton Road Redevelopment	720,450	173,780	173,780	(0)	
Total for Economic Growth, Regeneration and Tourism Portfolio	763,700	173,780	173,780	(0)	
Housing and Planning Portfolio					
Replacement Scan Stations	12,000	0	0	0	
Housing in Jaywick	374,200	0	0	0	
Private Sector Renewal Grants/Financial Assistance Loans	287,170	0	0	0	
Disabled Facilities Grants	10,702,520	261,500	261,503	3	
Financial Assistance Grants	0	0	0	0	
Private Sector Leasing	75,660	0	0	0	
Empty Homes funding	152,220	0	0	0	
Total for Housing and Planning Portfolio	11,603,770	261,500	261,503	3	

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Leisure and Public Realm Portfolio					
Replacement of beach hut supports - The Walings	11,620	0	0	0	
Northbourne Depot Extension Works	17,740	0	0	0	
Cliff Park Rockery Works	66,500	0	0	0	
CLC - Replacement of All Weather Pitch	393,310	169,730	169,726	(4)	
Clacton Skate Park Improvement Scheme	300,000	207,800	207,795	(5)	
CLC - Pool Cameras	4,010	3,200	3,200	0	
Seafronts - Beach Patrol Vehicles & Equipment	25,730	0	0	0	
New Beach Huts	64,600	0	0	0	
Works at Halstead Road Play Area, Kirby	1,290	150	149	(1)	
Changing Places Facility, Frinton on Sea	77,570	46,010	46,012	2	
Changing Places Project	290,400	76,210	76,207	(3)	
Marine Parade, Clacton - Playground Equipment	80,000	0	0	0	
Total for Leisure and Public Realm Portfolio	1,332,770	503,100	503,089	(11)	
Partnerships Portfolio					
Careline - Replacement Telephone System	14,240	0	0	0	
Total for Partnerships Portfolio	14,240	0	0	0	
Total Approved General Fund Capital	14,657,070	1,023,310	1,023,297	(13)	

Corporate Budget Monitoring - Housing Revenue Account Capital Programme Budget Position at the end of July 2023

	2023/24 Current Full Year Budget £	2023/24 Profiled Budget to date £	2023/24 Actual to date £	2023/24 Variance to Profile £	Comments
Improvements, enhancement & adaptation of the Council's housing stock	6,697,870	828,236	957,437	129,200	
Spendells House Project	1,327,170	0	0	0	
IT Upgrade & Replacement	2,300	0	0	0	
Disabled Adaptations	400,000	126,157	171,767	45,610	
Jaywick Sands - Flexible Workspace Project	1,742,830	1,149,800	1,149,806	6	
HRA - New Build & Acquisitions - To Be Allocated	1,430,230	0	0	0	
HRA - Acquisitions - Council Dwellings	309,550	309,550	297,900	(11,650)	
Total Housing Revenue Account Capital Programme	11,909,950	2,413,743	2,576,911	163,168	

New-Build and Acquisitions - Subject to 1-4-1 Pooling Retained Receipts Regulations

	Required Expenditure to meet DLUHC Target by the end of the financial year:				
	2023/24 £	2024/25 £	2025/26 £	2026/27 £	2027/28 £
Capital Receipts	0	343,507	142,810	449,310	667,801
TDC Funded	0	778,995	214,035	673,965	1,001,702
Cumulative Expenditure	0	1,122,502	356,845	1,123,275	1,669,503

Collection Performance : Position at the end of July 2023

The collection performance against Council tax, Business Rates, Housing Rents and General Debt collection are set out below.

Council Tax			Business Rates																																
<table border="1"> <caption>Council Tax Collection Performance</caption> <thead> <tr> <th>Quarter</th> <th>2022/23</th> <th>2023/24</th> </tr> </thead> <tbody> <tr> <td>Quarter 1</td> <td>27.33%</td> <td>27.78%</td> </tr> <tr> <td>Quarter 2</td> <td>53.77%</td> <td></td> </tr> <tr> <td>Quarter 3</td> <td>79.34%</td> <td></td> </tr> <tr> <td>Quarter 4</td> <td>93.90%</td> <td></td> </tr> </tbody> </table>			Quarter	2022/23	2023/24	Quarter 1	27.33%	27.78%	Quarter 2	53.77%		Quarter 3	79.34%		Quarter 4	93.90%		<table border="1"> <caption>Business Rates Collection Performance</caption> <thead> <tr> <th>Quarter</th> <th>2022/23</th> <th>2023/24</th> </tr> </thead> <tbody> <tr> <td>Quarter 1</td> <td>32.61%</td> <td>33.73%</td> </tr> <tr> <td>Quarter 2</td> <td>67.25%</td> <td></td> </tr> <tr> <td>Quarter 3</td> <td>100.44%</td> <td></td> </tr> <tr> <td>Quarter 4</td> <td>119.06%</td> <td></td> </tr> </tbody> </table>			Quarter	2022/23	2023/24	Quarter 1	32.61%	33.73%	Quarter 2	67.25%		Quarter 3	100.44%		Quarter 4	119.06%	
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Treasury Activity : Position at the end of July 2023

Key Treasury Management Performance Data and Prudential Indicators are set out below.

TREASURY ACTIVITY

Borrowing	Opening Balance 1 April £'000	Borrowing to date £'000	Borrowing Repaid to date £'000	Balance to Date £'000	Comments
Long Term PWLB Borrowing - GF	136	0	4	132	
Long Term PWLB Borrowing - HRA	34,563	0	707	33,856	
TOTAL BORROWING	34,699	0	711	33,988	
Investments	Opening Balance 1 April £'000	Investments to date £'000	Investments Repaid to date £'000	Balance to Date £'000	Comments
<i>Investments less than a year</i>					
Investments with UK Government via Treasury Bills/Investments with DMO, and Local Authorities and other public bodies	68,800	216,400	218,200	67,000	Overall investments have increased over the reporting period due to the timing of the Council's cash flow such as expenditure budgets behind profile or income being received ahead of expenditure. However, there has been a switch away from investments with other local authorities to investments with UK Financial Institutions as fewer local authorities have been borrowing. In respect of investments with UK financial institutions, at the end of the period, investments were held with 8 counterparties, including 2 Money Market Funds.
Investments with UK financial Institutions (including Money Market Funds)	10,411	21,721	14,568	17,564	
Investments with non-UK Financial institutions	0	0	0	0	
Total Investments for less than a year	79,211	238,121	232,768	84,564	
Investments for longer than a year	0	0	0	0	
TOTAL INVESTMENTS	79,211	238,121	232,768	84,564	
Interest Paid / Received	Full Year Budget £'000	Profiled Budget to Date £'000	Actual to Date £'000	Variance to date £'000	Comments
Interest Paid on Borrowing - GF	9	2	2	0	The weighted average rate of interest on the Council's GF borrowing is currently 7.05%. (on an accrued basis).
Interest Paid on Borrowing - HRA	1,206	67	60	(7)	The weighted average rate of interest on the Council's HRA borrowing is currently 3.56%. (on an accrued basis)
Interest Received on Investments	(825)	(382)	(1,315)	(933)	The weighted average rate of interest being received on the Council's investments is currently 4.15%. (on an accrued basis)
PRUDENTIAL INDICATORS					
	Approved Indicator £'000	Highest amount reached in the period £'000	Comments		
Authorised limit for external borrowing	75,609	34,699			
Operational boundary for external borrowing	65,584				

Income from S106 Agreements

Information in respect of S106 income has been split across two areas below - Where money has been formally allocated / being spent and where money remains unallocated / uncommitted.

Where related to capital schemes - see Appendix D for overall scheme progress.

ALLOCATED / BEING SPENT

Scheme Type	Amount Committed / Planned to be Spent in 2023/24
	£'000
GF Revenue Schemes	158
GF Capital Schemes	246
HRA Capital Schemes	0
TOTAL	404

UNALLOCATED / UNCOMMITTED TO DATE

Permitted Use as per S106 Agreement	Amount Held / 'Spend by' Date			
	Less than 1 Year £'000	1 to 2 Years £'000	2 to 4 Years £'000	4 years + £'000
Regeneration Programme and Other Initiatives	0	0	0	2
Affordable Housing	0	0	0	1,483
Town Centre Improvements	22	0	22	0
Conservation	0	0	0	337
Open Space*	5	30	7	2,694
TOTAL	27	30	29	4,516

* For schemes with a 'spend by' date of less than one year, this money must be spent as follows:

Open Space

£2,500 by November 2023

The remaining balance will be considered during the year.

Town Centre Improvements

£22,000 by February 2024

Proposed Adjustments to the In-Year Budget July 2023

Description	Expenditure Budget £	Income Budget £	Reason for Adjustment
SECTION 1 - GENERAL FUND REVENUE			
<i>The following items have no net impact on the overall budget</i>			
Planning Services - Agency Staff	104,000		Use of vacancies to support short term temporary staff costs.
Planning Services - Employee Expenses	(104,000)		
Total General Fund Revenue with no net impact on the overall budget	0	0	
<i>The following items will be adjusted against the Forecast Risk Fund</i>			
Planning Appeal Costs	102,000		To reflect potential additional costs associated with Planning appeals
Airshow 2023 Net Costs	10,000		Although the cost of the 2023 show remains subject to being finalised, it is expected that the overall position will be £10k in excess of the budget, which is over and above the additional £50k already included within the original estimate.
Legal Costs - Benefit Fraud Case	10,000		This reflects costs associated with an ongoing legal matter and is over and above an additional sum of £35k that was included within the 2022/23 budget.
Waste Collection Contract - Costs of disposing of collected waste to an alternative ECC site.	90,000		This relates to amounts claimable by the current contractor that reflects the additional costs that they incur in tipping collected waste to an alternative site provided by ECC. Although ECC will reimburse the Council (approximately 50% of the costs) in line with an associated agreement, this remaining sum has to be met by TDC.
Upcoming Waste & Recycling / Street Cleaning Tender - Additional Capacity / Support	100,000		This reflects an initial sum to provide additional capacity and support to deliver a successful procurement process relating to the Council's Waste, Recycling and Street Cleaning Contract.

Description	Expenditure Budget £	Income Budget £	Reason for Adjustment
Reduced Planning Income		175,000	As highlighted previously, planning income is cyclical and reflects wider economic / market factors. The service continues to see a reduction in income in the first few months of the year. Although this could change over the second half of the year, it is proposed to adjust the budget now to reflect the position at the end of July and review it again as part of future financial performance reports.
Homelessness Net Costs	250,000		Although the Government have recently provided additional grant funding of £234k, (which brings the total level of Government Grant to £1.039m in 2023/24, it is estimated that this additional contribution is still required by the Council to meet current demand.
<div data-bbox="91 676 136 863" style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 270</div> The Council's Corporate Income Management System	7,000		The Council's current system will no longer be supported from June 2024 and given the lead in time to migrate to the associated updated system, a commitment is now required. The full proposed 5 year cost of the 'upgrade' is £47,000, with the cost set out in this table representing the cost in 2023/24. The cost in the remaining 4 years is £10,000 per annum which will be reflected in the financial forecast as it develops over the second half of the year.
Additional Resource for Capacity for North Essex Collaboration and Regeneration / Economic Development	20,000		Working collaboratively across Local Authorities within Essex, it is proposed to establish additional regeneration / economic capacity working across the county. This should be seen as a 'pilot' approach with any longer term view being considered in light of the success of the initial proposed period.
Additional Treasury Investment Income		(932,630)	This reflects the increased income from treasury investments which are influenced by the underlying base rate set by the Bank of England. The base rate has steadily increased over recent months and now stands at 5.25%.
Contribution to the Forecast Risk Fund	168,630		
TOTAL	757,630	(757,630)	

Description	Expenditure Budget £	Income Budget £	Reason for Adjustment
SECTION 2 - Carry Forward Requests from 2022/23 Referred to Cabinet (One-Off Adjustments)			
1. Additional cost of new HR / Payroll system	113,000		As set out in an earlier and separate decision of the Leader and Portfolio Holder for Finance and Governance, the current system becomes unsupported shortly with a replacement therefore required. Given the lead in time and the need for parallel running it is essential that the associated project gets underway as soon as possible.
2. New Legal Case Management Software	7,000		It is proposed to implement a new case management system to support efficiency and time saving within the Service. Essentially this cost would be funded from increased legal fee income achieved in 2022/23.
Page 271 HR Capacity	111,000		It is proposed to increase capacity within the HR Service on a fixed term basis along with supporting qualification training and consultancy support fees to support the design of strategic delivery models.
4. Investment in Career Track Service	46,000		It is proposed to provide further investment in the career track service
5. Jaywick Community Centre Repairs	12,000		It proposed to undertake a number of repairs to the building
6. Leisure Centre Repairs	71,000		A recent survey has identified a number of relatively urgent cost pressures due to the age of the buildings. It is therefore proposed to utilise this funding towards building repairs during 2023/24.
Revenue Commitments Reserve	(360,000)		The above amounts are currently being held within the revenue commitments reserve, which can therefore be used to fund the above requests
Total	0	0	

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Line	Budget 2023/24	Estimate 2024/25 Reported to Council February 23	Estimate 2024/25	Estimate 2025/26	Estimate 2026/27	
	£ (1)	£ (2)	£ (3)	£ (4)	£ (5)	
Underlying Funding Growth in the Budget						
1	Council Tax Increase 1.99%	(0.181)	(0.185)	(0.191)	(0.195)	(0.199)
2	Ctax increase by £5 (amounts set out are over and above 1.99% above)	(0.068)	(0.065)	(0.064)	(0.060)	(0.056)
2a	Council Tax Increase 3% (Revised referendum threshold announced in Autumn Statement)	(0.024)	0.000	0.000	0.000	0.000
3	Growth in Business rates - Inflation	0.000	(0.138)	(0.154)	(0.157)	(0.161)
4	Growth in Council Tax - general property / tax base growth	(0.217)	(0.106)	(0.106)	(0.109)	(0.111)
5	Growth in Business Rates - general property / tax base growth	(0.531)	0.464	(0.036)	(0.041)	(0.046)
6	Collection Fund Surpluses b/fwd - Ctax	(0.477)	(0.100)	(0.100)	(0.100)	(0.100)
7	Collection Fund Surpluses b/fwd - BR	(0.307)	0.000	0.000	0.000	0.000
		(1.806)	(0.129)	(0.651)	(0.662)	(0.673)
Net Cost of Services and Other Adjustments						
8	Change in RSG (including other financial settlement funding)	(0.441)	1.461	0.750	0.000	0.000
9	Remove one-off items from prior year	(0.352)	0.000	(0.375)	0.000	0.000
10	Remove one-off items from prior year - Collection Fund Surplus	(3.192)	0.784	0.784	0.100	0.100
11	Cost / Second / Third year impact of PFH WP Savings	0.000	0.000	0.000	0.000	0.000
12	LOTS Grant To Parish Council's	0.004	(0.041)	(0.041)	0.000	0.000
13	Revenue Contrib. to Capital Programme	(0.012)	0.000	0.000	0.000	0.000
14	Specific change in Use of Reserves	3.233	0.073	0.073	0.000	0.000
15	On-going savings required	(0.450)	(1.150)	(0.500)	(1.000)	(1.500)
16	Other Adjustments	(0.458)	0.000	0.000	0.000	0.000
17	Use of New Homes Bonus	0.000	0.000	(0.500)	0.000	0.000
18	Gain from BR Essex Pool	0.000	0.000	(0.400)	0.000	0.000
19	App A - Savings / Increased Income - On-going	(0.293)	0.000	0.000	0.000	0.000
		(1.961)	1.127	(0.209)	(0.900)	(1.400)
Cost Increases / Corporate Investment Plan Items						
20	Inflation - Employee / Members Allowance Costs (including annual review adjustments)	2.117	0.776	1.000	0.570	0.579
21	Inflation - Other	1.011	0.271	0.271	0.210	0.216
22	Unavoidable Cost Pressures / CIP Items	1.444	0.250	0.500	0.500	0.500
		4.572	1.297	1.771	1.280	1.295
	Add back Use of Forecast Risk Fund in Prior Year	0.431	0.000	0.000	0.000	0.000
23	Removal of Previous Years Use of Reserves to Fund Structural Deficit	0.000	1.528	1.236	2.147	1.865
24	Structural Budget Deficit / (Surplus)	1.236	3.823	2.147	1.865	1.087
25	Use of Reserves - To fund structural deficit	(1.236)	0.000	0.000	0.000	0.000
	Net Budget Position	(0.000)	3.823	2.147	1.865	1.087
	Use of Forecast Risk Fund to support the Net Budget Position	0.000	(3.823)	(2.147)	(1.865)	(1.087)

Use of Forecast Risk Fund to Support the Net Budget Position Above

	<i>Budget 2023/24</i>	<i>Estimate 2024/25 Reported to Council February 23</i>	<i>Estimate 2024/25</i>	<i>Estimate 2025/26</i>	<i>Estimate 2026/27</i>
	£	£	£	£	£
Outturn b/fwd from prior years	(3.316)	(6.142)	(6.142)	(4.245)	(2.630)
Applied in year as set out in the forecast above	0.000	3.823	2.147	1.865	1.087
Additional contributions generated / required in year	(0.250)	(0.250)	(0.250)	(0.250)	(0.250)
Additional contributions via the Financial Strategy Process	(2.576)	0.000	0.000	0.000	0.000
Balance to Carry Forward	(6.142)	(2.569)	(4.245)	(2.630)	(1.792)

CABINET

6 OCTOBER 2023

REPORT OF THE PORTFOLIO HOLDER FOR ECONOMIC GROWTH, REGENERATION AND TOURISM

A.6 LEVELLING UP FUND AND CAPITAL REGENERATION PROJECTS – PROGRESSING THE PROJECTS TO PLANNING PERMISSION

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

For Cabinet to consider next steps for the Levelling Up Fund (LUF) Project in Clacton on Sea and Capital Regeneration Project (CRP) in Dovercourt and draw down £1,898,421 from the Council's £2.295m Levelling Up Fund budget for the procurement of professional services to progress the respective project plans through to the submission of Planning Permission applications.

EXECUTIVE SUMMARY

- It was announced on 19 January 2023 that the Council's bid to round 2 of the Government's Levelling Up Fund (LUF) for Clacton Town Centre, the 'Clacton Civic Quarter', was successful and was awarded £19,958,224. In addition, on 15 March 2023 it was announced that a £6.65m bid for projects in Dovercourt Town Centre was approved, under Government's Capital Regeneration Scheme. The five schemes are comprised of the following:
 - Clacton Hub (LUF)
 - Carnarvon Terrace (LUF)
 - Kingsway Improvements (CRP)
 - Homes in Dovercourt (CRP)
 - Learning and Library Project (CRP)
- The Council chose the projects from the Council's plans set out in the documents 'Love Clacton' and 'Dovercourt Revisited', which Government was most likely to support given the criteria for the Levelling Up Fund. These projects respond to some of the key challenges for the District, including increasing skills, driving economic growth, supporting vibrant town centres, and meeting local housing need, and aim to improve quality of life for residents of Clacton and Dovercourt. The projects also align with other Council projects, including the Orwell Terrace scheme in Dovercourt, and the recruitment of a Town Centre Manager.
- On 17 March 2023 Cabinet considered a report titled 'Financial Performance Report - In Year Performance against the Budget at the end of Quarter 3 2022/23 and Long Term Financial Forecast Update'. In addition to accepting Government funding for the Clacton Civic Quarter LUF scheme, through that report Cabinet allocated £250,000 of Tendring District Council's match funding allocation for the above bids to support the development of the scheme for Clacton.

- On 23 June 2023 Cabinet considered a report titled 'Clacton Civic Quarter Levelling Up Fund (LUF) Bid, Dovercourt Town Centre Improvement Corridor Capital Regeneration Project (CRP) Bid'. In addition to accepting Government funding for the Dovercourt scheme, through that report Cabinet allocated usage of the £250,000 which had been drawn down in the March 2023 report, towards early preparations for the CRP scheme and agreed proposals for delivery of the respective projects in partnership with Essex County Council.
- The June Cabinet report further set out that the Council is the responsible authority for both the LUF and CRP projects. As such, the Council will programme manage the overall schemes, reporting to the officer-led LUF Delivery Programme Board, on to the member-led Regeneration Board, and ultimately to DLUHC and Government. Both Boards have joint membership from the Council and ECC. Furthermore, the report proposed that 'the Council (TDC) will commission the two projects where it owns the land and runs services, which are Carnarvon Terrace (Clacton LUF), and Homes for Dovercourt (Dovercourt CRP).'
- Following a review of this delivery method, it is now proposed that the Council will manage these projects directly. This approach provides good value for money and enables the procurement of the professional delivery team to take place within the Council. It will allow the Council to retain control and effectively manage the associated risks. Delivery will take place under the oversight of a Capital Delivery Programme Manager, and recruitment has also taken place for a Project Manager to support delivery. A full chart which sets out the proposed structure for all projects is included as below.
- The Proposed delivery team would consist of:

TDC Governance [including Corporate resources]

- TDC – Capital Programme Management [Across all 5 sites]
 - CDM Coordinator
 - Local Authority Building Control
 - Public Consultation Advisor
- TDC Owned Sites [across both sites]:
 - Employer's Agent/QS Cost Management – Lead Consultant
 - Civil & Structural Engineer
 - Mechanical, Electrical and Public Health Engineers
 - Fire Consultant, Highways, etc [other Design Team members]

Each site will then have their own Architects.

It is anticipated that ECC-led sites will have a similar delivery structure.

- The LUF and CRP schemes have a combined overall budget of £37,532,319, of which £2,295,060 is a match funding contribution from TDC. Previously, £3,600 of this budget has been spent on procuring footfall data as part of the government's required monitoring

and evaluation process for the bids, and £250,000 was allocated to project development by Cabinet as mentioned above.

- The LUF and CRP schemes have a combined overall budget of £37,532,319, of which £2,295,060 is a match funding contribution from TDC. This report recommends drawing down a further £1,898,421 from the remaining match funding of £2,291,460 to commission a project team and allow for the development of the pre-construction information (including surveys, advisors and project design and delivery teams as set out in the finance section). This will develop the LUF and CRP funded schemes up to submission of detailed planning applications for the relevant sites. This structure is considered the most effective method of successfully delivering the projects, whilst managing the accompanying risk.
- The estimated budget for the professional team for the duration of the projects has been developed from a high-level indicative cost-model for each scheme to establish overall budgets which will fund their procurement up to the submission of Planning Applications for the projects.
- Within both submitted bids, a total of £2,148,421 was allocated to commission a project team. This report recommends drawing down a further £1,898,421 from the remaining match funding of £2,041,460. This funding will cover professional fees for all stages of the project. At this time a portion of the funds will be used for the development of the pre-construction information (including surveys, advisors and project design and delivery teams as set out in the finance section). This will develop the LUF and CRP funded schemes up to submission of detailed planning applications for the relevant sites. This structure is considered the most effective method of successfully delivering the projects, whilst managing the accompanying risk.
- For the Council to effectively oversee the projects, manage the associated risks and budgets, there is a need for strong leadership, experience and technical skills in programme and construction management. As such, the Council intends to extend the services of an experienced programme manager through an agreement with an employment agency and to allocate funding to acquire sufficient specialist legal and financial support.
- As previously agreed, the Council will sign funding grant agreements with ECC to commission and deliver the three remaining projects where ECC own the land and run services, which are Clacton Hub (Clacton LUF), and Harwich Library and Kingsway Improvements (Dovercourt CRP).
- A further report will be brought back for consideration on the detailed projects, for approval to develop technical designs to the level of detail required to go out to the market for procurement of main build-contracts.

RECOMMENDATION(S)

It is recommended that Cabinet:

- a) Endorses the revised programme delivery method for the Carnarvon Terrace and Homes for Dovercourt schemes, as a change from the previous Cabinet Report, which results in the Council managing these projects directly and not Essex County**

Council led partners, and recognises the need to allocate resources from total project funding available to these schemes.

- b) Allocates up to £1,898,421 from the Council's remaining Levelling Up Fund Budget of £2.041m to procure professional services to deliver the projects through to planning submission, with expenditure from this allocation being in line with the bid submission;
- c) Requires any changes to the projects to be made in consultation with the Portfolio Holder for Economic Growth, Regeneration and Tourism;
- d) Subject to b) above, delegates the Corporate Director Place and Economy, in consultation with the Portfolio Holder for Economic Growth, Regeneration and Tourism, to procure appropriate resources and commission a project team to carry out the associated work including for the design briefs;
- e) Subject to b) above, agrees exemptions to the Council's Procurement Procedure Rules to enable the Corporate Director, Place and Economy to enter into an agreement with the relevant Employment Agency to extend the engagement of the Capital Programme Manager; and
- f) Delegates agreement of the final design brief and subsequent planning application submission to the Portfolio Holder for Economic Growth, Regeneration & Tourism.

REASON(S) FOR THE RECOMMENDATION(S)

To ensure sufficient funding is allocated to procure a professional team to deliver the LUF and CRP projects up to and including the submission of detailed planning application.

Furthermore, the recommendations will ensure the Council is able to adequately oversee the projects and manage the subsequent risk effectively by funding a Capital Programme Manager and Project Manager until completion. This increases the in-house delivery capacity for capital projects within the Council.

ALTERNATIVE OPTIONS CONSIDERED

There are other options which have been considered:

Do nothing: Tendring District Council would not be able to deliver the schemes without this decision-making mechanism in place. Not delivering the bid would allow officer time to be focused on other projects and would reduce any financial or delivery risk to the Council from running major capital works.

However, not accepting the funding would also reduce the opportunity for investment in the district at a significant scale, with the benefits that will bring, and have negative reputational issues for Clacton and Dovercourt, and the Council with the announcement already publicised widely at local and national levels.

Contract Out Programme Delivery: This option takes away the delivery responsibility from TDC to a professional 3rd party developer. There are significant risks associated with this as while the responsibility for delivery is taken away, so is the control. Should the projects not progress according to time, quality and cost parameters, it will become very difficult for TDC to regain control. There is also the matter of finding a suitable trusted partner for such a project programme.

This option would also require agreement with DLUHC and ECC as they are the funding and delivery partners, respectively.

The reputational risk of unsuccessful or non-delivery of the projects will be great as well, and this is not recommended.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Corporate Plan (2020-2024)

The LUF and CRP schemes allow the Council to meet the following priorities in the Corporate Plan:

Building Sustainable Communities for the Future

- Vibrant Town Centres
- Building and managing our own homes

A Growing and Inclusive Economy

- Develop and attract new businesses
- More and better jobs

Community Leadership Through Partnerships

- Joined up public services for the benefit of our residents and businesses

Corporate Priorities 2022/23

Successful application is in line with the following Corporate Priorities for this financial year:

- D2 – Supporting existing businesses
- An application to the Levelling Up Fund was highlighted as an action

Economic Strategy 2020-24

The Tending Economic Strategy was updated in 2020. The Strategy uses evidence from Office of National Statistics to demonstrate that there have been some important changes in the district's economy in recent years which require a change in approach.

The successful Levelling Up application complements the following areas for Action set out in the Strategy:

- Supporting long term investment into local civil society, citizen engagement and participatory activities within Jaywick Sands and Clacton

- Building the capacity of local civil society and third sector organisations to support the development of routes to employment in community businesses, social enterprise and alternative labour markets
- Work with core Higher Education and Further Education partners (primarily the University of Essex and the Colchester Institute)
- Accommodate the business needs of a growing population by developing new flexible spaces for start-up and micro business growth.

Tendring District Council Local Plan 2013 - 2033

Delivery of these projects will align with the following strategic objectives set out in Section 1 of the Local Plan, adopted on 26th January 2021:

- Providing sufficient new homes
- Fostering economic development

OUTCOME OF CONSULTATION AND ENGAGEMENT

In the report considered by Cabinet in June 2023, Cabinet also agreed to endorse the Portfolio Holder for Economic Growth, Regeneration and Tourism forming a Cross Party Levelling Up Working Party to receive project management updates at least four times a year on progress with the schemes, with particular attention to risk management for each individual project, budget and costings and delivery progress. This will ensure this representative group are kept abreast of project progression and continually evaluate risk and budget management.

As set out in the Cabinet report in June 2023, the Council undertook consultation for both bids in June 2022, in preparation of the applications for funding, notably with:

- Clacton Town Partnership; and the Clacton Coastal Forum; (LUF)
- Harwich Town Council, Harwich and Dovercourt Tourism Group, (CRP) and
- Other key Tendring-wide stakeholders including the CCG, who provided a letter of support for both bids.

The proposals were also reviewed at the Success Essex board meeting on 6th June 2022. Following comments from attendees, the proposals for the car park element of Carnarvon Terrace were revised to increase the number of electric car parking spaces within the bid.

Clacton

The projects contained in the Clacton Civic Quarter bid align with the overarching vision and objectives of the 'Love Clacton' Vision 2030 which was developed through engagement and partnership with local businesses, the wider community and other partners and stakeholders through a series of meetings and workshops between 2018 and 2020. The projects contained in this bid are based on projects submitted in an application to the Future High Streets Fund (FHSF) in 2020. Prior to that submission, the Council undertook an online consultation exercise on the proposals, the results of which demonstrated particular enthusiasm around flexible start-up business space, improvements to car parks and electric vehicle charging facilities. These elements of the FHSF proposal were maintained in the successful bid.

Dovercourt

All of the projects proposed in the Dovercourt Town Centre bid are taken from Dovercourt Revisited ([link](#)). TDC commissioned this document in January 2018 as a means to update the

previous masterplan (Dovercourt Rediscovered) from 2011. The production of Dovercourt Rediscovered included a public engagement exercise where members of the public were invited to comment on the masterplan, via exhibitions, which were held over two days. One of the key messages from the exercise was that the town's public realm needed to be upgraded: one of the most commonly cited responses to what attendees did not like about Dovercourt was the quality of the street scene (74%).

The Council developed a Communications Engagement and Marketing plan in 2023 for the Clacton LUF and Dovercourt CRP schemes to guide its work on the projects.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES	If Yes, indicate which by which criteria it is a Key Decision	<input checked="" type="checkbox"/> Significant effect on two or more wards <input checked="" type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	Added to the Forward Plan on 7 September 2023.

Following on from the previous Cabinet report in June 2023, the Council is in the process of agreeing terms of funding agreements with ECC, which would ensure the obligations on the Council in the MOUs with Government are discharged.

The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

It is important to ensure the Funding Agreements with ECC are agreed and completed as soon as possible following ECC approving their business case process, to ensure that the obligations for the ECC projects under the MOUs with Government are pass ported, to reduce the risk to the Council.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The total bid to the Levelling Up Fund was £19,958,224. This is then broken down across the two projects in the bid as follows:

Project 1 (Clacton Hub)

Total request to Levelling Up Fund: £3,102,985

Match Funding Contribution provided by ECC: £6,500,00

Total Project Costs: £9,602,985

Project 2 (Carnarvon Terrace):

Total request to Levelling Up Fund: £16,855,239

Match Funding Contribution provided by TDC: £2,078,500

Brownfield Land Release Funding: £420,000

Electric Vehicle Fund: £390,000 (not yet secured)

Total Project Costs: £19,743,739

Total overall LUF Programme Costs: £29,346,724

Dovercourt CRP

The total bid for the Dovercourt Town Centre Improvement Corridor was £6,652,251. This bid contained 3 component projects as follows:

Project 1 (Harwich Library)

Total request to Levelling Up Fund: £500,000

Match Funding Contribution provided by ECC: £626,844

Total Project Costs: £1,126,844

Project 2 (Homes in Dovercourt):

Total request to Levelling Up Fund: £3,332,251

Match Funding Contribution provided by TDC: £216,500

Total Project Costs: £3,548,751

Project 3 (Public Realm):

Total request to Levelling Up Fund: £2,820,000

Match Funding Contribution provided by ECC: £1,500,000

Total Project Costs: £4,320,000

Total Overall Dovercourt CRP Programme Costs: £8,995,595

Developing the Projects to Planning Permission:

From the overall budget set out above, a total of £250,000 has already been committed to the project to date, from Tendring District Council's match funding allocation, in order to develop the projects to this stage. In addition, of the £420,000 allocated from the Brownfield Land Release Fund, £147,215 has been spent on the demolition of the former Carnarvon House building. To continue driving both the LUF and CRP projects forward to Planning Permission will require the following to be committed through this report:

In-House Client-side resources:

As part of developing the necessary capacity and resources to deliver this scheme, TDC will need to procure the services of specialists in the following areas:

1. **Legal:** To support the core TDC internal legal team to develop and deliver legal documentation required for such a programme. Estimated work flow:
 - a. Drafting up Funding Agreements
 - b. Drafting up Service Agreements with the supply chain
 - c. Executing said agreements
 - d. Land Title and lease related legal support
 - e. Monitoring the above

2. **Finance and Financial Monitoring:** To support the core TDC internal team, it is recommended that a Project Finance Professional be engaged such that s/he can report to TDC Finance Director on the progress and other relevant matters.

Professional Fees:

TDC Development costs include projected costs for statutory client-side expenses such as taking out insurances and warranties, Planning fees, building regulation approval fees, SAP calculation fees, party-wall surveys and agreements, statutory undertaker liaison, etc.

Overall Projects Budgets & Summary for Carnarvon Terrace and Homes In Dovercourt projects:

Site	LUF/CRP* Funds [£]	%	TDC/ECC Funding [£]	%	Total Project Budget [£]	Summary
Carnarvon Terrace	16,855,239	89.02	2,078,500	10.98	18,933,739	To deliver approx. 28 new homes along with replacement car parking and c. 1400 sq.m. flexible commercial use
Homes In Dovercourt	3,332,251	93.90	216,500	6.10	3,548,751	9 new-build town houses for social rent

The Council intends to undertake a modular approach to procurement, to allow flexibility within the procurement process and allow close monitoring of spending.

Professional Services:

These will include the development and design team procured to execute the programme delivery strategy for the wider programme as well as sites directly owned by TDC. They will include, but not be limited to – Architects, CDM coordinator, LABC, Quantity Surveyor, MEPH, Civil and Structural engineers, fire consultants, etc.

Enabling works:

Pre-construction and pre-design information packs will be produced to enable design development to progress with regard to any risks that may be highlighted – including desktop and intrusive surveys, liaison with statutory undertakers, etc.

Risk Management:

The purpose of this work is also to de-risk the development such that as and when designs are developed, they take into consideration relevant survey information, as well the technical briefs which would be informed by the preconstruction information.

Large-scale projects bring with them a commensurate level of risk, with seemingly small percentage variances in costs having the potential to produce a significant financial impact on a project and so the Council. As such, projects at this scale require the sustained focus of the Council to mitigate the risk of inflation and potential cost over runs. The Council and its delivery partners will conduct further construction cost analysis to develop robust contingency plans. Regular cost monitoring and risk assessment throughout the project lifecycle will be vital to identifying potential inflationary risks and proactively managing them.

X	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:
<p>No further comments over and above those set out in the report.</p> <p>The necessary changes to the budget will be made to reflect the decisions set out in this report.</p>	
USE OF RESOURCES AND VALUE FOR MONEY	
The following are submitted in respect of the indicated use of resources and value for money indicators:	
A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks; and	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	
MILESTONES AND DELIVERY	
<p>The key milestones to take the respective projects through to submission of planning applications are as follows:</p> <ol style="list-style-type: none"> 1. Development Brief Finalised: End-Oct 2023 2. Development Brief Presented to All-Party Group and Approved: 1st Week Nov. 2023 3. Procurement of Pre-construction Information – Mid-Nov. 2023 4. Procurement of Key Design team members – Mid-Late Nov. 2023 5. Procurement of all relevant designers, advisors and consultants – Jan. 2024 6. Detailed Planning Application Lodged – Q2 2024 <p>Interim milestones will be:</p> <ol style="list-style-type: none"> 1. Initial Concept design – Dec. 2023 (costed-design) 2. Developed Concept design – Feb 2024 (costed and benchmarked) 	
ASSOCIATED RISKS AND MITIGATION	
<p>Risk registers have been produced as follows;</p> <ul style="list-style-type: none"> • one each for the LUF and CRP programmes, • one for each of the five individual projects, and • an overarching risk register highlighting the ‘top ten’ risks across both LUF and CRP programmes, which is shown below: <p>Current ‘top ten’ risks for the Programme:</p>	

	Risk	Mitigation	Owner
1	Programme Delay: Caused by ECC Governance	Timely capital spend approvals by ECC	ECC
2	Programme Delay: Caused by Procurement	Timely reporting and engagement with management, cabinet and council level stakeholders	TDC & ECC
3	Cost escalation: caused by inflation	Form of contract executed - JCT/GMP and/or NEC	TDC & ECC
4	Cost escalation: caused by scope gap	Design team management and QS input to direct design	TDC, ECC & Essex Housing
5	Design development	Design brief to be comprehensive and design milestones approved	TDC & ECC
6	Contracts: delays to execution	Control of the cost-plan, design and approvals	TDC & ECC
7	Contracts: scope gap	Ensuring adequate provisions are made by the legal teams	TDC & ECC
8	Stakeholder management: risk to approval	Ensuring adequate time is allocated to due process and feedback fed into the design	TDC & ECC
9	Construction Risk: unknowns below ground	Comprehensive surveys	Main Contractor
10	Third party approvals	Planning, Highways, Statutory undertakers to be consulted	TDC, ECC & Project PMs

For Cabinet to be aware, an overall programme risk is that the ECC elements of the programme, remain subject to ECC's own internal approvals process.

Project risks are constantly monitored through a systematic and ongoing process of risk identification, assessment, mitigation and monitoring. The risk register is a rolling item at the programme board, as regular communication and reporting on the status of risks to all project team members, stakeholders and sponsors is essential to effective delivery.

The delivery agreement with ECC will also look to set out risk sharing between ECC and TDC.

The recent delivery of the Jaywick Sunspot Project, as well as the Orwell Terrace scheme at the former Starlings site, were impacted by risks relating to increased costs and inflation which were outside the council's control. By bringing delivery of the two TDC-led schemes back in house, risks relating to these schemes can be closely monitored and managed in a timely fashion.

EQUALITY IMPLICATIONS

New EQIAs have been developed for both bids and are intended to be living documents which are updated throughout the scheme. a fuller description can be found in the Cabinet report dated 23 June 2023.

SOCIAL VALUE CONSIDERATIONS

TDC has entered into a Service Level Agreement (SLA) with ECC to undertake its procurement process, with TDC contributing a fee to ECC to deliver key procurement activities and enables TDC access the wider knowledge of the ECC in-house team. TDC's SLA with ECC ensures the Council's procurement follows a compliant contracting process in accordance with legislation and policy and the commissioning of the Professional Team will be undertaken through this route.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

Consideration has been given, both during application stage and now moving to project delivery, to how this suite of projects will impact the environment and how the projects contribute to the Council's wider commitment to become net zero carbon (of Scope 1 & 2 emissions) by 2030 as laid out in the Tendring Climate Emergency Action Plan 2020 – 2023.

To achieve this goal, the project briefs will have the following inserted as part of the guidance to the designers, and make this a condition of their appointment:

Ensure all newly constructed council-controlled buildings, extensions and refurbishments are designed to achieve net zero emissions by 2030 where possible.

As a result, Tendring is looking for a 'Passive Principles' low energy building design approach for the projects in order to achieve better construction quality, protection against fuel poverty, improved comfort and wellbeing, closing of the gap between predictions and actual performance, lower repair and maintenance costs.

Tendring's Low Energy Design Strategy is looking to:

- Adopt a 'Passive Principles' low energy design approach across all sites;
- Set a contractual energy performance target within Tendring's Employers Requirements;
- Incorporate renewable energy where possible;
- Plan a well-coordinated handover, aftercare and maintenance strategy and a 'soft landings' protocol.

OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

Both projects include the provision of additional community services and improved visual amenity, which will contribute to the reduction of crime through increased natural surveillance. Rationalised access points to the car park will also provide this and will ensure people feel safer walking through the space in the evening, especially women, who can feel particularly vulnerable.

The Carnarvon House site was an existing crime hotspot in Clacton, and redeveloping this site aim to decrease crime directly.

<p>Health Inequalities</p>	<p>Both projects contain schemes which will have a positive impact on health inequalities including access to housing, education, jobs, and public services.</p> <p>The completion of both projects will result in the provision of housing in two of the most deprived areas in the District, in areas which have demand on the housing register. TDC's Draft Housing Strategy 2019-2024 shows that 415 households (26%) on the housing register have a physical or mental health condition made worse by their housing, which this provision would move to address.</p> <p>Through investment in libraries and skills provision, both projects also aim to increase access to training and employment, through structured courses and access to IT systems.</p> <p>Both projects also include mixed use space with flexible access for public sector partners. This provides opportunities for joined up working between organisations, which can improve and simply access to services for residents.</p> <p>The Clacton Hub also includes space for the University of Essex to establish a presence. The different aspects of the University offer will result in collection of data and insights on coastal communities, which will benefit wider health and wellbeing decision making. There will also be skills and training opportunities for residents.</p>
<p>Area or Ward affected</p>	<p>Clacton Civic Quarter: Pier Ward, when delivery begins</p> <p>Dovercourt Town Centre Improvement Corridor: Harwich & Kingsway Ward, when delivery begins</p>

PART 3 – SUPPORTING INFORMATION

<p>BACKGROUND</p>
<p>The Council's Corporate Plan is committed to developing vibrant town centres and public spaces to be proud of, building and managing its own homes and offering joined up public services for the benefit of or residents and businesses. To this end, the Council published the</p>

'Love Clacton' Plan in 2020 and 'Dovercourt Revisited' in 2019 that outline proposals for town centre regeneration.

The Council submitted two applications in August 2022 to Round Two of the Levelling Up Fund: £19,958,224 for the Clacton Civic Quarter, and £6,652,251 for Dovercourt Town Centre, as the projects that best fit these Government funding opportunities from the Love Clacton and Dovercourt Revisited proposals.

Both bids were developed jointly with Essex County Council, who allocated resource to develop the bids, own land and buildings within three of the projects, and has committed £8m of matched funding to the delivery of both bids.

Clacton LUF

- The Clacton Civic Quarter bid requested £19.960m for two projects.
- 1. Carnarvon Terrace is proposed to be 28 new homes in three blocks built along Carnarvon Road: one block of 11 social homes and two blocks for sale. The ground floor of each block will provide new offices or shops. The Council will remodel the carpark and install up to 30 EV chargers. A covered market of 'maker spaces' will be built.
- The 'maker spaces' will provide space for emerging local businesses and a new retail offer for the town centre, which will increase day time activity and complement existing shops. The improvements to the carpark, including new electric car charging points will be a draw that further supports visitors to the town centre and the seafront. The provision of 28 flats, 11 of which will be affordable / social housing, seek to address the lack of affordable housing provision in the area. Within the district, the biggest demand for affordable housing is for 1 or 2 bedroom properties in Clacton.
- 2. Clacton Hub will redevelop the existing ECC library site to make provision for a new library and Adult Community Learning centre with additional flexible space including proposals to bring the University of Essex to Clacton for the first time.
- The University of Essex will be part of a new skills and education hub in Clacton, setting up base in the town to create a Centre for Coastal Communities. The exciting new site will provide access to a range of new learning opportunities for local people, while retaining important community elements, including the local Museum.
- The Clacton LUF plans are based on many years of preparation. The successful Round Two Levelling Up Fund Bid is based on an unsuccessful Round One bid, which itself is based on a 2020 Future High Streets Fund bid, that whilst not it did not win funding, did provide the underlying vision, project development and consultation for the successful Clacton LUF bid.
- Government told the Council it had been successful on 19 January 2023. Cabinet agreed on 17 March 2023 to accept the £19.960m awarded to the Council and to authorise the S151 Officer to sign the associated MOU in consultation with the Corporate Director Place & Economy and Portfolio Holder for Business and Economic Growth.

Dovercourt CRP

- Government notified the Council in January 2023 that its Dovercourt Town Centre Improvement Corridor bid was unsuccessful for LUF, but on 15 March 2023 Government announced the bid was successful in a sister fund, 'Capital Regeneration Projects' (CRP).

The funding from Government comprises:

1. Kingsway improvements: A major investment into the appearance of Dovercourt Town Centre to improve the visitor experience and support local businesses.

2. Learning and library project: The Adult Community Learning skills centre will return to Dovercourt town within a refurbished library, increasing the opportunities for residents to benefit from courses locally.
3. Homes in Dovercourt: Demolish an out-of-date multi-storey carpark at Milton Road and build nine new, well-built social homes.

In accordance with previous Cabinet decisions, the Council and the Government have now signed the respective MoUs for both the LUF and CRP schemes. These MoUs denotes an agreement to proceed and that the allocation of funding to the Council has passed the Government's subsidy control tests.

PREVIOUS RELEVANT DECISIONS

[Decision - Procurement Exercise To Secure A Levelling Up Bid Consultant](#)

[Decision - Levelling Up Fund: Procurement of Consultants](#)

Round one

[Decision - Levelling Up Fund - Clacton Town Centre \(tendringdc.gov.uk\)](#)

[Decision - Cabinet Members' Items - Report of the Business and Economic Growth Portfolio Holder - A.2 - The 'Levelling Up Fund' - Proposed Bid for Clacton Town Centre \(tendringdc.gov.uk\)](#)

[Issue details - Clacton Town Centre: Bid to the Levelling Up Fund \(tendringdc.gov.uk\)](#)

<http://tdccthiis001/ieDecisionDetails.aspx?Id=11719>

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

[Levelling Up Fund Round 2 Prospectus](#)

[Regeneris Report \(tendringdc.gov.uk\)](#)

[Cabinet Report 25 June 2021](#)

[Agenda Report Pack for Cabinet - Friday, 25th February, 2022 - contains Corporate Priorities for 2022/23](#)

[Cabinet Report 17 June 2022](#)

[Cabinet Report 23 June 2023](#)

APPENDICES

None

REPORT CONTACT OFFICER(S)

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CABINET

6 OCTOBER 2023

REPORT OF THE MONITORING OFFICER

A.7 UPDATE ON SECTION 5 REPORT REGARDING EXTERNAL AUDIT DELAYS THAT CAUSED DELAY TO THE PUBLICATION BY THIS COUNCIL OF CERTIFIED ACCOUNTS FOR 2022/23

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To update the Cabinet on the actions taken in response to a breach of a statutory reporting deadline.

EXECUTIVE SUMMARY

Further to the decision taken by the Cabinet at its meeting held on 21 July 2023 (Minute 27 resolution (d) refers) this report provides an update on the actions taken by this Council in response to a breach of a statutory reporting deadline.

This report is based on the Monitoring Officer's Section 5 report, which was submitted to the meeting of the full Council held on 26 September 2023. That report to Council is attached as an Appendix to this report for Members' information and reference.

Since Cabinet's meeting on 21 July 2023, a number of actions / events have occurred with a summary as follows:

- The Council's Statement of Accounts for 2022/23 were published by 1 August 2023, with the period for public inspection therefore commencing on that date. This brought to a close the period where the Council remained in breach of the statutory requirement to publish the Accounts by 1 June 2023.
- Reference to this issue was included within the Annual Governance Statement 2023, which forms part of the Statement of Accounts 2022/23.
- The Government have now published their intended response to the on-going audit delays with further details set out later on in this report. Essentially, the aim behind the Government's proposed approach is to set statutory 'back stop' deadlines that require External Auditors to conclude their audit work and publish either qualified or unqualified opinions based on the level of work they have completed by those statutory deadlines.

Greater detail on the above summarised points can be found in the "Legal Requirements" section of the Monitoring Officer's Section 5 report to Full Council which is attached as an Appendix to this report.

The Chief Executive and the Assistant Director (Finance & IT) & Section 151 Officer have both been consulted on this report, as required by the legislation.

RECOMMENDATION(S)
It is recommended that the contents of this report be NOTED.
REASON(S) FOR THE RECOMMENDATION(S)
In order to enable Cabinet to formally receive an update from the Council's Monitoring Officer on this matter.

ALTERNATIVE OPTIONS CONSIDERED
None - the Cabinet previously decided at its meeting held on 21 July 2023 that an update be provided to it at this meeting.

PART 3 – SUPPORTING INFORMATION

BACKGROUND AND CURRENT POSITION
<p>At its meeting held on 21 July 2023, the Cabinet had considered a report issued by the Council's Monitoring Officer, under Section 5 of the Local Government and Housing Act 1989, that had formally informed Members that the Council had, for reasons beyond its control, failed to publish its certified draft accounts for the 2022/23 financial year, by the statutory deadline of 1 June 2023. The Cabinet was required by law to consider that report and to decide what action (if any) to take in response thereto.</p> <p>Having duly considered the Monitoring Officer's report, Cabinet had formally:-</p> <p><i>“RESOLVED that –</i></p> <ul style="list-style-type: none"> <i>a) the Monitoring Officer's report and the response of the Council's Statutory Officers including the Section 151 Officer's aim to publish the 2022/23 Statement of Accounts by the 31 July 2023 and start the period of public inspection as soon as possible thereafter be endorsed;</i> <i>b) it is noted that this report will be presented to the next meeting of Full Council;</i> <i>c) the matter set out in this report be included within the Annual Governance Statement 2023, which will reviewed by the Audit Committee as part of their work programme;</i> <i>d) Officers be requested to provide an update to the next meeting of Cabinet in October 2023;</i> <i>e) Officers continue to work with partners and all relevant organisations to support a satisfactory resolution to the ongoing External Audit delays;</i> <i>f) the Chief Executive be requested to write to the Chief Executive of this Council's External Auditor to express Cabinet's regret at the on-going audit delays; and</i> <i>g) the Council's Finance Team be thanked for working to their continuing high standards, particularly given the current difficult circumstances with audit delays.”</i> <p>The Monitoring Officer later submitted a similar Section 5 report (but including matters that had occurred subsequent to the Cabinet meeting) to the meeting of the Full Council held on 26 September 2023.</p> <p>Having duly considered the Monitoring Officer's report, full Council had formally:-</p> <p><i>“RESOLVED that Full Council –</i></p>

- (a) notes the contents of the Monitoring Officer's report;
- (b) notes that the 2022/23 Statement of Accounts was published on 1 August 2023 with the period of public inspection starting on that date and that the matters set out in this report were included within the Council's Annual Governance Statement for 2023;
- (c) notes and welcomes the Government's proposed response to the on-going External Audit Delays and that where necessary Officers continue to work with partners and all relevant organisations to support this new approach; and
- (d) formally commends the Council's Finance Team for working to their continuing high standards, particularly given the current difficult circumstances with external audit delays."

PREVIOUS RELEVANT DECISIONS

These are detailed in the Background Section of this report (see above).

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

Monitoring Officer's Section 5 Report to the meeting of the Cabinet held on 21 July 2023.

Published Minutes of the meetings of the Cabinet held on 21 July 2023 and Full Council on 26 September 2023.

APPENDICES

Monitoring Officer's Section 5 Report to the meeting of the Full Council held on 26 September 2023.

REPORT CONTACT OFFICER(S)

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COUNCIL

26 SEPTEMBER 2023

REPORT OF MONITORING OFFICER

A.5 EXTERNAL AUDIT DELAYS THAT CAUSED DELAYS TO THE PUBLICATION OF CERTIFIED ACCOUNTS FOR 2022/23

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To inform Members of a breach of a statutory reporting deadline along with the associated circumstances and the actions taken in response.

EXECUTIVE SUMMARY

This is a report issued under Section 5 of the Local Government and Housing Act 1989 to inform Members that Tendring District Council, for reasons beyond its control, failed to publish its certified draft accounts for the 2022/23 financial year by the statutory deadline of 1 June 2023. The Council is required by law to consider this report and decide what action (if any) to take in response.

The Chief Executive and the Assistant Director (Finance & IT) & Section 151 Officer have both been consulted on this report, as required by the legislation.

A similar report was presented to Cabinet at its meeting held on 21 July 2023 (Minute 27 refers). Cabinet resolved that –

- a) *the Monitoring Officer's report and the response of the Council's Statutory Officers including the Section 151 Officer's aim to publish the 2022/23 Statement of Accounts by the 31 July 2023 and start the period of public inspection as soon as possible thereafter be endorsed;*
- b) *it is noted that this report will be presented to the next meeting of Full Council;*
- c) *the matter set out in this report be included within the Annual Governance Statement 2023, which will reviewed by the Audit Committee as part of their work programme;*
- d) *Officers be requested to provide an update to the next meeting of Cabinet in October 2023;*
- e) *Officers continue to work with partners and all relevant organisations to support a satisfactory resolution to the ongoing External Audit delays;*
- f) *the Chief Executive be requested to write to the Chief Executive of this Council's External Auditor to express Cabinet's regret at the on-going audit delays; and*
- g) *the Council's Finance Team be thanked for working to their continuing high standards, particularly given the current difficult circumstances with audit delays.*

Essentially, the Cabinet endorsed the Section 151 Officer's intention to publish the certified Statement of Accounts for 2022/23 by the end of July 2023 regardless of whether the External

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Auditor had completed their work on the 2020/21 and 2021/22 Statement of Accounts.

Once published, the public inspection period would commence which addressed the breach of the Account and Audit Regulations 2015 highlighted above, albeit at a date later than set out within those regulations.

Since Cabinet's meeting on 21 July 2023, a number of actions / events have occurred with a summary as follows:

- The Council's Statement of Accounts for 2022/23 were published by 1 August 2023, with the period for public inspection therefore commencing on that date. This brings to a close the period where the Council remained in breach of the statutory requirement to publish the Accounts by 1 June 2023.
- Reference to this issue was included within the Annual Governance Statement 2023, which forms part of the Statement of Accounts 2022/23.
- The Government have now published their intended response to the on-going audit delays with further details set out later on in this report. Essentially, the aim behind the Government's proposed approach is to set statutory 'back stop' deadlines that require External Auditors to conclude their audit work and publish either qualified or unqualified opinions based on the level of work they have completed by those statutory deadlines.

RECOMMENDATION(S)

It is recommended that Full Council –

- (a) notes the contents of the Monitoring Officer's report;**
- (b) notes that the 2022/23 Statement of Accounts was published on 1 August 2023 with the period of public inspection starting on that date and that the matters set out in this report were included within the Council's Annual Governance Statement for 2023;**
- (c) notes and welcomes the Government's proposed response to the on-going External Audit Delays and that where necessary Officers continue to work with partners and all relevant organisations to support this new approach; and**
- (d) formally commends the Council's Finance Team for working to their continuing high standards, particularly given the current difficult circumstances with external audit delays.**

REASON(S) FOR THE RECOMMENDATION(S)

In order to formally receive the Section 5 report from the Council's Monitoring Officer and to consider its contents and Full Council's response thereto.

ALTERNATIVE OPTIONS CONSIDERED

As the Council had failed to publish its Annual Statement of Accounts for 2022/23 to enable the period of public inspection to commence by the statutory deadline, a formal Section 5 report provides a necessary and proportionate response to this governance issue.

It is understood that some Councils are actively considering exploring what action can be taken

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against External Auditors to investigate whether their failures could amount to a breach of statutory duty entitling a claim for damages to be made. This will be kept under review.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

As set out elsewhere in this report, the publication of the certified Statement of Accounts is a key element of the Council's financial stewardship responsibilities.

The Accounts along with the Annual Governance Statement and Use of Resources commentary provided by the External Audit as part of their work, supports the Council to develop its financial and governance plans.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Internal consultation has been highlighted within this report.

The Council, along with other Essex Authorities, had engaged with the Government, CIPFA, Public Sector Audit Appointments Limited (PSAA) and the FRC to raise the impact that the continuing external delays are having on local authorities. Since Cabinet's meeting on 21 July 2023 the Government have announced their proposed response to the continuing External Audit delays with further details set out later on in this report.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

This is a report issued under Section 5A of the Local Government and Housing Act 1989, which states that a duty of a relevant authority's Monitoring Officer shall be to prepare a report, if it at any time appears to them that any proposal, decision or omission by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any joint committee on which the authority are represented constitutes, has given rise to or is likely to or would give rise to—

- (a) a contravention by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any such joint committee of any enactment or rule of law or of any code of practice made or approved by or under any enactment; or
- (b) any such maladministration or failure as is mentioned in Part 3 of the Local Government Act 1974 (Local Commissioners).

The Accounts and Audit Regulations 2015 require Local Authorities in England to publish unaudited but certified Statement of Accounts to enable a 30-day period for the exercise of the public right to inspect those accounts, with that period covering the first 10 days of June.

Before the period starts, the Council has to publish its draft accounts and a certificate by the Section 151 Officer confirming that they are satisfied that the Statement of Accounts presents a true and fair view of—

- (a) the financial position of the authority at the end of the relevant financial year; and
- (b) that authority's income and expenditure for that financial year.

The failure to start the period for the exercise of public rights placed the Council in breach of its

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statutory duty under regulation 15 of the Accounts and Audit Regulations 2015. This led to the Council having to place a notice on its website to explain the breach and it led to this report to both Cabinet and the Full Council.

The Council's current External Auditors were appointed by Public Sector Audit Appointments Limited (PSAA), a company established by the Local Government Association to collectively procure auditors without authorities having to go through the extremely technical and legally complex statutory process of appointing their own auditor. This means that only PSAA can remove / replace our auditor.

It should be noted that our current auditor's engagement as the Council's external auditor ends with the audit of the 2022/23 accounts and that they have withdrawn from Local Government audit work, at least for the short term. Via associated PSAA arrangements, KPMG have been appointed as the Council's External Auditor from the 2023/24 financial year.

The Council has raised the continuing external audit delays with the Department for Levelling Up, Housing & Communities (DLUHC), PSAA, CIPFA and the FRC. Since Cabinet's meeting on 21 July 2023, the Government have announced their proposals to resolve this worsening national issue, with a summary of the key elements as follows:

- There is a collective responsibility to ensure that the local audit system is in a strong and sustainable footing for the future and that there is a return to timely delivery of high quality financial reporting and external audit in local bodies in order to provide vital accountability and assurance needed for local people and their elected representatives.
- The proposals will need associated changes to relevant codes and standards (and possibly legislation), which are planned to be made in time for implementation to begin by the end of December.
- The National Audit Office (NAO) and DLUHC intend to set a series of statutory deadlines for account preparers and auditors to clear the backlog of delayed audits. Although subject to consultation / confirmation, the Government have indicated the following statutory deadlines:

For Outstanding years up to and including 2019/20 – deadline of 31 December 2023

For Outstanding Years 2020/21 and 2021/22 – deadline of 31 March 2024

For 2022/23 – deadline of 30 September 2024

For 2023/24 – deadline of 31 March 2025

- Auditors would then be required to provide as much assurance as possible for those outstanding years, reporting as normal any significant concerns they have on an organisations financial controls, financial reporting as well as financial resilience, governance and risk.
- It is intended that auditors would need to limit their opinion and make clear to the users of the accounts those aspects or sections of a set of accounts which are not supported by sufficient, appropriate evidence, and which the auditor is unable to provide assurance over.
- Auditors' statutory duty to report on value for money (VfM) arrangements and their statutory audit powers (such as the power to make statutory recommendations or produce Public Interest Reports where necessary) are an important mechanism for assurance and for identifying areas of concern at an early stage, allowing councils to address them. Under the Government's proposals, this will remain a high priority.
- It recognised that the above deadlines might result in qualifications and disclaimers of

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opinion in the short term for a number of local bodies. The Government believe that these steps are necessary to reset the system and to restore the assurance provided by timely annual audits.

- There is a heightened risk of auditors not identifying and reporting on important, more current issues. Collectively they must ensure the capacity of the audit sector be focused on the most recent position as soon as possible.
- Where an auditor has to issue a disclaimer of opinion, there will still be a need to audit the opening balances of the subsequent set of accounts, as the prior year figures will not be covered by an unqualified auditor's opinion. The Government will therefore be considering measures to address any knock-on effects of the proposals, which could affect the audit of opening balances within the accounts for future years and ensure the burden of auditing opening balances does not risk creating further delays.
- CIPFA are expected to set out how Section 151 Officers should approach their responsibilities to certify the accounts in light of potential qualifications or disclaimers, which may result from these proposals.
- In terms audit fees, the guiding principle will be that if auditors have worked in good faith to meet the requirements of the Code of Audit Practice in place at the time the work was conducted, then they are due the appropriate fee for the work done. The audited body is due to pay the applicable fee, including where there is a disclaimer or qualified opinion. Conversely, if an auditor has collected audit fees in part or in full, and a change in requirements means that the total work done represents less than the fee already collected, then the auditor must return the balance and refund the body the appropriate amount – this ensures that audited bodies pay only for work that has been done.
- Section 151 Officers will be expected to work with Audit Committee members (or equivalent) to approve the final accounts by the statutory deadline in order for the audit opinion to be issued at the same time. In addition, Chief Executives, Section 151 Officers, local authority Leaders and Chairs of Audit Committees should alert the auditor to significant organisational risks, critical decisions and changes in financial sustainability, and where they have identified concerns on systems of financial control, financial reporting and capacity and capability to produce high-quality financial reporting on time. Where there are significant resilience risks, they should alert the auditor of the options, choices and alternatives that are being considered.

As part of its announcements, the Government also took the opportunity to look ahead with the aim of avoiding a recurrence of the audit backlog in future. A summary of key elements are as follows:

- Work will progress with a number of organisations including the FRC, the NAO, CIPFA and the LGA to devise an escalated reporting framework for audit firms and local bodies to resolve issues ahead of statutory deadlines.
- The FRC is already leading work across the system to improve competition, capability and supply within the audit market. The FRC, supported by DLUHC, is committed to producing a workforce strategy by the end of the 2023 calendar year, which will identify gaps and barriers across the local audit system that are hindering the development of future capacity and agree actions and solutions to unblock these with stakeholders.
- Work across the local audit system must be sustainable and ensure proportionate financial reporting requirements, auditing requirements and regulatory requirements are in place.
- Local authority financial reporting must balance the need for adherence to financial

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standards against the needs of the users of local authority financial information, including ensuring the accounts are still useful and valuable to the taxpayer.

- Where reporting, auditing and regulatory standards combine to create pressures which delay timely reporting and audit, this should be addressed by responsible organisations across the local audit system. Doing so is vital in ensuring the delicate balance between high-quality financial reporting and user value is maintained.
- There is also a question as to whether the level of work required for the current reporting and disclosures obligations on account preparers, which then require audit and oversight, is proportionate to their value to the user of the accounts, given the potential financial or governance risks are relatively low. All system participants therefore need to consider whether this work is proportionate to risk and a wise use of taxpayers' money, and will do so in the coming months.
- In light of the issues above, the Comptroller & Auditor General (C&AG) is considering changes to the Code of Audit Practice relating to certain balances in the accounts to prevent continued local audit delays while a broader solution is sought.
- CIPFA is exploring changes to the Code of Practice on Local Authority Accounting for the medium and long term, in order to enable a more proportionate approach to the accounting requirements for non-investment assets and pension valuations for a local authority context.
- The Financial Reporting Council has committed to set out annually its planned regulatory programme, areas of focus and how its inspection activity serves the public interest through alignment with the significant financial, accounting and governance risks facing local bodies. As part of this the FRC expects to clearly set out how its inspection activity will review auditors' work on operational assets and pensions valuation, the rationale for doing so and examples of good practice. FRC inspection activity will continue to review compliance with auditing and ethical standards, any revised Code of Audit Practice and associated guidance.

Following the announcement by the Government set out above, practical discussions are now underway within KPMG to see how they can effectively accommodate the work they need to undertake on the 2023/24 Statement of Accounts whilst previous years remain subject to work by the outgoing Auditor. The above is set against the need to publish the audited accounts by the proposed statutory deadline of 31 March 2025, which has yet to be confirmed.

As all of the above actions develop / evolve, updates will be provided to Members as necessary, with overall oversight by the Audit Committee.

X	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
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The Monitoring Officer is the author of the Report.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The continuing delays to the External Audit of the Statement of Accounts is having adverse capacity issues within the Council, especially within the Finance Service. This is becoming increasingly more difficult to manage, especially as it diverts resources away from other important issues, not least the work required to support the Council's on-going financial sustainability in future years as part of developing the financial forecast process.

As set out elsewhere in this report, the Government have now announced their proposed response with the aim of addressing the External Audit backlog as timely as possible.

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Yes	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:	
	<p>Over the last two years, the deadline to publish the Statement of Accounts was extended to 31 July. Although this was largely due to the impact of the COVID 19 pandemic, it provided a reasonable / practical deadline for Councils to complete the necessary work, which has increased over time with additional requirements emerging from the associated code.</p> <p>It was disappointing that the Government did not extend the deadline again for 2022/23 even though it understood many of the respondents to the associated consultation expressed concerns of retaining the end of May 2023 deadline given the on-going workload within Local Authorities. It is also interesting to note that the Government have been bringing forward the date that accounts need to be published by, while the associated external audit capacity has been reducing.</p> <p>The Council published the certified Statement of Accounts for 2022/23 by the 1 August 2023, which meant that they had been published within the similar timescales as the last two years, which had not had a detrimental impact on the Council being able to adequately fulfil its financial stewardship role.</p>	
	USE OF RESOURCES AND VALUE FOR MONEY	
	The following are submitted in respect of the indicated use of resources and value for money indicators:	
	A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	N/A
	B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The purpose of this Section 5 Report is to formally report the current position to Council and the action taken to resolve the breach identified.
	C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	N/A
	MILESTONES AND DELIVERY	
	These are broadly set out elsewhere in this report.	
	ASSOCIATED RISKS AND MITIGATION	
	These are broadly set out elsewhere in this report.	
	EQUALITY IMPLICATIONS	
	None	
	SOCIAL VALUE CONSIDERATIONS	
	None	
	IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
	None	

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OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS	
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.	
As set out elsewhere in this report, the importance of publishing its Statement of Accounts and Annual Governance Statement is a key element of being able to demonstrate its financial stewardship and governance responsibilities. With this in mind, the Council has to balance the need to ensure that the accounts provide a true and fair view of the Council's financial position with the timeliness of publishing this required information.	
Crime and Disorder	n/a
Health Inequalities	
Area or Ward affected	

PART 3 – SUPPORTING INFORMATION

BACKGROUND AND CURRENT POSITION
<p>This is a report issued under Section 5 of the Local Government and Housing Act 1989 to inform Members that the Council, for reasons beyond its control, failed to publish its certified draft accounts for the 2022/23 financial year by the statutory deadline of 1 June 2023. The Council is required by law to consider this report and decide what action (if any) to take in response.</p> <p>As set out within the legal section above, the Council's Section 151 Officer has to certify that the draft accounts for 2022/23 represent a true and fair view of the Council's financial position at the end of March 2023 before publishing.</p> <p>The Council's Statement of Accounts for previous years (2020/21 and 2021/22) at the present time, remain subject to being 'signed off' by the Council's External Auditor. The backlog of audits is a national issue which is estimated to reach 1,000 audits across the country by the end of 2023 and the current situation has been described as 'a crisis' in the External Audit of Local Authorities that risks escalating even further without urgent and decisive action by the Government. The delays are a well-publicised issue and in no way reflects any wrong doing by those Councils adversely affected.</p> <p>As highlighted earlier, the Government have now announced a set of proposals to address the issues in both the short and longer term.</p> <p>In terms of the 'sign-off' of the 2020/21 accounts, the External Auditor has confirmed that they will not be able to formally complete this process until October / November 2023 at the earliest. Given the Government's announcement highlighted earlier, the Council's existing auditors will be asked to set out their own plans on how they will be responding to the new requirements and their approach to complete their necessary work on all outstanding years (2020/21, 2021/22 and 2022/23).</p> <p>Although the external audit delays did not necessarily prevent the Section 151 Officer from certifying and publishing the accounts for 2022/23, given there were two earlier years of accounts still waiting to be 'signed off' by the External Auditor, it does start to significantly compromise the ability to do so, as set out below.</p>

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As reported to Cabinet on 21 July 2023, the Council's Section 151 Officer confirmed that:

- The delays in the external audit of the accounts highlighted above had direct and secondary impacts on the ability for Councils to meet the 31 May 2023 publication deadline for 2022/23.
- In terms of the direct impact, a number of issues relating to 2020/21 and 2021/22 remain subject to the external audit process, and based on current information it is very likely that a number of figures in the 2020/21 and/or 2021/22 accounts will be subject to amendment with the potential 'knock-on' impact in 2022/23. It is also important to highlight that some financial balances from 2021/22, that will need to be brought forward into the 2022/23 accounts are also likely to change. [This position will be reviewed in light of the announcements by the Government set out earlier in this report.]
- In terms of the secondary impact, the Council is still working with the External Auditor on the 2020/21 accounts which in turn had an adverse impact on the capacity of Officers in preparing the 2022/23 accounts.
- Taking the above into account, the Council took the difficult but pragmatic decision to delay the publication of its 2022/23 accounts.
- The Council endeavoured to publish its certified accounts and commenced the required period of public inspection as soon as possible, at the end of July 2023. [The accounts for 2022/23 were subsequently published on 1 August 2023].
- The proposed delay did not impact on the ability for the public to inspect the Council's accounts or to raise questions directly with our External Auditor. However, it is acknowledged that any delay is undesirable and the rights become less meaningful and relevant as the delay lengthens.
- The Council's decision to delay the publication of the accounts should be seen as a practical response to matters outside of its control, rather than a reflection on the Council's important financial stewardship role. However, to provide additional assurance in the interim period, the External Auditor provided a positive Draft Audit Completion Report for 2020/21, which was considered by the Council's Audit Committee in March 2023, with no significant weakness identified to date in terms of the Council's use of resources.

The impact from the continuing External Delays needs to be balanced with the need for the Council to be able to adequately demonstrate its financial stewardship and governance role, which includes the right of the public to inspect the certified accounts in a timely manner. With the above in mind it was decided to certify and publish the 2022/23 accounts as soon as possible regardless of the 2020/21 accounts not being potentially signed off until the autumn of 2023 and the 2021/22 accounts remaining subject to the external audit process.

In this regard the Council's Section 151 Officer confirmed:

- he was able to certify that the 2022/23 provide a true and fair view of the Council's financial position given this largely reflected the confirmation that the accounts had been prepared in accordance with the associated code of practice and that the financial transactions had been recorded and presented correctly;

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- the Council was aware of the external audit issues still outstanding for 2020/21, which were not expected to have a material impact on the 2022/23 position.
- the accounts were published 'subject to audit';
- the 2021/22 certified Draft Statement of Accounts were certified for publication ahead of the 2020/21 accounts being 'signed-off' by the External Auditor;
- the Narrative Statement within the Statement of Accounts highlighted the External Auditor's delays for prior years' accounts and the risk of the potential impact on the 2022/23 position;
- the Annual Governance Statement highlighted the need to publish this Section 5A report.

PREVIOUS RELEVANT DECISIONS

Decision of Cabinet taken on 21 July 2023 (Minute 27)

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

Monitoring Officer's Section 5 Report to Cabinet on 21 July 2023.

APPENDICES

None

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