

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	3 rd July 2024
Decision Maker (Officer):	Michael Carran Assistant Director, Economic Growth, Culture and Leisure.
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39). The Corporate Director has delegated this decision to the Assistant Director, Economic Growth and Leisure.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Councillor Mark Stephenson, Leader and Portfolio Holder for Finance and Governance. Councillor Ivan Henderson, Portfolio Holder for Economic Growth, Regeneration and Tourism. Councillor Peter Kotz, Portfolio Holder for Assets.
Ward Member(s) consulted?	Yes
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To accept funding awarded by Historic England to the amount of £47,440 to continue the structural and condition work on the Dovercourt Leading Lighthouse and Causeway (identified as ' <i>Phase 1b_Structural and Condition Survey of Unsighted Legs</i> '), and to proceed with the exemption to procurement. Further background information can be found within the letter of concurrence.

<p>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</p>	<p>The Dovercourt Leading Lights and Causeway are Tendring District Council owned assets listed on the Historic England Heritage at Risk Register as Scheduled Ancient Monuments (entry number 1017200), first listed in October 1975 with a further update in November 2022 listing their conditions as 'declining and generally unsatisfactory with major localised problems'.</p> <p>To enable a project of this complexity and scale to be managed effectively from a time, cost, resourcing and care of restoration perspective, it has been split into two key phases: <i>'Phase 1 – Condition and Structural Survey'</i> to provide a full and thorough analysis including all costs, and <i>'Phase 2 – Full Restoration Works'</i>.</p> <p><i>Phase 1 - Condition and Structural Survey</i> Initial phase 1 survey has been completed, with a final report now received. Upon full assessment, it became apparent that due to shifting and rising shorelines over time, the legs of the structures could be up to 3 metres buried in the sand. Therefore, surveyors were unable to assess this aspect of the structures. Additional exploratory works and assessments are required to further de-risk this project and ascertain the condition of the legs that are unsighted, creating a <i>'Phase 1b - Condition and Structural Survey of the unsighted legs'</i>.</p> <p><i>Potential Funding Options – Phase 1b</i> On Monday 8th April 2024, Historic England wrote to inform us that our funding application for <i>'Phase 1b - Structural and Condition survey'</i> had been successfully awarded £47,440 from their Heritage at Risk Repairs Grant Fund, with the additional £5,272 identified from underspend from Dovercourt Leading Lighthouse and Causeway <i>'Phase 1a_ Structural and Condition Survey'</i>. This had been identified following discussions with Accountancy, with an underspend showing due to costs associated with <i>'Phase 1a –Condition and Structural Survey'</i> being lower than estimated. Officers request approval to accept the grant awarded by Historic England.</p> <p>Furthermore Officers request an exemption to procurement for the award of contract due to the following reasons:</p> <ul style="list-style-type: none">- Work undertaken on the Dovercourt Leading Lighthouse and Causeway requires contractors to be on the Conservation Accreditation Register for Engineers (CARE) as requested by Historic England.- Phase 1a – Condition and Structural Survey involved a full and thorough procurement exercise which resulted in one applicant, an exemption to procurement was granted on this occasion.- For continuity reasons with <i>'Phase 1b'</i> being the second part of these investigations.
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	<p>Due to the declining nature of the Dovercourt Leading Lighthouses and Causeway, there is a need to progress this work at this time.</p> <p>The Dovercourt Leading Lighthouse Restoration is listed within the Heritage Strategy and fundraising for the restoration is listed as a key aim in Tendring District Council's Corporate Plan aligning to the theme of promoting our heritage offer.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Assets:</p> <ul style="list-style-type: none"> - Potential loss or further deterioration of Tendring District Council owned asset <p>Financial:</p> <ul style="list-style-type: none"> - Increased costs for future repairs or costs associated with further damage. <p>Reputational:</p> <ul style="list-style-type: none"> - Deterioration of key assets and potential reputational fallout and impact. <p>Environmental:</p> <ul style="list-style-type: none"> - Deterioration of key assets and subsequent environmental impact if restorative work is not undertaken. <p>Resourcing:</p> <ul style="list-style-type: none"> - To enable a project of this scale to be resourced sufficiently, a full project management team will be appointed as outlined within the concurrence.
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<ol style="list-style-type: none"> 1. To not accept Historic England funding 2. To not proceed with Phase 1b and proceed straight to Phase 2 – restoration. This decision could result in the project management team being unaware of full costs and would add risk to the progress of the project. 3. Do nothing: <ul style="list-style-type: none"> - Potential loss of Tendring District Council owned asset - Financial, increased costs for future repairs - Reputational, deterioration of key assets - Environmental, deterioration of key assets
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p>	<p>N/A</p>

<p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<p>Not applicable – Decision and concurrence to be published</p>
	<p>If Report is not to be published – tick one of the following boxes:</p>
	<p>The report supporting the Decision contains confidential information</p>
	<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>
	<ul style="list-style-type: none"> • Relates to an individual
	<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
	<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
	<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime 	
<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons:</p>	

Officers

Signed: Michael Carran

Title: Assistant Director, Economic Growth, Culture and Leisure

Signed: Jessica Bryan

Title: Tourism, Arts and Events Manager

In consultation with:

Signed:

Portfolio Holder For Housing

Signed:

Section 151 Officer (if required)

Signed:

Monitoring Officer (if required)

Dated: