

COUNCIL

2 JUNE 2026

REFERENCE REPORT FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

A.2 COMMUNITY GOVERNANCE REVIEW FOR CLACTON-ON-SEA, HOLLAND-ON-SEA AND JAYWICK SANDS – PHASE II – FINAL RECOMMENDATIONS

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable Council to consider the Community Leadership Overview & Scrutiny Committee's final recommendations following the Community Governance Review undertaken for the currently unparished areas of the District.

EXECUTIVE SUMMARY

At its meeting held on 30 March 2026 (minute 46 refers), the Community Leadership Overview and Scrutiny Committee ("the Committee") had considered a report of the Assistant Director (Corporate Policy & Support) that had informed the Committee of the current point in the community governance review process, the outcome of the Phase II consultation and which sought to enable the Committee to determine the recommendations to be submitted to Council in respect of the conclusion of the review.

That report had supported the Committee in its constitutional role in respect of Community Governance Reviews (as set out at Article 6.02 of the Council's constitution – as follows):-

"The Community Leadership Overview & Scrutiny Committee, in accordance with Section 9F (d) and (e) of the Local Government Act 2000 (as amended) will also perform the functions relating to community governance reviews as provided for by Part 4 of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") where those functions have been delegated to the Committee by full Council (as set out in Part 3 Schedule 2 Responsibility for Council (Non-Executive) Functions).

In performing its delegated functions, the Committee is required, by section 100(4) of the 2007 Act, to have regard to the guidance, which is issued by the Secretary of State, under section 100(1) and (3), and the LGBCE under section 100(2) of the same Act."

The Committee had resolved that –

- (1) the contents of the report be noted in so much as it reminds the Committee of the approved terms of reference for the Community Governance Review of Clacton-on-Sea, Holland-on-Sea and Jaywick Sands and its implementation to this point;*
- (2) the outcome of the Phase II consultation exercise (Stage 4 in the Terms of Reference Timeline) as part of that Review (including the expenditure incurred) and comparator information around the base costs of Local Councils for the three separate areas be noted;*
- (3) this Committee formally recommends to Full Council the acknowledgement of the implementation of the Community Governance Review which commenced on 1 July 2025 with the Terms of Reference for that review, the outcome of the Phase I consultation (set out at Appendix I to the A.2 report) and the content of this report (including the outcome*

of the Phase II consultation);

(4) the following be submitted to Full Council on 2 June 2026 as the Committee's final recommendations arising from the Community Governance Review and it is noted that, formally, determination by Council of those final recommendations will conclude the review commenced on 1 July 2025:

- a. That the current unparished area of the District of Tendring be parished with effect from 1 April 2027 and that this parishing shall consist of three new parishes as identified in the maps set out at Appendices F, G and H to the A.2 report which, together, cover the entirety of that unparished area;
- b. That the names of the three new parishes referenced in a. above shall be Holland-on-Sea (for the area edged black in Appendix F to the report (A.2)), West Clacton & Jaywick Sands (for the area edged black in Appendix G to the A.2 report) and Clacton-on-Sea (for the area edged black in Appendix H);
- c. That, in accordance with Section 94 of the Local Government and Public Involvement in Health Act 2007, all three new parishes shall have their own parish councils;
- d. That the alternative styles of the three parishes shall be as immediately below:
 - a. Village – for the parish council of Holland-on-Sea;
 - b. Town – for the parish of Clacton-on-Sea;
 - c. Community – for the parish of West Clacton & Jaywick Sands;
- e. That the total number of parish councillors to serve on the three separate parish councils shall be as follows:
 - a. 15 - on Holland-on-Sea Village Council;
 - b. 25 - on Clacton-on-Sea Town Council;
 - c. 12 - on West Clacton & Jaywick Sands Community Council;[Note: References to style do not negate the basic position that all three areas will become civil parishes.]
- f. That no parish wards be created in the new parishes of Holland-on-Sea and West Clacton & Jaywick Sands;
- g. That, in the new parish of Clacton-on-Sea, the following parish wards be created and the number of parish councillors to represent the parish ward concerned be as set out:

Parish Ward Name	Area of the Parish Ward by reference to the existing District Council Ward	Number of Parish Councillors to represent the Parish Ward on the Parish Council
Bluehouse Ward	Bluehouse Ward	3
Burrsville Ward	Burrsville Ward	4
Cann Hall Ward	Cann Hall Ward	3
Coppins Ward	Coppins Ward	4
Pier Ward	Pier Ward	1
St James' Ward	St James' Ward	4
St John's Ward	St John's Ward	4
St Paul's & Eastcliff Ward	St Paul's Ward and that part of Eastcliff Ward within the Clacton-on-Sea Parish	2

- h. That the term of office of the first parish councillors elected in May 2027 shall be five years to the normal retirement day in May 2032 and all subsequent terms of office

shall be four years. This would bring the term of office of the parish councillors in line with the second and subsequent elections to any unitary authority established for the area as part of local government reorganisation;

- i. To provide for interim parish councillors, for the period 1 April-10 May 2027 (when newly elected parish councillors for the three parishes would take up office) for the councils of the three new parishes as follows:
 - a. Holland-on-Sea Parish – the District Councillors for St Bartholomews and Eastcliff District Wards and the Essex County Councillor for Clacton South Electoral Division;
 - b. Clacton-on-Sea Parish – the District Councillors for Burrsville, Coppins, Pier, St James', St John's, St Paul's and Eastcliff District Wards and the Essex County Councillors for Clacton North, Clacton South and Clacton West and St Osyth Electoral Divisions;
 - c. West Clacton & Jaywick Sands Parish – the District Councillors for West Clacton & Jaywick Sands District Ward and the Essex County Councillor for Clacton West and St Osyth Electoral Division;
- j. That the Corporate Director (Planning and Community) and the Corporate Director (Law and Governance) be requested to make the necessary arrangements to secure the transfer of title for the allotment land at Rush Green, which will be within the new parish of Clacton-on-Sea, to be transferred from the District Council to the council for that new parish with effect from 1 April 2027;
- k. To authorise the Chief Executive to prepare the necessary Community Governance Order to bring the recommendations 4a.-i. above into being (and possibly 4j. too) and provide for the matters set out, for the Council's seal to be applied to that Order and the legal obligations in respect of the making of such Orders complied with;

(5) Officers be requested to publish the final recommendations to be submitted to Council on 2 June 2026 and to take appropriate steps to secure that persons who may be interested in the review are informed of those recommendations; and

(6) Cabinet be invited, once Council has determined the recommendations made in this community governance review, to consider the next steps to be undertaken and allocation of resources and, as part of this, to determine the steps the Council considers sufficient to secure that persons who may be interested in the review are informed of the outcome and the reasons.

RECOMMENDATIONS

That Council formally -

- (a) acknowledges the implementation of the Community Governance Review which commenced on 1 July 2025 with the Terms of Reference for that review, the outcomes of the Phase I and Phase II consultations and the final recommendations from the review as determined by the Council's Community Leadership Overview and Scrutiny Committee;
- (b) approves that the current unparished area of the District of Tendring be parished with effect from 1 April 2027 and that this parishing shall consist of three new parishes, as identified in the maps set out at Appendices F, G and H appended hereto this reference report which, together, cover the entirety of that unparished area;
- (c) approves that the names of the three new parishes referenced in (b) above shall be Holland-on-Sea (for the area edged black in the aforementioned Appendix F), West Clacton & Jaywick Sands (for the area edged black in the aforementioned

Appendix G) and Clacton-on-Sea (for the area edged black in the aforementioned Appendix H);

- (d) approves that, in accordance with Section 94 of the Local Government and Public Involvement in Health Act 2007, all three new parishes shall have their own parish councils;**

- (e) approves that the alternative styles of the three parishes shall be as immediately below:**

Village – for the parish council of Holland-on-Sea;

Town – for the parish of Clacton-on-Sea;

Community – for the parish of West Clacton & Jaywick Sands;

- (f) notes that references to style in (e) above and (f) below do not negate the basic position that all three areas will become civil parishes;**

- (g) approves that the total number of parish councillors to serve on the three separate parish councils shall be as follows:**

15 - on Holland-on-Sea Village Council;

25 - on Clacton-on-Sea Town Council;

12 - on West Clacton & Jaywick Sands Community Council;

- (h) concurs that no parish wards be created in the new parishes of Holland-on-Sea and West Clacton & Jaywick Sands;**

- (i) approves that, in the new parish of Clacton-on-Sea, the following parish wards be created and that the number of parish councillors to represent the parish ward concerned be as set out immediately below:**

Parish Ward Name	Area of the Parish Ward by reference to the existing District Council Ward	Number of Parish Councillors to represent the Parish Ward on the Parish Council
Bluehouse Ward	Bluehouse Ward	3
Burrsville Ward	Burrsville Ward	4
Cann Hall Ward	Cann Hall Ward	3
Coppins Ward	Coppins Ward	4
Pier Ward	Pier Ward	1
St James' Ward	St James' Ward	4
St John's Ward	St John's Ward	4
St Paul's & Eastcliff Ward	St Paul's Ward and that part of Eastcliff Ward within the Clacton-on-Sea Parish	2

- (j) approves, in order bring the term of office of the parish councillors in line with the second and subsequent elections to any unitary authority established for the area as part of local government reorganisation, that the term of office of the first parish councillors elected in May 2027 shall be five years to the normal retirement day in May 2032 and that all subsequent terms of office shall be four years;**

- (k) approves, in order to provide for interim parish councillors, for the period 1 April to 10 May 2027 (when newly elected parish councillors for the three parishes would take up office) for the councils of the three new parishes as follows:

Holland-on-Sea Parish – the District Councillors for the St Bartholomews and Eastcliff District Wards and the Essex County Councillor for the Clacton South Electoral Division;

Clacton-on-Sea Parish – the District Councillors for the Burrsville, Coppins, Pier, St James', St John's, St Paul's and Eastcliff District Wards and the Essex County Councillors for the Clacton North, Clacton South and Clacton West and St Osyth Electoral Divisions;

West Clacton & Jaywick Sands Parish – the District Councillors for the West Clacton & Jaywick Sands District Ward and the Essex County Councillor for the Clacton West and St Osyth Electoral Division;

[Note: Council's attention is drawn to the Monitoring Officer's section of this report in respect of the above.]

- (l) requests that the Corporate Director (Planning and Community) and the Corporate Director (Law and Governance) be requested to make the necessary arrangements to secure the transfer of title for the allotment land at Rush Green, which will be within the new parish of Clacton-on-Sea, to be transferred from the District Council to the council for that new parish with effect from 1 April 2027;
- (m) authorises the Chief Executive to prepare the necessary Community Governance Order(s) to bring the Council's formal decisions on this matter into being and to provide for the matters set out above, and for the Council's seal to be applied to that Order and to ensure that the Council's legal obligations in respect of the making of such Order(s) are fully complied with; and
- (n) invites Cabinet to consider the next steps to be undertaken and allocation of resources and, as part of this, to determine the steps the Council considers sufficient to secure that persons who may be interested in the review are informed of the outcome and the reasons behind the Council's decisions in this matter.

[Note: In respect of recommendation (n), the matters set out in the Section 151 Officer's section of this report around special expenses and initial precepts will be matters referred to Cabinet for consideration.]

REASON(S) FOR THE RECOMMENDATION(S)

Having considered the Committee's recommendation arising from its consideration of the aforementioned matter, and to enable those recommendations to be approved and adopted.

ALTERNATIVE OPTIONS CONSIDERED

- (1) Not to approve the final recommendations from the Community Leadership Overview and Scrutiny Committee following the Community Governance Review to which this report refers; or
- (2) To amend or substitute some or all of the Committee's recommendations.

In considering the alternatives identified, Council must have regard to the views of local government electors and others with an interest in the review as expressed during the Community Governance Review concerned.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Corporate Plan 2024-28 has a central theme around community leadership, and the Council is undertaking this role in placing the issue of community governance in front of local electors and others with an interest in the review.

OUTCOME OF CONSULTATION AND ENGAGEMENT

This is fully detailed in the report to the Community Leadership Overview and Scrutiny Committee which is appended to this report.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	If Yes, indicate which by which criteria it is a Key Decision	☐ Significant effect on two or more wards ☐ Involves £100,000 expenditure/income ☐ 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)	Not Applicable in this instance

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

The Community Governance Review has been undertaken in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 and the statutory guidance in respect of such reviews. A fundamental element of the 2007 Act's provisions and the guidance is that local government electors and others with an interest in the review are consulted and that the views expressed in the consultation are taken into account in determining the final outcome.

In the event that Council is minded to accept the recommendations from the Community Governance Review referenced in this report, the following is relevant in respect of recommendation (k) in the recommendations section. Recommendation (k) covers, among others, the proposed interim parish council arrangements for West Clacton and Jaywick Sands. This element of the recommendation envisages a three Member body for those interim arrangements. The three Member body is important as Paragraph 12 of Schedule 12 to the Local Government Act 1972 provides:

“no business shall be transacted at a meeting of a parish council unless at least one-third of the whole number of members of the council are present at the meeting; but, notwithstanding anything in that paragraph, in no case shall the quorum be less than three.”

However, in the case of West Clacton and Jaywick Sands those interim arrangements would result, at this point, in a two Member body as the newly elected County Councillor for Clacton West & St Osyth is also the District Councillor for West Clacton & Jaywick Sands. In view of this, Council is invited to consider an amendment to the interim arrangements recommendation to approve a delegation to the Chief Executive (in consultation with the Ward Councillors for West Clacton and Jaywick Sands) to identify an additional appointee role to the interim parish council and to include that appointee role in the community governance order. This would then ensure that the interim parish council had at least three individuals to serve for the few weeks between the establishment of the parish council and the inaugural elected parish councillors taking up office in May 2027.

FINANCE AND OTHER RESOURCE IMPLICATIONS

These are broadly outlined in the report to the Community Leadership Overview and Scrutiny Committee which is appended to this report.

A budget of £68,000 was allocated for this Community Governance Review. The projected costs incurred, to date, are summarized below:

Newspaper Adverts/Online	£2,279.35
Letters to households	£47,343.24
Letters to Stakeholders	£1,466.40
Freepost postage charge	£3,917.33
Banner Signs	£1,336.53
Look Magazine	£504.00
Commissioned work with community groups/professional advice	£12,722.50
Social media Paid for Posts	£1,099.87
Public Meetings/Miscellaneous costs	£666.86
TOTAL	£71,336.08

It is important to highlight that the position above includes a number of estimated amounts. In line with associated governance requirements, the Council's Section 151 Officer has been kept informed of the position and, if the currently projected overspend of £3,336.08 remains once all costs have been finalised, then this will be met from within the Council's overall budgeted position.

Any additional expenditure relating to the implementation plan will be considered as part of the Council's existing management of cost pressure processes.

X The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

There are no significant additional comments over and above those set out elsewhere in the report at the present time. However, it is important to note that in the event that the Council approves the final recommendations as identified in this report, as part of recommendation (n) in the recommendations section, Cabinet will need to consider the potential impact / options on special expenses for both the new incoming organisations along with the existing arrangements. This is in addition to the wider governance arrangements relating to council tax setting activities and the budgets and precepts relating to the incoming organisations ahead of the 2027/28 financial year, which will need to be considered via the Council's detailed budget setting process over the second half of the year. Initial discussions to inform that process will need to commence well ahead of that.

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;	Best value authorities must demonstrate good governance, including a positive organisational culture, across all their functions and effective risk management.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The Constitution sets out the Council's standing orders and associated scheme of delegation, policies and procedures for decision making.
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.	Governance is a theme of the Best Value Duty and is described (amongst other things) as ensuring decision-making processes, within clear schemes of delegation, should be transparent, regularly reviewed, clearly followed and understood, enabling decision-makers to be held to account effectively. There should also be evidence of the decisions following good public law decision making principles (reasonableness, rationality, proportionality, legality, fairness etc).

MILESTONES AND DELIVERY

Submission of relevant Officer recommendations to the Community Leadership Overview and Scrutiny Committee meeting held on 30 March 2026.

Submission of the Committee's recommendation to Council for approval and adoption – 2 June 2026.

Implementation of the outcome will be in accordance with the Council's formal decisions on this matter together with any relevant statutory requirements.

ASSOCIATED RISKS AND MITIGATION

Not implementing the Committee's recommendations (in accordance with public expectations on this matter) will negatively impact the Council's reputation as it would be contrary to the outcome of the two phases of the public consultation. The report to Committee which is appended to this report details any relevant further risks and mitigation.

EQUALITY IMPLICATIONS

The creation of three new parish councils in accordance with the recommendations submitted will:

- 1 Provide key elements of those Council's overall governance arrangements;
- 2 Create an effective means of holding decision-makers to public account;
- 3 Enable those Councils to provide clear leadership to the community, working in partnership with the local community, businesses and other organisations for the long-term well-being of those parishes;
- 4 Support the involvement of the local community in the process of local authority decision making affecting those parishes.

SOCIAL VALUE CONSIDERATIONS

There are no direct implications.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

These are detailed in the report to the Community Leadership Overview & Scrutiny Committee which is appended to this report.

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

These are detailed in the report to Cabinet which is appended to this report.

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	All those within the currently unparished area of the District.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The relevant background is fully set out within the Officer's report to the meeting of the Community Leadership Overview and Scrutiny Committee held on 30 March 2026 together with the published minutes of that meeting. Both of those documents can be found via the following links: -

[Agenda for Community Leadership Overview and Scrutiny Committee on Monday, 30th March, 2026, 6.30 pm](#)

[Minutes Template](#)

In addition, the aforementioned report of the Assistant Director (Corporate Policy & Support) is appended to this report.

PREVIOUS RELEVANT DECISIONS

Council on 17 September 2024 (Minute 50 refers) requested the submission of proposals for a Community Governance Review to enable Council to determine whether to proceed with such a review.

Council on 26 November 2024 (Minute 75 refers) sets out the decision of Council following consideration of the proposals for a community governance review.

Community Leadership Overview and Scrutiny Committee on 17 June 2025 (Minute 6 refers) – ahead of the publication of the updated Terms of Reference by the Chief Executive

Chief Executive on 1 July 2025 – publishing the Terms of Reference for the review (as approved in draft by Council on 26 November 2024) and received by the Community Leadership Overview and Scrutiny Committee on 17 June 2025.

Community Leadership Overview and Scrutiny Committee on 17 November 2025 (Minute 23 refers) – authorising the draft recommendations for the Phase II consultation.

Community Leadership Overview and Scrutiny Committee on 30 March 2026 (Minute 46 refers) – considered the outcome of Phase II of the public consultation on the CGR proposals and decided to submit its final recommendations to full Council.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

Published minutes of the Community Leadership Overview & Scrutiny Committee meeting held on 30 March 2026.

APPENDICES

Appendix = Report (and its appendices) of the Assistant Director (Corporate Policy & Support) (A.2) to the meeting of the Community Leadership Overview & Scrutiny Committee held on 30 March 2026.

REPORT CONTACT OFFICER(S)

Names	(1) Ian Ford (2) Keith Simmons
Job Titles	(1) Democratic Services Manager (2) Assistant Director (Corporate Policy & Support)
Email/Telephone	<u>iford@tendringdc.gov.uk</u> (01255) 686 584 <u>ksimmons@tendringdc.gov.uk</u> (01255) 686 580