

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:	02/07/2026
Decision Maker (Officer):	Deputy Chief Executive and Corporate Director for Place & Wellbeing
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). 4.4.1(1) All Corporate Directors have the authority to incur expenditure (with the exception of external legal resources) in accordance with the Budget and Policy Framework, Financial Procedure Rules and Procurement Procedure Rules Cabinet, 20th December 2024 (Minute 99 refers) - link Cabinet, 17th March 2025 (Minute 149 refers, recommendation b (ii)) - link Executive Decision of the Portfolio Holder for Economic Growth, Regeneration and Tourism dated 5th August 2025 - link 24th April 2026; Cabinet: Financial Performance Report 2025/26 - General Update at the end of December 2025 (LINK)
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Ivan Henderson, Deputy Leader of the Council and Portfolio Holder for Regeneration and Tourism

Ward Member(s) consulted?	Not required
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To direct award appointments for: - A Heritage Impact Assessment (HIA) by Architectural Historian, Leigh Alston - £1,000.00 For the Ten_11 Martello Tower E project, as part of the Community Regeneration Partnership. Leigh Alston was specifically requested by Historic England for this because of his expert knowledge on Martello Towers and his previous published work on them. The above appointment is made under exemption to the Procurement Procedure Rules for reasons of urgency and specialist work required, as these reports are required urgently to enable submission of consents applications, as advised by Historic England, which are required to secure a Bat Mitigation License before the next hibernation season commences in September, as has been advised by the project ecologist.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	The appointment of the required additional services are necessary to progress the project through to delivery, including achieving defrayment in line with the MOU. - To carry out a Heritage Impact Assessment from Leigh Alston to support the Scheduled Monument Consent Application The inclusion of a Heritage Impact Assessment has been specifically requested by Historic England as part of the Scheduled Monument Consent application. With our Scheduled Monument Consent approval, TDC can then apply for our bat licence, and undertake subsequent mitigation works, before the hibernation season starts in September, as has been advised by the project ecologist. The report has been confirmed as a requirement for the Scheduled Monument Consent application by Historic England as confirmed in advice received from Adam Single (Inspector of Ancient Monuments Essex and Herts) in June 2026. Urgent submission of the application is essential to achieve the above timescales and secure the Bat Mitigation License, without which would cause a knock-on effect to the project within the construction phase having both programmatic and financial implications.

	Therefore, this procurement of the additional report is in line with Section 2 of the Constitution which sub-section 2.1 states: <i>c) The matter is one of urgency as determined by the appropriate Corporate Director/Head of Department following consultation with the responsible Portfolio Holder or the Leader of the Council.</i> <i>(e) Where the work is of a specialist nature and the Corporate Director/Head of Department can demonstrate that it is not possible to obtain more than one quotation or tender.</i> Given Leigh's existing knowledge of the site and the information already gathered in previous reports, he would be able to expedite the preparation and completion of the report in line with our timeframes.
Highlight any associated risks/finance/legal/equality considerations:	Procurement The proposed variation to the contract falls within scope of Section 2 Exemption from Procurement Rules which provides that: <i>2.1 c) The matter is one of urgency as determined by the appropriate Corporate Director/Head of Department following consultation with the responsible Portfolio Holder or the Leader of the Council.</i> <i>(e) Where the work is of a specialist nature and the Corporate Director/Head of Department can demonstrate that it is not possible to obtain more than one quotation or tender.</i> The above defines the decision maker as the Corporate Director for Place & Wellbeing which aligns with the delegations for appointing consultants for the wider programme. Value for Money Leigh Alston is the only specialist available to undertake this work due to the fact he was specifically requested by Historic England because of his expert knowledge on Martello Towers and his previous published work on them. Therefore, the appointment of a suitably qualified consultant will support the Council in applying for the required Scheduled Monument Consent. Finance Funding has been secured for the project through the

	Community Regeneration Partnership and allocated to the project by Cabinet as set out earlier in this notice. The Ten_11 project was approved by Cabinet in March 2025 and the project implementation was approved by Portfolio Holder in August 2025.	
NEW : Details of Local Government Reorganisation and/or Devolution considerations	The appointment duration concludes before the timescales of Local Government Reorganisation. The wider project will include works to provide improved amenities to residents of and visitors to the district and deliver improvements to the condition of existing public realm and open spaces owned by the Council, with a view to improving condition and managing the ongoing maintenance burden of such sites.	
Details of any Alternative Options Considered and rejected (together with reasons):	Option 1 – Not to undertake the report: This is not a viable option as this would mean that we would not have the appropriate documents as requested by Historic England, which would impact the approval process giving us the chance to apply for our bat license before the hibernation season. Option 2 – Not to undertake the report at this time: Due to the limited funding envelope, delaying undertaking this report could negatively impact on the feasibility of the project and risk the funding secured. Option 3 – Not to progress the project: this would forfeit significant government funding and the opportunity to address important local issues and could impact on the Council's access to central government regeneration funding in the future.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	Not applicable	
Reason Decision, or supporting Report, is not published:	☐	Not applicable – Decision [and report] to be published
	☐	If Report is not to be published – tick one of the following boxes:

<i>Tick one or more of the specific exemptions,</i> <u>and</u> <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>		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• Relates to an individual
		• Likely to reveal the identity of an individual
		• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings
		• 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
		• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<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 Reasons: [insert]		

Officers

Signed:

Title: Deputy Chief Executive and Corporate Director
for Place & Wellbeing