

# Public Document Pack

## Southend-on-Sea Borough Council

### Legal & Democratic Services

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30 November 2020

### **CABINET - WEDNESDAY, 2ND DECEMBER, 2020 SUPPLEMENTARY REPORTS PACK**

Please find enclosed, for consideration at the next meeting of the Cabinet taking place on Wednesday, 2nd December, 2020, the following report(s) that were unavailable when the agenda was printed.

#### **Agenda No    Item**

**3      Better Queensway Regeneration Project - Progress Update and Consideration of the Final Proposals (Pages 1 - 42)**

Report of Director of Growth and Regeneration attached

**4      Outcomes of the informal consultation stage one of a potential amalgamation of Chalkwell Hall Infants School and Chalkwell Hall Junior School (Pages 43 - 56)**

Report of Executive Director (Children and Public Health) attached

Robert Harris  
Principal Democratic Services Officer

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# **Southend-on-Sea Borough Council**

**Report of Director of Regeneration and Growth**

**To**

**Cabinet**

**On**

**2<sup>nd</sup> December 2020**

Report prepared by: Emma Cooney, Director of Regeneration  
and Growth

Shareholder Representative

On behalf of the Better Queensway Partnership Board

**Agenda  
Item No.**

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## **Porters Place Southend-on-Sea LLP: Business Plan**

### **A Part 1 Public Agenda item**

**(save for the Confidential Appendices to the Shareholder Board Report that are not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.)**

**Relevant Scrutiny Committee: Place Scrutiny**  
**Cabinet Members: Councillors Gilbert and Woodley**

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## **1 Purpose of Report**

- 1.1 The purpose of this report is to provide an update to Cabinet following the consideration of a report to the Shareholder Board on the 1<sup>st</sup> December 2020 ("The Shareholder Board Report").
- 1.2 The Shareholder Board Report specifically considers the submission of the new Business Plan as appended to this report for Porters Place Southend-on-Sea LLP.
- 1.3 The Shareholder Board's Report's purpose is to provide the Shareholder Board with clarity and assurance in regard to the progress update and new Business Plan to allow Members to fulfil their responsibilities.
- 1.4 Appendices 2 and 3 of the Shareholder Board Report are confidential appendices and therefore Part 2 Agenda Items.

## **2 Recommendations**

As detailed in the Shareholder Board Report and considering the minutes of the Shareholder Board attached at Appendix 1.

### **3 Background**

As detailed in the Shareholder Board Report

### **4 The Business Plan**

As detailed in the Shareholder Board Report

### **5 Assurance**

As detailed in the Shareholder Board Report

### **6 Other Options**

As detailed in the Shareholder Board Report

### **7 Reasons for Recommendations**

As detailed in the Shareholder Board Report

### **8 Corporate Implications**

#### **8.1 Contribution to the Southend 2050 ambition, outcomes and road map**

As detailed in the Shareholder Board Report

#### **8.2 Financial and value for Money Implications**

As detailed in the Shareholder Board Report

#### **8.3 Legal Implications**

As detailed in the Shareholder Board Report

#### **8.4 People Implications**

As detailed in the Shareholder Board Report

#### **8.5 Consultation and Engagement**

As detailed in the Shareholder Board Report

#### **8.6 Equalities and Diversity Implications**

As detailed in the Shareholder Board Report

## **8.7 Risk Assessment**

As detailed in the Shareholder Board Report

## **8.8 Value for Money**

As detailed in the Shareholder Board Report

## **8.9 Community Safety Implications**

As detailed in the Shareholder Board Report

## **8.10 Environmental Impact**

As detailed in the Shareholder Board Report

## **9 Background Papers**

None

## **10 Appendices**

**Appendix 1** Minutes of the Shareholder Board held on the 1<sup>st</sup> December 2020.

**Appendix 2** The Shareholder Board Report and appendices referred to therein of which Appendices 2 and 3 of the Shareholder Board Report are Confidential and not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

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# Southend-on-Sea Borough Council

Report of Director of Regeneration and Growth  
To

Shareholder Board

On  
1<sup>st</sup> December 2020

Report prepared by: Emma Cooney, Director of Regeneration  
and Growth.

Shareholder Representative  
On behalf of the Better Queensway Partnership Board

Agenda  
Item No.

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## Porters Place Southend-on-Sea LLP: Business Plan Report

### A Part 1 Public Agenda item

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#### 1. Purpose of Report

- 1.1 To accompany the submission of the new business plan ("the Business Plan") at Appendix 1 for Porters Place Southend-on-Sea LLP ("the LLP") to the Shareholder Board.
- 1.2 To provide the Shareholder Board with clarity and assurance with regards to the Business Plan, highlighting the implications for Southend-on-Sea Borough Council ("the Council") to support Shareholder Board members in fulfilling their responsibilities in considering the Business Plan.
- 1.3 There is a Part II confidential Appendix (Appendix 2) that contains that part of the Business Plan (Appendix 3) not provided at Appendix 1.
- 1.4 To update Shareholder Board on the progress of the Project as delivered by the LLP.

#### 2. Recommendations

- 2.1 That the Business Plan at Appendix 1 and that contained at Appendix 3 be recommended for approval.
- 2.2 That the Director of Regeneration and Growth in consultation with the Leader is authorised to:
  - (a) agree any non-adverse changes to the Business Plan whereupon any such matters shall be noted for information and reported to the following Shareholder Board; and

(b) approve, agree or action any necessary outcome, or product of, or from, the Business Plan necessary to progress the Better Queensway regeneration project (“the Project”).

### **3. Background**

- 3.1** The Better Queensway regeneration project (“the Project”) is a Southend 2050 roadmap project which contributes to several Southend 2050 themes and outcomes.
- 3.2** This is the second business plan presented to the Shareholder Board for the Project. The current business plan (dated 10<sup>th</sup> October 2019) was approved by Cabinet on the 5<sup>th</sup> November 2019 (Minute 526).
- 3.3** The Business Plan contains commercially confidential information and therefore sections 1.5, 2.7, 3 and 4.1 of the Business Plan together with confidential appendices 3, 4, 5 and 6 are considered in a Part II appendix paper and marked as confidential.
- 3.4** The Business Plan has been written by, and for, the LLP, that being the vehicle responsible for the delivery of the Project. The Council is represented on the LLP by three senior officers who have been appointed to the board by the Council’s Chief Executive in consultation with the Leader in accordance with the Cabinet report of 12<sup>th</sup> February 2019. Swan BQ Limited (“Swan BQ”), the Council’s joint venture partner (a group company of Swan Housing Association (“Swan HA”)), likewise appointed 3 senior representatives to the LLP Board.
- 3.5** The Business Plan will supersede the business plan agreed in November 2019 (as augmented with any adjustments required as a result of the Final Proposals approved by each Shareholder in June 2020) and requires approval by the LLP and both the Council and Swan BQ as the LLP Partners (“the LLP Partners”).
- 3.6** The role of the Shareholder Board in reviewing the Business Plan is to represent the Council’s interests as LLP Partner, ensuring that the Council’s objectives are fully reflected in the LLP and that the Business Plan addresses the LLP’s objectives. Whilst it is not within the remit of the Shareholder Board to change the detail of the Business Plan where the principles meet the previously agreed requirements, the Board should ensure that the LLP is following the agreed strategic direction and that the Council is safeguarded from any excessive risk taking and/or poor performance by the LLP.
- 3.7** It should be noted that the Business Plan forms a critical part of the Partnership Agreement (the overarching legal document signed between the LLP Partners and Swan HA to progress the Project). This is due to the fact that many of the bid commitments made by Swan HA throughout the procurement process were captured as legal commitments in this Agreement. Material changes to the Business Plan must be agreed unanimously by the LLP Board and both LLP Partners and where non-material or non-adverse to the Project, through the delegations as detailed at part 2.2 of this report so as to ensure the timely



delivery and reducing any delay and the associated increase in costs that would be detrimental to viability of the Project.

#### 4. The Business Plan

**4.1** This section considers the Business Plan and seeks to provide members of the Shareholder Board with clarity, assurance and an understanding of the implications of the Business Plan for the Council. The Business Plan has been reviewed by senior officers on the Council's Partnership Board (who do not sit on the LLP Board) and the Council's procured specialist advisors. It is the view of the Council's officers and advisors that this Business Plan meets all the requirements set out in the Partnership Agreement.

**4.2** It is important for the Shareholder Board to note that there is a business plan already in place for the LLP (which forms part of the Partnership Agreement) and that there must always be a live business plan to direct the LLP's activities. Should this Business Plan not be agreed by both LLP Partners, the October 2019 business plan will stand until a revised version is agreed by all parties.

Theme	Project Update	Business Plan Highlights
<b>Governance &amp; Budget</b>	Since the October 2019 business plan, a request of £750k (including the Council share of £375k, that being 50% of the total request) was made by the LLP and this fell outside the current Business Plan. The Director for Regeneration and Growth in conjunction with the Leader agreed this exercising delegated authority as agreed at Minute 526. The Council's share of £375K fell within the budget for the Project and brought monies forward to ensure continuity of the Project.	<p>The next set of Final Proposals is due to be re-presented to the Council in early 2021 for approval. This process is a legal requirement on the LLP for it to present any upcoming application to planning in advance of its submission for review and approval by the 3 LLP Members.</p> <p>The next Final Proposals process will be for the first phase of Housing, including the park, community and commercial spaces. This will be the first reserved matters application of the project.</p> <p>This Business Plan covers the period to 31<sup>st</sup> December 2021, and provides further detail on the next five years, that being the period of the phase 1 delivery, and the scheme overall. A new business plan is required every year and this must be reviewed and approved by the LLP Board and each LLP</p>

Theme	Project Update	Business Plan Highlights
		Partner. The main elements of the Business Plan which are likely to change over time will be the working capital approval and works budgets which should fall inside the overall envelope of the budget of this Business Plan as well as the detailed activities to be addressed during the relevant period.
<b>Design and Planning</b>	<p>The scheme which was signed off by the Council through the Final Proposals process in June 2020 (the hybrid application containing the outline of the whole scheme and the detailed Highways works) was submitted to the Local Planning Authority (LPA) in September 2020. Determination of this application is currently estimated for early 2021.</p> <p>Work on the next planning application for the first set of reserved matters is part of this Business Plan period and is being undertaken in relation to the energy strategy and also technological solutions to meet our smart cities objectives.</p>	<p>If approved, the headlines for delivery by 2026 are as follows:</p> <ul style="list-style-type: none"> <li>• Highways delivery;</li> <li>• A mixed-use, mixed-tenure scheme of circa 425 homes;</li> <li>• 4 plots across Phase 1A and Phase 1B- B, C (north), D (north) and G;</li> <li>• Porters Park (south) and the associated externals for the Phase 1 area;</li> <li>• Demolish Quantock and Sutton Road Flats;</li> <li>• A mix of ancillary commercial uses; and</li> <li>• The Community Concierge.</li> </ul>
<b>Enabling Works</b>	Yet to be commenced.	The contract for these works and the first stage of them are likely to fall in this Business Plan period as identified in the document.
<b>Housing</b>	The overall scheme will deliver up to 1,760 homes in line with both the hybrid planning application and the June 2020 Final Proposals.	<p>The current accommodation schedule for each phase of development will align with the hybrid planning application parameters and contribute to/meet/deliver:</p> <ul style="list-style-type: none"> <li>• Contribute to meeting the Minimum Requirements;</li> </ul>

Theme	Project Update	Business Plan Highlights
		<ul style="list-style-type: none"> <li>• The Council's Scheme Objectives and Aspirations;</li> <li>• Deliverability of the scheme in terms of the highway requirements and site constraints (including the need to decant residents);</li> <li>• Viability of the development, and market and cost advice;</li> <li>• Planning policy on tenure, mix, height, uses, highways and public realm;</li> <li>• Reflect input (where possible) from the resident steering group and consultation events; and</li> <li>• Reflect input through pre-application meetings with the Local Planning Authority.</li> </ul> <p>There will be circa 425 homes delivered within Phase 1 across 4 Plots. The indicative tenures are:</p> <ul style="list-style-type: none"> <li>• 50 shared ownership homes (outside of the S106 and on which Swan H A will seek a grant from Homes England);</li> <li>• 100 socially rented homes with the option for delivery of additional socially rented homes; and</li> <li>• 12 shared equity homes.</li> </ul>
<b>Programme &amp; Phasing</b>	<p>A phasing plan was included in the hybrid planning application (as detailed in the Final Proposals agreed by council in June 2020).</p> <p>This is being assessed and will be finalised as part of the reserved</p>	<p>The delivery programme for the Project currently envisages 7 phases with a balance of tenures to accommodate decants and to deliver a viable scheme (defined under the Land Agreement).</p> <p>The delivery period for Phase</p>

Theme	Project Update	Business Plan Highlights
	matters application due in 2021.	<p>1 is currently forecast to be from 2021- 2026.</p> <p>The assumed sub-phase plot order is as follows:</p> <ul style="list-style-type: none"> <li>• Plot D- delivered first to enable the decant of existing tenants from Quantock House;</li> <li>• Plot G;</li> <li>• Plot C; and</li> <li>• Plot B- delivered once Quantock is decanted and demolished (once Plot D has been occupied).</li> </ul>
<b>Finance and Viability</b>	The funding strategy for the overall programme is included in the business plan. Viability has been assessed by 31ten Consulting ("31ten") (see comments below).	<p>To enable the activities of the Business Plan to be carried out during the period, a continued operational and delivery budget is required to fund the elements of the below that are required to 31<sup>st</sup> December 2021:</p> <ul style="list-style-type: none"> <li>• pay for services required to enable design development;</li> <li>• carry out site due diligence and secure a planning consent (including consultation and communication with the affected community) for Phase 1;</li> <li>• design, procure and deliver the Enabling Works (including the Highways Works);</li> <li>• design, procure and deliver the Phase 1 plots B, C, D and G;</li> <li>• design, procure and deliver the Phase 1 externals including the Porters Park (south);</li> <li>• design, procure and deliver the Sales and Marketing Suite;</li> <li>• secure vacant possession, decant and demolish Quantock</li> </ul>

Theme	Project Update	Business Plan Highlights
		<p>House;</p> <ul style="list-style-type: none"> <li>• secure vacant possession, decant and demolish Sutton Road Flats; and</li> <li>• continue to secure vacant possession and decant Pennine, Malvern and Chiltern tower blocks in line with the phasing strategy, the decant strategy and Compulsory Purchase Order (CPO) strategy.</li> </ul>
<b>Insurance</b>	Insurance is in line with the current stage of the project and officers are happy with the proposed Business Plan levels.	<p>Through this Business Plan period Employers Liability Insurance is not required as the LLP will not be employing staff directly.</p> <p>Director and Officer (D&amp;O) Insurance and Public Liability Insurance (to cover LLP events) is in place and is reviewed regularly for the appropriate cover levels in line with market availability.</p> <p>Each individual member of the design team and Swan BQ will carry out their own insurance for their work.</p>
<b>Land Assembly &amp; CPO (Compulsory Purchase Order)</b>	<p>From the Council's perspective, significant progress has been made in relation to land title identification.</p> <p>The CPO working group is in operation to formulate strategy for the implementation of CPOs.</p>	<p>Within the Business Plan period it is envisaged that the CPO will need to be made by the Council and approved by the Secretary of State to facilitate and guarantee the decant of Quantock.</p> <p>It is likely that (if granted) the CPO would have to run for the full 6 years permissible under law.</p>
<b>Communication &amp; Social Economic Regeneration</b>	A resident steering group has been set up and numerous LLP-run consultations have taken place (the most recent of which is running from 25 <sup>th</sup>	The communications and stakeholder engagement strategy will continue to be led by the LLP's Activation Officer.

Theme	Project Update	Business Plan Highlights
	<p>November- 8<sup>th</sup> December).</p> <p>A robust communications and stakeholder engagement strategy has been prepared and delivered to date in conjunction with the Council's communication workstream lead which ensures that Queensway residents and wider stakeholders feel engaged, consulted and informed and that the engagement achieved to date by the LLP is maintained and enhanced.</p>	<p>It has not been feasible to run as many outreach and pro-active events as the LLP would have anticipated due to COVID-19 pandemic. However, the team are working on alternative options and ideas and will seek to find ways to deliver community activation and outreach during this Business Plan period and a budget is allocated for this work.</p>
<b>Sale &amp; Marketing</b>	<p>Several workshops have taken place with the LLP and Council officers</p>	<p>A sale and marketing strategy is being drawn up to:</p> <ul style="list-style-type: none"> <li>• inform the design as it develops;</li> <li>• develop and implement the place-making strategy;</li> <li>• develop and implement the branding strategy; and</li> <li>• manage the design and delivery of the Sales and Marketing Suite.</li> </ul>

## 5. Assurance

**5.1** The following comments have been provided by the Council's lead advisors 31ten Consulting ("31ten") who supported the Project through its development and procurement process and continue to do so. They have reviewed the Business Plan, also referred to as the "Porters Place Southend-on-Sea LLP – Business Plan", to provide assurance on the completeness and reasonableness of the document. The results of this exercise are detailed below:

- (a) **Completeness** – The Business Plan process and document, agreed through the procurement process that appointed the Council's joint venture partner agreed a specific format for the Business Plan for the LLP and any amendments to this format need to be agreed by the Shareholders, Swan BQ and the Council. 31ten reviewed the document to highlight key changes from the previously approved Business Plan. This highlighted a number of material and non-material changes that were discussed between the parties and addressed in the final version. The Business Plan is therefore now compliant in terms of completeness.

- (b) Reasonableness – The Business Plan was reviewed for reasonableness based on 31ten’s understanding of:
- The Council’s role in the LLP;
  - The LLP activities that have taken place since the last Business Plan; and
  - The planned activities over the period that this Business Plan covers.

This review did not highlight any reasonableness issues with the document.

- (c) Viability – The updated viability appraisal submitted by the LLP through the Business Plan was reviewed, as was the supporting model and market intelligence reports on costs and values that underpin it. Based on the information provided, no issues were highlighted.

- 5.2** Further to the Business Plan, other activities of the LLP to date provide assurance with regards to partnership ethos and compliance with the requirements and principles set out at the inception of the LLP.

## **6. Other Options**

- 6.1** Not approving the Business Plan would mean that the business plan approved in November 2019 would remain in place until an amended business plan is approved. This would frustrate progress of the Project. The October 2019 business plan does not reflect the next years’ work on the Project.
- 6.2** The £15m HIF funding from Homes England has a deadline for spend. Not approving the Business Plan will delay the Project as an amended business plan will be required, which could result in non-expenditure by the deadline and therefore a gap in Project funding.
- 6.3** If the Business Plan is compliant with the Partnership Agreement but is not approved by the Council, there is a risk to the goodwill established between the LLP Partners. This would have a considerably negative impact on the relationship between the LLP Partners.

## **7. Reasons for Recommendations**

- 7.1** Review of the Business Plan by Council officers and the Council’s procured advisors concludes that the Business Plan provides assurance that the LLP is following the agreed strategic direction and objectives and is delivering its service and financial performance.
- 7.2** Delegation of agreement of non-material updates to the Business Plan and progression of actions resulting from the Business Plan are recommended in order that the LLP can continue to progress the Project at pace and with the necessary agility to meet funding and programme deadlines.

## **8. Corporate Implications**

- 8.1 Contribution to the Southend 2050 ambition, outcomes and road map**

The delivery of the Project is a specific outcome identified in the Opportunity and Prosperity theme and is reflected in a number of milestones on the roadmap. The first of these has already been met in the signing of the legal agreements. The Project contributes towards the following Southend 2050 outcomes:

- By 2050 Southenders are fiercely proud of, and go out of their way, to champion what our city has to offer. A regenerated Better Queensway at the heart of the City with a high-quality new development with large new parks and clean and inviting streets will achieve this.
- By 2050 we are well on our way to ensuring that everyone has a home that meets their needs. The Project is centred on delivering more and better quality homes. The agreement in principle to deliver a greater percentage of affordable rented homes within the overall scheme while being financially viable further contributes towards this outcome.
- By 2050 Southend-on-Sea is a successful City and we share our prosperity amongst all of our people. Better Queensway will have been delivered and it is an integral part of a thriving town centre providing a mix of affordable and private sale homes, jobs and aspirational places to live and play for all sections of Southend's community.
- By 2050 people can easily get in, out and around our borough and we have a world class digital infrastructure. Better Queensway will have improved connectivity with a new Queensway boulevard that reconnects the town centre to the rest of the town, new cycle and pedestrian routes and a variety of digital improvements.
- By 2050 people in Southend feel safe in all aspects of their lives and are well enough to live fulfilling lives. Better Queensway will have a new green neighbourhood with a variety of homes which have been designed with safety at its heart. It has overlooked streets and active new parks as well as improved connectivity between the town centre and North Eastern Southend.
- By 2050 we will have a thriving, active and involved community that feel invested in our city. The new neighbourhood will have residents at its heart. Swan HA will be running a new community concierge service overseeing and managing active parks and open spaces with a range of activities funded by the Better Queensway community fund.

## **8.2 Financial and Value for Money Implications**

The Cabinet report of February 2019 agreed that an investment of the necessary equity and junior debt facilities up to £15M would be made by the Council to match the level of investment by Swan HA, and that the capital investment programme for 2019/20 to 2023/24 was adjusted to reflect this.

The funding strategy outlined by the LLP is based on the drawing down of the remaining funds in line with this agreement. This is coupled with funding from the Housing Infrastructure Fund for which the Council is the accountable body and SELEP funding. These are outlined in detail within the Business Plan.

The final element of the funding strategy is made up of senior debt secured from either a third party lender or the Council, if it chooses to act in this capacity. The Council will be asked to consider this proposition during this Business Plan



period. The LLP has allowed for the cost of this funding whichever source is utilised.

The Business Plan also sets out the financial appraisal for the updated scheme in line with the Final Proposals approved by the Council in June 2020. This financial appraisal indicates that the scheme is still viable and in compliance with the Partnership Agreement.

### **8.3 Legal Implications**

The following comments have been provided by the Council's specialist legal advisors who have supported the Project through its development and procurement process:

The Council's legal advisers to the procurement of Swan HA and the subsequent incorporation of Porters Place Southend-on-Sea LLP, Sharpe Pritchard LLP, has reviewed "Porters Place Southend-on-Sea LLP – Business Plan" to ensure that it is consistent with the legal documentation agreed at the signing of the Partnership Agreement and wider legal suite of documents. The production of this updated Business Plan is contemplated by and in accordance with the Partnership Agreement.

A fundamental requirement of any business plan adopted by the LLP is that it captures the LLP's Objectives, being Minimum Requirements and the Scheme Objectives (as set out in paragraph 1.3(i) and (ii) of the Business Plan). We can confirm that the Business Plan provided to us when taken together with the legal documentation contains all the JV Objectives. The Business Plan is compliant with the provisions of the Partnership Agreement.

Upon this basis and in the Council's legal service being involved in the preparation of this report there are no further matters of importance that require further mention in this report.

### **8.4 People Implications**

In accordance with the Cabinet report of February 2019 three senior officers were appointed to the LLP Board by the Council's Chief Executive in consultation with the Leader.

While the LLP is responsible for delivery of the Project, the Project continues to be supported by a number of Council officers as technical experts in fulfilling Council responsibilities and in supporting the work of the LLP, and on the Partnership Board which oversees the Council's work with regards to the Project. It may be necessary to consider backfill or additional resource in some teams so as to ensure that other Council priorities are also met and outcomes delivered.

The Council continues to retain and utilise its procured specialist advisors alongside officers.

The property implications are in line with those set out in the February 2019 Cabinet report.

## **8.5 Consultation and Engagement**

Two rounds of public consultation and engagement have been undertaken by the LLP to inform the first Final Proposals. Further consultation is underway and will close on 8th December 2020. Sessions were provided for Councillors and residents ahead of the launch of this consultation on 26<sup>th</sup> November and this Consultation will allow opportunities for Businesses and the wider public to respond.

## **8.6 Equality and Diversity Implications**

The Council has undertaken an Equalities Analysis with regards to the Project and this will be kept under review in regards to the evolution of the Project.

## **8.7 Risk Assessment**

Section 5 “Assurance” sets out assurances, risks and mitigations.

## **8.8 Value for Money**

The elements of value for money, as identified in the February 2019 Cabinet report, remain as part of this revised Business Plan.

## **8.9 Community Safety Implications**

There are no relevant community safety implications of the Business Plan at this stage, although this will continue to be an important consideration for the Project as a whole.

## **8.10 Environmental Impact**

A development of this scale and nature will have a significant impact on the local environment. This will be considered through the planning process.

## **9. Background Papers**

None

## **10. Appendices**

**Appendix 1** – Business Plan (Part 1)

**Appendix 2** – Part 2 Report

**Appendix 3** – Business Plan (Part 2)

## **Better Queensway**

### **Business Plan**

**October 2020**

#### **1. Background**

- 1.1 Introduction
- 1.2 The Project
- 1.3 Objectives of Porters Place Southend on Sea LLP
- 1.4 Porters Place Southend on Sea LLP Structure and Governance
- 1.5 *Contained in the Part 2 Business Plan*
- 1.6 Appointments

#### **2. Design and Planning**

- 2.1 Overview
- 2.2 Enabling Works
- 2.3 Housing
- 2.4 Programme and Phasing
- 2.5 Planning Approach and Programme to Planning Submission
- 2.6 Communications and Consultation
- 2.7 *Contained in the Part 2 Business Plan*

#### **3. Finance and Viability**

*Contained in the Part 2 Business Plan*

#### **4. Plan to Start on Site**

- 4.1 *Contained in the Part 2 Business Plan*
- 4.2 Resourcing
- 4.3 Delivery Structure
- 4.4 The Project Control Group
- 4.5 The Control Documents

#### **5. Key Risks**

- 5.1 Risk Register

## **APPENDICES**

1. Better Queensway Site Location Plan
2. Historical Council Objectives
3. *Contained in the Part 2 Business Plan*
4. *Contained in the Part 2 Business Plan*
5. *Contained in the Part 2 Business Plan*
6. *Contained in the Part 2 Business Plan*

## **1. BACKGROUND**

### **1.1. Introduction**

This Business Plan covers the progress and delivery of the Better Queensway project, currently anticipated to be delivered by 2031.

The detailed activities for the period to 31<sup>st</sup> December 2021 are provided within this document along with the budget to fund these activities and these are placed in context of the longer term delivery of the project.

The key activity of the company during this period will be commencement of the detailed design and delivery of Phase 1A and Phase 1B [referred to as Phase 1 hereafter] and the detailed design and delivery of the Enabling Works Programme of the project. These Phase 1 works are currently envisaged to be completed in December 2026.

This document sets out the Business Plan principles (including budget) to enable the continued delivery of the Better Queensway Project.

The activities of the LLP will be in line with this Business Plan until such time that a revised Business Plan is agreed and adopted. This Plan will be adopted through submission to the LLP Board for approval, and then on to the two LLP Members for their approval (Southend on Sea Borough Council and Swan BQ Ltd.).

The parties to the LLP will seek to deliver the project in accordance with the proposals as detailed herein except where variations are agreed by the LLP Board and the 2 Members of the LLP.

Where variations are determined by the LLP Board to be “non-adverse” the LLP Board will approve variations to the business plan in line with the LLP legal agreements having first submitted the changes to the JV partners for review.

Where variations are determined to be “adverse” then the LLP Board will make a recommendation which will then be considered by the 2 Members of the LLP for a decision.

This plan covers the ongoing delivery of the Better Queensway Project, with a more detailed focus on:

- Phase 1 Design and Planning
- Future Phases Design and Planning
- Finance
- Plan to Start on Site
- Detailed Design, Procurement and Delivery of Phase 1 and associated Externals
- Detailed Design, Procurement and Delivery of the Enabling Works Programme
- Funding
- Key Risks

### **1.2. The Project**

#### **1.2.1. History**

Southend on Sea Borough Council (SBC) selected Swan BQ as partner, along with supporting arrangements with Swan Housing Association (a co-signatory to the Partnership Agreement) (Swan)

in February 2019 through an OJEU compliant competitive dialogue process to be its funding, development and operational partner for the regeneration of the Queensway Area of Southend-on-Sea. The contracts were signed, and the LLP established in April 2019.

The Better Queensway (BQ) project will regenerate a c. 6Ha site in the Queensway area of Southend-on-Sea, adjacent to Southend Victoria railway station. The site currently includes four 1960s council tower blocks, maisonettes on Sutton Road and properties along Southchurch road as shown by the red line plan at Appendix 1 and is dissected by the Queensway dual carriage way, which runs in an underpass across the site, resulting in poor pedestrian connectivity across the site and into the town centre and a poor quality, road-dominated environment for residents.

The development is to be undertaken in phases to create up to 1,760 new homes, a realigned Queensway Road and highway improvements, improved public realm (including a park) and a mix of commercial uses.

### **Approvals Structure**

The overarching Business Plan sets out the strategy and way in which the LLP will deliver the Better Queensway project.

The Business Plan reflects the principles of the delivery of the outputs from the scheme as per the “Final Proposals” related to the Hybrid Planning Application submitted to Southend Borough Council in September 2020.

Quarterly updates against the Business Plan will be reported to the LLP Board and its two Members being Southend Borough Council (SBC) and Swan BQ.

Each phase will require a reserved matters planning application to be submitted by the LLP to the LPA. Prior to the submission of the reserved matters planning application, a set of “Final Proposals” covering the outputs from the proposed planning application will be approved by the LLP board and reviewed by each member prior to planning submission to ensure compliance with the Minimum Requirements and Scheme Objectives

On receipt of a successful and satisfactory planning consent, the LLP will put together appropriate funding and contracts to deliver the phase. Prior to entering into the works contract and drawing down the funding to deliver the phase, the LLP must satisfy the Phase Viability test and pre-commencement conditions as set out in the Land Agreement to enable the Land to be drawn down. The council will independently audit the Phase Viability test before approving the release of the land and enabling the LLP to proceed to deliver the relevant phase.

From time to time it will be necessary to update the Business Plan as things change, by the nature of the scope and extent of the project these changes will happen.

Where changes to the business plan are considered “non adverse”, the LLP Board will approve those changes in line with the LLP Legal Agreements having first submitted the changes to the JV partners for review

Where changes to the business plan are considered “adverse”, then the LLP Board will make a recommendation to each member for consideration on how to proceed at that point in time.

### **1.2.2. Scope of Development**

The regeneration area, and therefore scope of development, was defined as part of the

procurement process and is marked by a redline on the plan at Appendix 1.

The LLP has been set up to deliver the BQ project, formed of equal representation by SBC and Swan BQ. The LLP is for a fixed 30-year term.

### **1.3. Objectives of Porters Place Southend on Sea LLP**

#### **i) Minimum Requirements**

Through the Partnership Agreement, Minimum Requirements have been defined for the LLP. These are for the LLP to deliver:

- (a) An increase on the 441 Affordable Housing Units on the Site as at the Effective Date;
- (b) The demolition of the four tower blocks on the Site as at the Effective Date;
- (c) Delivery of the Required Highways Works (as defined in the Land Agreement entered into by the Council and the LLP on 24<sup>th</sup> April 2019) including the 4-lane highway; and
- (d) Objective 6 in the Council's Objectives (defined in Appendix 2).

The Effective Date was 24 April 2019, which was when the LLP Agreement was signed.

#### **ii) Objectives**

As part of the procurement process, SBC set out a set of Scheme and Approach Objectives and these are included in the legal agreements that underpin the LLP.

The original objectives are appended in Appendix 2 of this document for reference only.

### **1.4 Porters Place Southend on Sea LLP Structure and Governance**

Porters Place Southend on Sea Limited Liability Partnership (LLP) is a joint venture between Swan BQ (Swan) (50%) and SBC (50%).

The LLP is based on equal representation and participation for both parties. The LLP will be governed internally by the LLP Board, with a Project Board managing the day to day delivery of the development.

The members of the Board for this Business Plan period are:

#### **Swan**

Geoff Pearce (Chair)  
James King  
Andy Gatrell

#### **Southend Borough Council**

Andrew Lewis  
Alan Richards  
Lee White

Key features of the LLP Board are:

- Three representatives from each Member organisation will be appointed at no cost to the JV, all with decision making authority for LLP activities from their respective organisations.
- Equal representation and voting rights between SBC and Swan (except in matters of conflicts of interest).
- The post of Chair will be held by an appointee of each party in rotation in alternate years (12- month term). The Chair will not have a casting vote.
- Meetings will take place quarterly.

There are a number of “Reserved Matters” within the Partnership Agreement for the LLP that are to be decided / approved by the individual Member bodies. These will be referred to the individual member as they arise.

## **1.5 -PART 2-**

### **1.6 Appointments**

Swan and its subsidiaries are appointed through Service Agreements to carry out the following activities for the LLP:

- I. Project Management
- II. Residential sales and Marketing
- III. Construction Management
- IV. Estate Management
- V. Accounting and company secretariat
- VI. Communication and community engagement

The service agreements contained a clause that where an omission of an express service committed to by Swan as part of the bid was not included, the service is deemed to be included. Consultants and other professional services are required to carry out some of the activities of the Business Plan.

## **2. Design and Planning**

### **2.1 Overview**

As set out in the Objectives of the LLP (section 1.3), the regeneration of the Better Queensway site is an opportunity to transform this important town centre, gateway site and improve the quality of life of residents of the estate.

The following outputs from the Hybrid Planning Application were approved from the “Final Proposals” in June 2020. These are summarised in Appendix 3.

- Up to 1760 Homes within the illustrative masterplan
- 512 Affordable Homes of which 312 are to be secured via the S106 with the balance delivered through the LLP contractual arrangements
- A range of building heights and types ranging from 3 to 18 storeys of residential accommodation to cater to a wide range of residents
- New key public spaces with additional green spaces distributed throughout the masterplan, including a new plaza by Victoria Station and All Saints Church with new park and green spaces throughout the scheme
- The Queensway re-laid and brought up to grade along a tree lined highway retaining 4 lanes of traffic
- A new gateway experience for visitors to Southend-on-Sea
- New high-quality homes for returning residents
- The retention of E-W, N-S connectivity through Southend by the provision of an at-grade roundabout connecting Southchurch Road and the Queensway
- New dedicated off-street cycle lanes and pedestrian walkways on each side of the Queensway
- Every new dwelling to have at least one area of private outside space in the form of either a garden, a terrace or a balcony depending on location
- Parking for new residents of the new dwellings at 0.7 spaces per dwelling across the masterplan (an increase from the current 0.25 spaces per dwelling on



Queensway)

- A complementary commercial offer for the scheme with a mix of flexible retail, commercial and cultural space to complement the Town Centre and support the future residents of the new scheme and anchor the new public spaces
- Environmentally friendly and sustainable solutions for surface water drainage and energy usage across the scheme, including provision of sustainable urban drainage systems within the new Queensway and the provision of electric vehicle charging points within the project

In line with the Business Plan, the LLP will seek detailed planning consent for the Better Queensway Phase 1 and external, to deliver Phase 1 and external, to deliver the Enabling Works including the Highway Project and to progress design and planning across the wider site in line with the phasing strategy.

Phase 1 will deliver:

- A mixed-use, mixed-tenure scheme of circa 425 homes
- 4 plots across Phase 1 A and Phase 1 B – Plots B, C (north), D (north) and G
- Porters Park (south) and the associated external for the Phase 1 area
- Demolish Quantock House and Sutton Road Flats
- A mix of ancillary commercial uses;
- The Community Concierge

Following this, the LLP will continue to progress the following phases in line with the phasing strategy, viability requirements and decanting requirements.

The LLP will progress the design, procurement, delivery and funding of the Enabling Works including the works set out in the May 2020 “Final Proposals” to:

- Remodel the Queensway road to a 4-lane road, by the infilling of the existing underpass, to increase permeability and simplify the existing roundabout;
- The construction of the SUDS and associated attenuation system;
- The diversion of and new utilities connections as necessary to facilitate the wider project;
- The upgrade of the UKPN network substation (off site) to provide sufficient capacity; and
- Associated stopping up, landscaping and tying in works around these.

The current design proposals which underpin this Business Plan are subject to change through technical design work as well as ongoing consultation with the statutory authorities who will approve the design details. The LLP Board will have delegated approval to approve these changes on behalf of its Members where they are deemed by the LLP Board to be “non adverse” and these will be reviewed by each member in advance.

A copy of the presentation related to Final Proposals can be found in Appendix 3.

## **2.2 Enabling Works**

The LLP will deliver a new Queensway Road, and will address severance the current Queensway causes.

The LLP will seek to ensure that the construction programme is as short as reasonably practicable, will not exceed peak funding capabilities and will provide a regular income from exchanges and completions.

The programme currently envisages 7 phases with a balance of tenures to accommodate decants and to deliver a viable scheme.

The LLP aspires to ensure the sequencing of the highway works are designed so they will be delivered as soon as is reasonably practicable alongside the residential construction and to ensure minimal disruption to local residents and ensure traffic is enabled to flow throughout the development period.

Assuming the LLP have been able to expeditiously achieve all required planning and S278 consents, it is currently programmed for Highway works to commence in 2021 and complete in 2023.

This will enable the LLP to continue to access the HIF funding allocated to the project and to draw down the funding in line with the “availability period”.

The LLP has developed initial phasing options for the delivery of the Enabling Works to ensure that the Queensway remains open during construction works.

The LLP will appoint a Project Manager to manage the design, procurement and delivery of the Enabling Works Programme including the Highways Works under the form of NEC Contract as set out in the LLP documentation.

The LLP will continue to engage in informal Early Contractor Involvement to help shape the detailed design work and to ensure that outputs and phasing requirements are met through procurement.

The LLP will procure a principal contractor to deliver the Enabling Works in line with the programme. The costs of this have been included within the Budget.

## **2.3 Housing**

The LLP is committed to providing a mix of housing tenures including private sale and with an increase on the 441 affordable units on the site.

The overall scheme will deliver up to 1,760 homes in line with the hybrid planning application and as per “Final Proposals”.

The current accommodation schedule for each phase of development will align with the hybrid planning application parameters and:

- Contribute to meeting the Minimum Requirements;
- The Council’s scheme objectives and aspirations;
- Deliverability of the scheme in terms of the highway requirements and site constraints (including the need to decant residents);
- Viability of the development, market advice and cost advice;
- Planning policy on tenure, mix, height, uses, highways, public realm;
- Reflect input where possible from the resident steering group and consultation events;
- Reflect input through pre-application meetings with the Local Planning Authority.

There will be circa 425 homes delivered within Phase 1 across 4 Plots.

The indicative tenures are;

- 50 shared ownership homes (these are outside of the S106 and Swan Housing Association will seek grant from Homes England on these)
- 100 socially rented homes

- There will be 12 shared equity homes

The homes will be a mix of 1, 2 and 3 bed properties in line with the accommodation parameters set out in the hybrid planning application and approved through Final Proposals.

There will be 10% 3 bed dwellings within the phase.

The requirements for social rented homes have been directly informed by the Housing Needs Survey of existing secure tenants on the estate as the LLP is obligated to rehome secure tenants in line with the LLP agreements.

A Housing Needs Survey was undertaken in 2020 which indicated an average of 80% of secure tenants were likely to want to return to new homes on the redeveloped estate.

A new and updated Housing Needs Survey is being undertaken in Autumn 2020 by the Council and the LLP to help inform decanting needs and should unit mix requirements for decanting alter within the Phase to align with that then the LLP will need to flex those units accordingly to meet obligations. These will be reviewed and agreed through the appropriate governance arrangements.

Housing Needs Surveys for existing secure tenants will continue to be run throughout the delivery of the project until such time as all secure tenants have been successfully rehoused.

This is managed through the Housing and Decant workstream.

10% of the Homes will be Family sized dwellings of 3 beds in line with the hybrid planning application parameters.

10% of the Homes will be sized to meet M4(3) wheelchair adaptable standards and where an identified existing secure tenant need through decanting is confirmed via OT assessment prior to occupation, the LLP will deliver an adapted home to meet those requirements.

The balance of housing within the phase will be market sale, although the LLP will continue to look for opportunities to optimise the delivery of affordable housing within each phase subject to funding and viability.

## **2.4 Programme and Phasing**

The LLP will seek to ensure that the construction programme is as short as reasonably practicable, will not exceed peak funding capabilities and will provide a regular income from exchanges and completions.

The delivery programme for Better Queensway currently envisages 7 phases with a balance of tenures to accommodate decants and to deliver a viable scheme (as defined by the Land Agreement).

The delivery period for Phase 1 is currently forecast to be from 2021 to 2026. Within Phase 1 there is a sub-phasing plan for each plot.

The assumed sub phase plot order is as follows:

- Plot D will be delivered first as this will enable the decant of existing tenants from Quantock House.
- Plot G will then follow

- Plot C will then follow
- Plot B will be delivered once Quantock House is decanted and demolished once Plot D has been occupied.

There is flexibility between the delivery of G and C.

Once the Enabling Works contractor is appointed and the phasing for the Enabling Works has been finalised, the sub-phase plot order will be confirmed and agreed through the appropriate governance arrangements.

This will not have a material impact on the viability of the Phase but retains delivery flexibility within the Phase and the Enabling Works Programme.

The details for this are set out in section 32.5.

Further considerations to Phasing will include the requirements to satisfy the terms of any CPO Inquiry and the associated timescales for that.

The baseline assumption is that an average of 80% of existing secure tenants will opt to return (informed by the results of the current Housing Needs Survey).

Below is the current indicative phasing plan. It provides an indication of the anticipated outputs over the development period of the project based on current proposals.

Phase	Indicative Number of Homes	Proposed Commercial Uses	Public Realm works	Estimated start on site	Estimated completion
Highways Works and Enabling Infrastructure				Jun 2021	Oct 2023
1	422	Artist Complex, Retail Active & Fitness, Central Concierge & Café	Porters Park South	Aug 2021	Oct 2026
3	431	Make Create, Workspace, Restaurant	Station Plaza	Jul 2024	Nov 2027
2a	135	Pre School	All Saints Square	Oct 2026	Oct 2029

2b	197			Oct 2027	Jan 2031
2c	153	Nursery/ childcare	Porters Park North	Oct 2029	Aug 2032
4	388	Standard Shops (Retail)		Apr 2029	Jan 2032

## 2.5 Planning Approach and Programme to Planning Submission

The LLP will continue to seek to produce a scheme that is acceptable to SBC's planning team and seek to secure an implementable planning permission, through recommendation for approval to the Development Control Committee.

The LLP will continue to prepare and submit the reserved matters planning application for Phase 1 and future phases as agreed with the LLP board in line with the business plan and submission will continue to be subject to the review of "Final Proposals" by each member of the LLP.

Each Reserved Matters Application is in accordance with the Hybrid Planning Application and associated Parameter Plans and Design Code documents submitted to Southend Borough Council in September 2020.

The current indicative planning programme is based upon the following key milestones:

Milestone	Workstream	Target date
Hybrid Planning Application Submission	Design and planning	September 2020 [ACTUAL]
Pre-application Phase 1 RMA	Design and planning	Ongoing [ACTUAL]
Phase 1 RMA Public Consultation	Communications and social and economic regeneration	November 2020
Submission of Phase 1 RMA	Design and planning	February 2021
Planning Committee Hybrid	Design and planning	February 2021
Sign Section 106 Agreement	Design and planning	February 2021
Planning Committee Phase 1 RMA	Design and Planning	June 2021
Discharge Pre-Commencement Conditions (Enabling Works)	Design and planning Construction	June 2021
Discharge Pre-Commencement Conditions (Phase 1)	Design and planning Construction	September 2021
SELEP Spend Date	Funding	March 2022
HIF Spend Date	Funding	March 2023

## 2.6 Communications and Consultation

A robust communications and stakeholder engagement strategy has been prepared and delivered to date which ensures that Queensway residents and wider stakeholders feel engaged, consulted and informed and to ensure the engagement achieved to date by the LLP is maintained and enhanced. Budget is allocated to fund this activity through to securing planning consent and includes maintaining the scheme website at [www.betterqueensway.co.uk](http://www.betterqueensway.co.uk) and online engagement tools and comms and engagement support from external consultants.

Our resident activation officer has established a resident steering group and appointed an independent chair and advisor to run the group moving forward in consultation with the LLP.

The group have so far held a number of design focused meetings where they have helped to shape the Phase 1 design including lobby details, block arrangements and the detailed design of the park.

The role and scope of this group is expected to develop and will continue to play a key role in keeping the existing estate residents directly engaged.

It has not been feasible to run as many outreach and pro-active events as we would have anticipated due to the wider pandemic during 2020.

However our team are working on alternative options and ideas and will seek to find ways to deliver community activation and outreach during this business plan period and a budget is allocated for this work.

## **2.7 -PART 2-**

## **3. -PART 2-**

## **4. -PART 2-**

### **4.1 -PART 2-**

### **4.2 Resourcing**

There is a Project Director, whose focus will be to deliver Better Queensway.

The Project Director is the main point of contact for the project and will ensure continuity and quality throughout each phase of project delivery. The role is a Swan appointment, with a side letter setting out the obligations of the post to the LLP.

A full time Development Manager has been appointed to the project team supporting the Project Director with key workstreams and across the project.

A further appointment of a Senior Development Manager/Development Manager will be made in 2021/22 subject to budget approval to provide additional resource as the project moves to the delivery phase.

An external Project Manager will be appointed in line with the requirements of the NEC contract process to act on behalf of the LLP to manage the detailed design, procurement and delivery of the

Enabling Works. This role will report into the Project Director.

The appointments of consultants are made by the Project Director on behalf of the LLP, provided the costs are within the delegated budget set out within this Business Plan.

The Project Director is the lead person and main point of contact for the duration of the Project.

They are responsible for ensuring the quality of the delivery team, liaising appropriately with the LLP Board and SBC and Swan staff and ensuring consistent quality and continuity throughout.

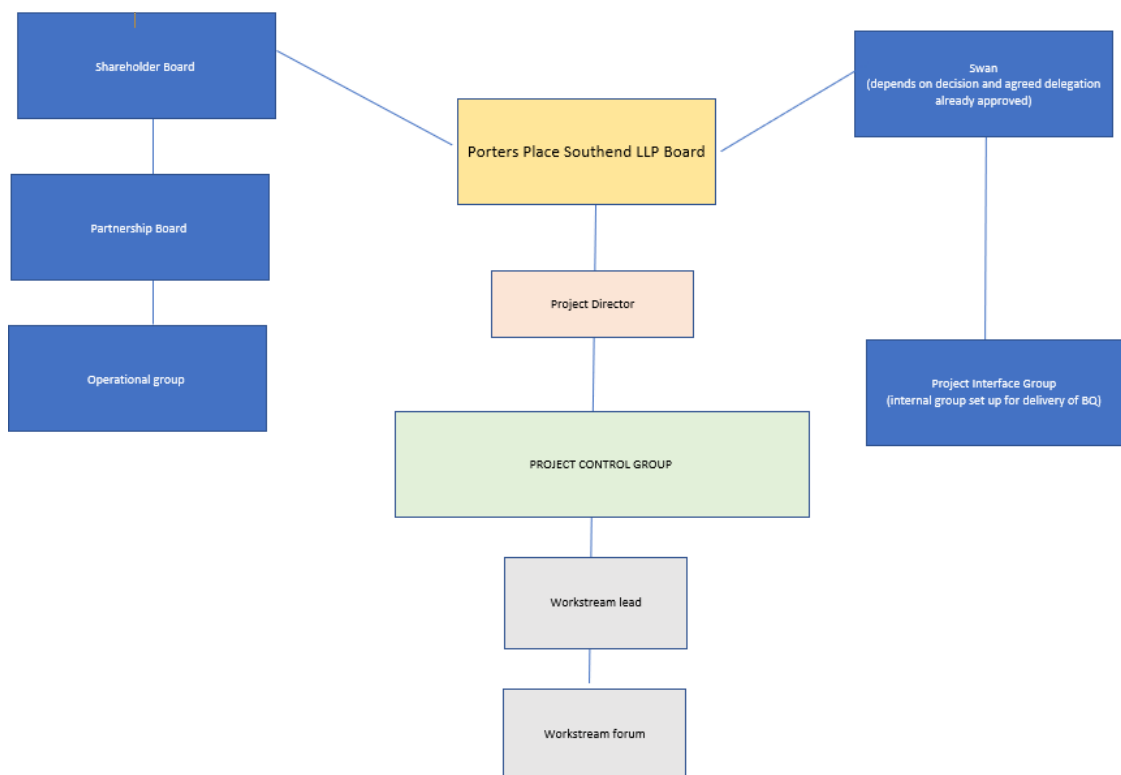
#### **4.3 Delivery structure**

The formation of Porters Place Southend LLP (LLP) and the legal suite of documents that Southend Borough Council, Swan Group (and its subsidiaries) and Porters Place Southend LLP signed up to, are to ensure the delivery of the regeneration of the Queensway area. This Business Plan sets out in detail the delivery of the business of LLP.

The diagram below shows the decision-making structure within the LLP:

- The decision-making forum is the LLP Board, made up of three representatives from each member organisation. This meets quarterly.
- The Project Director provides a quarterly update to the Board on the delivery of the Business Plan, and present updates to the Business Plan as and when required. The budget is managed by the Project Director and reported against at each meeting.
- A Project Control Group (PCG), chaired by the Project Director, is the monthly reporting forum for all the workstreams against programme and output.
- Underneath the PCG sits each workstream, with an identified lead. The workstream lead will manage the frequency of meetings. The workstream lead will be responsible for the action plans for each workstream.
- In blue, either side of the structure are illustrative details of decision making within the two organisations to compliment this. These structures are excluded from this business plan and are the responsibility of each member organisation.

Swan will use its internal governance procedures to oversee the project. This will include formal sign off procedures at key stages of the development, regular reporting to the Development Management Team and Project Review Board and monthly appraisal and risk map updates.



Role	Proposed Provider	Role and scope of work
<b>Project Management</b>	SNH	<ul style="list-style-type: none"> <li>Manage the day to day delivery of the development and operational stages</li> </ul>
<b>JV accountancy and company secretariat</b>	SHA	<ul style="list-style-type: none"> <li>JV company secretarial including managing financial reporting and governance compliance</li> </ul>
<b>Sales and Marketing</b>	SNH	<ul style="list-style-type: none"> <li>In-house delivery of sales and marketing for all private sales, shared ownership and non-residential/commercial uses</li> </ul>
<b>Community engagement, communication and investment</b>	SHA	<ul style="list-style-type: none"> <li>Lead communications and community engagement throughout the development process</li> <li>Work in partnership with SC in leaseholder acquisitions and decant process</li> <li>Develop and manage the re-housing and resident engagement strategy</li> <li>Internal resources from Southend and Swan</li> </ul>
<b>Construction</b>	SCS	<ul style="list-style-type: none"> <li>Design, procurement and in-house construction</li> <li>Partnership arrangement to costs – risk/reward share</li> </ul>
<b>Estate management and private sales home management</b>	HERA	<ul style="list-style-type: none"> <li>Delivery of management and maintenance services throughout the operational life of the project</li> </ul>



Role	Proposed Provider	Role and scope of work
		<ul style="list-style-type: none"> <li>On-site estate management office to be opened (community concierge)– accessible to residents</li> <li>Manage public realm and communal areas of all blocks</li> <li>Services designed to meet the specific needs of the various uses and tenures</li> </ul>
<b>Affordable homes ownership and management</b>	SHA	<ul style="list-style-type: none"> <li>Affordable housing offer by stage and acquisition by SHA to cover future ownership and management costs.</li> </ul>
<b>Commercial letting and management</b>	SHA	<ul style="list-style-type: none"> <li>Co-ordinate the procurement of a non-residential/ commercial sales agent(s) for the LLP if required.</li> </ul>
<b>Customer care and after care</b>	SCS	<ul style="list-style-type: none"> <li>Support and care post occupation of the new homes for the market and shared ownership tenures.</li> </ul>

The LLP has contracted with a number of Swan entities to carry out services on behalf of the LLP as set out in the table above. The table below summarises the agreements in place between the LLP and a number of Swan entities.

SERVICE AGREEMENTS	
Project Management	LLP and Swan New Homes
Communication and Community Engagement	LLP and Swan New Homes
Sales and Marketing	LLP and Swan New Homes
Company Secretariat	LLP and Swan New Homes
Estate Management	LLP and HERA

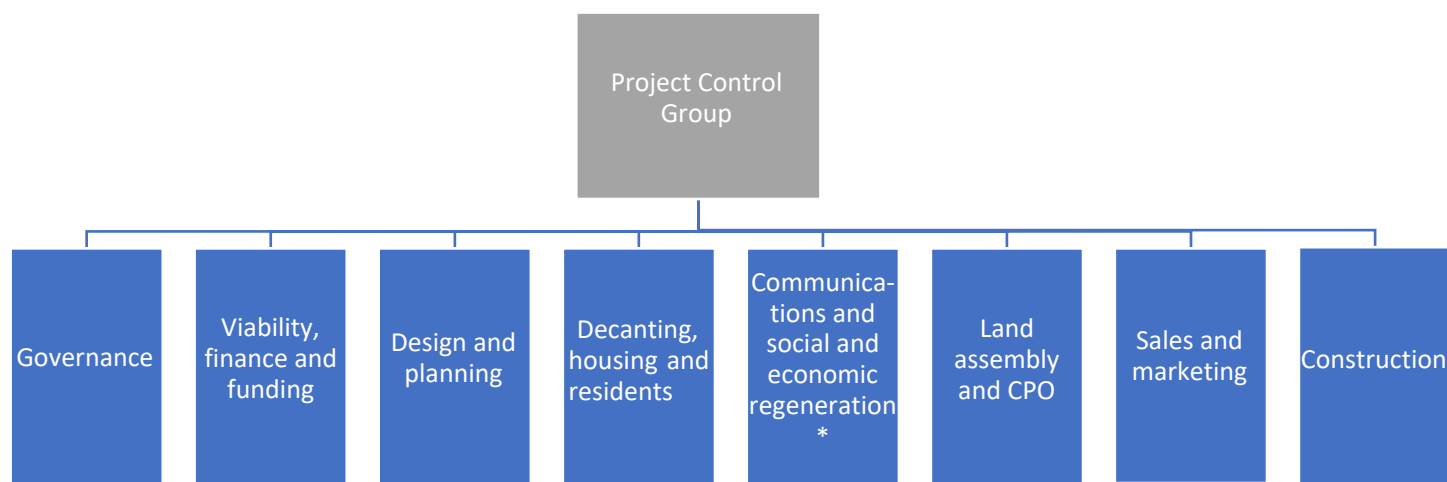
#### 4.4 The Project Control Group

The Project Control Group (PCG) will meet monthly and will be made up of the Project Director and the workstream leads (and substitutes when required). The PCG will consider operational issues and how the Business Plan and workstreams (and where appropriate strategies) will be implemented to ensure the delivery of Better Queensway. This is in line with the delegation to the management board as set out in the LLP agreement.

The Project Control Group will:

- Consider operational issues and will be attended by those officers necessary at any given point of the (development or operational stage) to ensure delivery of the Business Plan of the JV;
- Make recommendations through the Project Director to the LLP Board;
- Provide a multi-disciplinary peer review for the multiple expert forums delivering key themes of the Business Plan;
- Monitor regularly the key risks of the development;

- Provide, through the Project Director, reports on programme, planning, finance, legal and land issues and construction issues which would help the identify the decisions needed to be made by the LLP Board;
- Chair to be the Project Director and attended by all leads from workstreams (with deputies identified);
- Attendance from SBC Project Management Office and Swan's Development team, and when appropriate members, of SBC Operational Group and the Swan's Project Interface Group; and
- Minutes will be shared on a confidential basis with Director for Regeneration and Business Development at SBC and Development Director for Essex at Swan



\*An estate management workstream will emerge from this workstream over time

#### 4.5 The Control Documents

The table below sets out how the above process will be managed through controlled documents and diarised frequent meetings.

Forum / role	Responsibility	Frequency	Governing document
LLP Board	Ultimate responsibility for delivery of project in line with the Business Plan	Quarterly	BQ Business Plan
Project Director	Responsibility for the delivery of BQ through the Business Plan	Ongoing	BQ Business Plan Workstreams
Project Control Group	Monitor and measure delivery of the Business Plan through the workstreams	Monthly	BQ Business Plan Workstream action plan
Workstream leads	Responsibility for the delivery of the workstream action plans	Ongoing	Workstream action plan

Forum / role	Responsibility	Frequency	Governing document
Workstream forums	Workshops / meetings / individual actions to carry out the activities of the action plan	Ongoing	Workstream action plan

The control documents for the delivery of the project will be agreed and signed off at the appropriate level. For the Business Plan, this is a reserved matter and will be signed off by each member of the LLP. The workstreams are reported against each quarter to the Board. The workstream action plans will be reported on at the Project Control Group and Board (where appropriate).

#### Key activities for the workstreams for the Business Plan period

Workstream	Lead officer	Key activities
Governance	Linda Kirby (Swan)	Oversight of activities to ensure consistent with established policies and procedures Track delegations and decisions as appropriate
Viability, funding and finance	David Booker (Swan)	Develop the funding strategy through the funding workstream to enable the LLP to secure Senior Debt Continue to assess the viability of the scheme
Design and planning (pre contract)	Graham Kauders (Swan)	Appointments of the design team Develop the design of the scheme Carry out the pre-application process Consult on the design with all stakeholders Commission all reports necessary to submit planning Submit planning permission
Design and planning (post contract)	Paul Haywood (Swan)	Appointments of the design team for detailed design Develop the detailed design of the scheme Commission all reports necessary to discharge planning conditions Discharge of pre-commencement conditions
Decanting, housing and residents	Andrea O'Callaghan (Swan)	Continue to update the Decant Strategy Repeat the Housing Needs Survey on agreed basis to ensure as up to date understanding of resident needs as possible and feed into the scheme
Communications and social and economic regeneration	Sam Wait (Swan)	Monitor and Update the Communications Strategy Continue to Plan and Deliver activation activities Liaise with South Essex Homes on the management of the existing estate
Land assembly and CPO	Rob Pearce	Finalise the CPO and Land Acquisition Strategy Start collating evidence for the CPO application Lead leaseholder buyout discussions jointly with SBC and in consultation with external CPO advisors as appropriate Sarah Lofts SBC will be the key contact at the Council
Sales and Marketing	Linda Faucher (Swan)	Inform the design as it develops Develop and implement the place-making strategy Develop and implement the branding strategy Manage the design and delivery of the Sales and Marketing Suite

Workstream	Lead officer	Key activities
Construction	Julian Kerby and Paul Haywood (Swan)	<p>Ensure designs are technically deliverable</p> <p>Provide programme and pre-construction support to the design and planning workstream</p> <p>Provide cost input to the scheme working with the external independent QS advisors as appropriate</p> <p>Agree the construction contract for delivery working with the Project Director</p> <p>Agree the programme for delivery working with the Project Director</p> <p>Interface with the Enabling Works Project Manager to ensure the Principle Contractor and SCS works are aligned and managed in parallel where required</p>

## 5. Key Risks

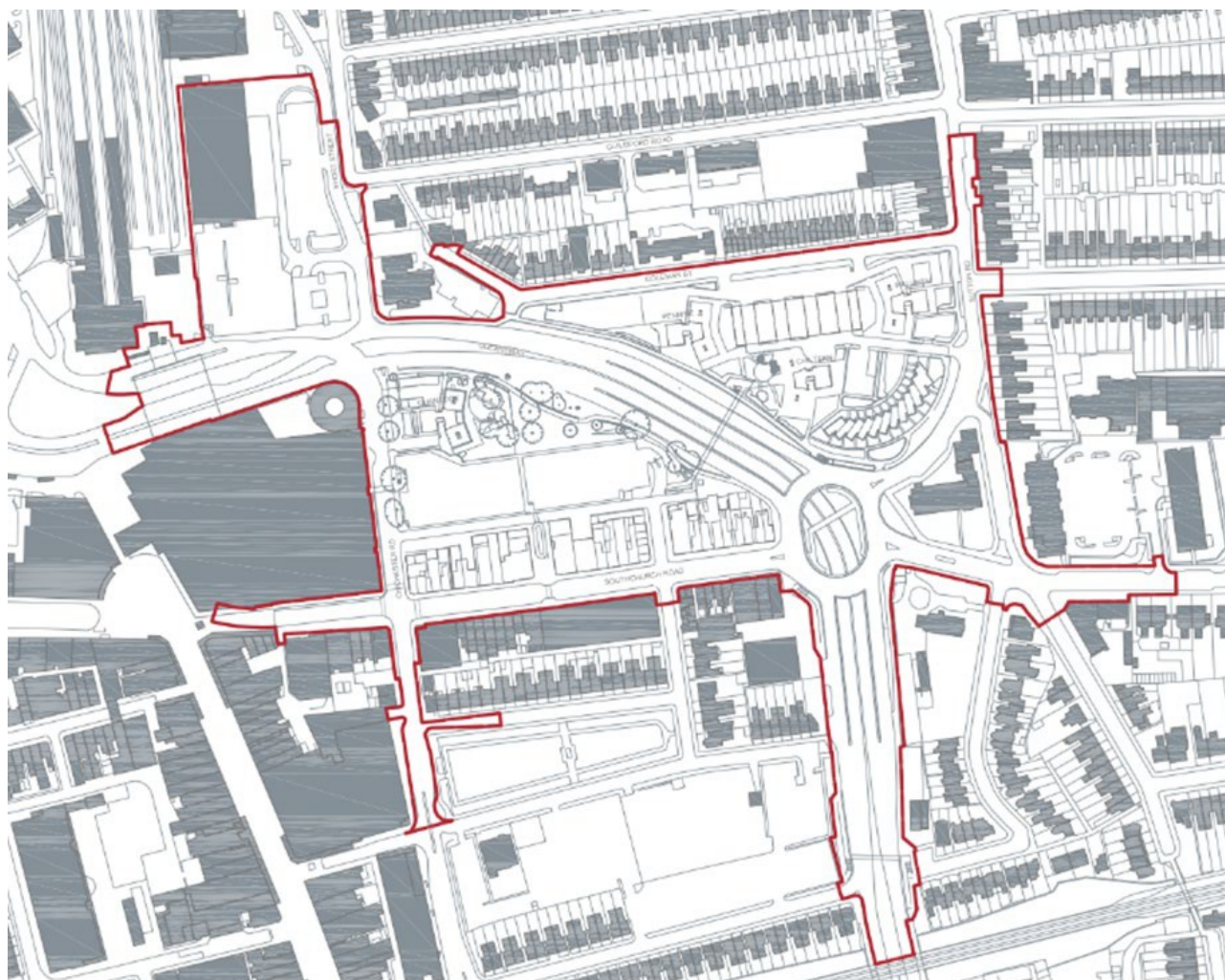
### 5.1. Risk Register

There are numerous risks to the project and its delivery including around areas such as planning, decant, CPO, HIF, programme, political change, market conditions. All identified project risks are recorded in the workstreams and reported to the PCG and reported to the LLP Board quarterly.

A combined Project Risk register is held by the LLP and summary of the highest risk items are provided at the LLP Quarterly Board meetings for review and discussion as appropriate.

The risk register is provided in Appendix 6.

**Appendix 1: Better Queensway Site Location Plan**



## Appendix 2: Historical Council Objectives

These are the historical objectives the Council used to carry out the procurement process and are included for reference only.

No	Objectives
<b>Scheme Objectives</b>	
1	The Council requires a mixed use integrated residential and commercial use scheme on the site with mixed tenure housing development of private sale, private rent, and an increase on the 441 affordable units on the site, as well as a scheme that is in accordance with the Council's planning policies.
2	The Council aspires to the expeditious delivery of the scheme as soon as reasonably practicable in accordance with a robust and realistic proposal whilst managing and minimising disruption.
3	The Council is seeking the establishment of a safe, vibrant, sustainable community through the Better Queensway scheme that will impact positively on the economic and social well-being of the Community. This should include the establishment and operation of an on-going Community Fund.
4	The Council requires the delivery of a revised highways scheme serving the Better Queensway site in line with the requirements as set out in the Descriptive Document with all adopted roads continuing to be maintained by the Council.
5	The Council requires the scheme to provide enhanced pedestrian and cycling permeability across the site and links to the town centre.
6	The partnership will offer existing Council tenants on the site the chance to return via an Assured Tenancy. Although this will not be a direct Council tenancy, it will offer the same terms and conditions. The Council recognises that those seeking a secure tenancy will be offered Council housing elsewhere within the Borough as available. Resident leaseholders will be offered a shared equity unit, and the remainder of the affordable units must be genuinely affordable with rents at or below Local Housing Allowance levels on a continual basis. These units must remain affordable on the exit of the partnership. The Council's Residents Offer document must be adhered to when delivering the scheme.
7	The Council is seeking a sustainable development based on excellent design quality of homes, open spaces and supporting infrastructure delivered in accordance with the Better Queensway design policy and principles document.
8	The Council requires the development to be environmentally sustainably delivered both during construction and its lifetime, taking into account the impacts of climate change.
9	The Council requires the scheme to further and contribute to the Better Queensway Smart Cities aspirations.
10	The Council's design aspirations are reflected in the Design Policy and Principles document. The most important aspirations are, in descending order of priority: Increased affordable housing provision; 1:1 car parking provision; and Building heights not exceeding 12 storeys.

No	Objectives
11	The partnership will obtain planning permission for the scheme and other consents as necessary.
12	The Council aspires to maximise all aspects of social value through the Better Queensway scheme in line with the Council's draft social value policy (policy to be finalised during the procurement).
<b>Approach Objectives</b>	
13	The Council requires a long-term partner to work with it to fund and develop the mixed use scheme identified above on the Better Queensway site including associated highways infrastructure and to fund, manage and maintain all public realm and retained operational units on the site.
14	<p>The Council requires an on-going role in the governance of Better Queensway including equal say on, at least, the following areas:</p> <p>Community / Resident engagement;</p> <p>Changes to tenancy agreements;</p> <p>Rent levels;</p> <p>Tenure changes;</p> <p>Retaining the minimum number of affordable units;</p> <p>Operation of the Community Fund; and Management and maintenance of all affordable units</p> <p>The Council requires a significant influence over, at least, the following areas:</p> <p>Design of the scheme;</p> <p>Branding of the scheme;</p> <p>Sales, operation and rental strategies of residential and commercial facilities;</p> <p>Management and maintenance of all retained operational units and public realm; and</p> <p>Procurement of contractors.</p>
15	Where the Council does not already own the freehold of elements of the site at the point of entering the partnership it will seek to obtain such freehold ownership through the partnership. Any costs associated with CPO will be funded by the partnership.
16	The Council will retain freehold ownership of the entire site throughout the development and operational periods.
17	The Council has some appetite for risk. This could extend to investment beyond the land value and operation of the site. Any such investment must be balanced by commensurate reward. Any investment by the Council must be balanced by private investment. In addition, the Council may provide senior debt funding for the initial development of the scheme.
18	The Council expects to receive meaningful financial returns which are to be delivered throughout the development and the life of the operation of the scheme.
19	The Council requires the partnership to keep all relevant stakeholders engaged and informed in an open honest timely and appropriate way.













# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Executive Director Executive (Children and Public  
Health)

to

Cabinet

on

2<sup>nd</sup> December 2020

Report prepared by:

Brin Martin, Director of Education and Early Years

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## Outcomes of the informal consultation stage one of a potential amalgamation of Chalkwell Hall Infants School and Chalkwell Hall Junior School

People Scrutiny Committee

Executive Councillor: Councillor Anne Jones

Part 1 (Public Agenda Item)

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### 1. Purpose of Report

- 1.1. The purpose of this report is to feedback on the outcomes of the stage one informal consultation exercise regarding Chalkwell Hall Infant and Junior School potential amalgamation.

### 2. Recommendations

- 2.1. **Cabinet is asked to decide not to proceed with the further stages of consultation on a potential amalgamation, and to allow the two maintained schools, Chalkwell Hall Infant School and Chalkwell Hall Junior School, to remain as separate entities.**
- 2.2. **Cabinet are asked to note that as and when circumstances change in the future, that they reserve the right to reconsider the benefits of a potential amalgamation at that time.**

### 3. Background

- 3.1. Chalkwell Hall Infants and Chalkwell Hall Junior schools are both Local Authority (LA) maintained schools, co-located on a single site, and both are currently judged by OFSTED as "good" (2017). The current numbers for the two schools are 360 and 480 respectively. The shared site is very compact, especially in the shared playground and external spaces.
- 3.2. Cabinet took the decision at their meeting on 15<sup>th</sup> September 2020 to proceed to consult on potential amalgamation of Chalkwell hall Infant School and Chalkwell Hall Junior School. This was as a result of the resignation of the previous Headteacher at the Junior School, and in line with its policy (2012) that indicates wherever possible, where separate infant and junior schools are co-located on the same site, they should be amalgamated.

- 3.3. As a result, Officers conducted the first required “informal” stage of consultation, which ran for four weeks, ending on 13<sup>th</sup> November 2020.
- 3.4. The consultation had to be conducted virtually as a result of the current pandemic. It consisted of an on line survey, a staff and governors virtual meeting and published information through the media.

#### 4. Process for Consultation

- 4.1 The statutory consultation process is set out in a number of required stages:
- 4.2 This, the first stage, required consultation with the community and relevant parties in the local area. It had to contain sufficient information (as outlined in statutory guidance) for interested parties to be able to make a decision on whether to support the potential change or not.
- 4.3 Following the cabinet decision today, the schools could either continue as is with a separate infant and junior school and make no changes; or proceed to stage two. This requires the LA to publish a proposal to amalgamate the schools through a statutory notice, which would be followed by a further consultation period (stage three). The outcomes of that process, if required, are scheduled to be considered at February 2020 cabinet. Following stage three, if cabinet were to approve an amalgamation, the LA would make a decision (stage four) and to notify the Secretary of State.

#### 5 Consultation Outcomes

- 5.1 The survey attracted 157 separate responses before the closing date. It asked three sequential questions:
- It asked the individual to identify their interest in the consultation
  - It asked them were they in favour or against the proposal
  - Depending upon their previous response, a follow up question provided a number of reasons for their decision, with the option to add free text.
- 5.2 In addition Officers held a virtual meeting for staff and governors from both schools on 6<sup>th</sup> November 2020, attended by 27 staff and governors.
- 5.3 The analysis of the survey outcomes is shown in the appendix. In summary, of the 157 respondents, 85 (54.1%) were **against** an amalgamation, 72 (45.9%) were **for**. This was further broken down as follows:
- 5.3.1 84 were from parents who have one or more children at either of the schools, 45 were from staff, mainly from the Junior School.
- 5.3.2 Of the parents, 49 (58%) were in favour, 35 (42%) were against.
- 5.3.3 Of the staff, 36 (85%) were against, 9 (15%) were in favour
- 5.4 Analysis of the reasons for their particular choice are seen in the appendix. In summary, those against felt that it would be a loss of the separate school ethos, that they wished to remain as two schools and the detrimental impact upon staff morale. Those in favour stated to a certain extent the opposite, that they would benefit from having a single ethos and the ability to share resources and expertise, but also that parents in Year Two would no longer have to reapply for a place in the Junior School for Year Three.
- 5.5 Of significance and relevance were the free text comments made by a number of respondents in the survey, and reinforced by the questions raised during the school session. Overwhelmingly, these comments raised concerns about a potential

amalgamation, compared to those offering possible benefits. There were several key themes emerging:

- 5.5.1 That the two schools were judged to be good at their previous inspections in 2017, and there would be little or no benefit to this should they amalgamate;
- 5.5.2 Critically, very many respondents made reference to the impact of the pandemic currently on staff and pupils, and questioned why the LA would wish to proceed at this time. They cited an inevitable impact upon staff moral and would have a negative impact. This featured strongly in the staff meeting but also in the survey responses;
- 5.5.3 A potential new all through Primary School would be 850 pupils in size, making it one of the largest in the borough. Comments related to pupils being “lost” in such a large population and not being know well by staff;
- 5.5.4 There was a clear view that currently each separate school offers age appropriate provision for KS1 and KS2, which is suited to the pupils;
- 5.5.5 There were comments regarding the financial impact of the proposal.

## 6 Commentary

6.1 Overall, on balance, the consultation outcome was **against** amalgamation. Whilst it is noted that the responses for the community were slightly more in favour, a significant minority were also against. The staff and governors were very strongly against an amalgamation. There was no clear mandate to proceed at this time.

6.2 Rationale for the recommendation:

- 6.2.1 The possible benefits of an all through Primary School compared to separate Infant and Juniors Schools were set out in the original cabinet paper. However, it was made clear that these benefits would only be evident over the medium and longer term, and that even in “normal” times, the potential disruption on staff and the impact on pupils can be marked and prolonged. The impact of the current pandemic on all schools is profound.
- 6.2.2 In previous amalgamations within Southend, one of the two schools were considerably weaker than the other, and the amalgamation was determined in order to improve outcomes for all pupils. This is not the case at Chalkwell, where both schools are currently a strong “good”, there is no natural stronger school who would take the lead.
- 6.2.3 Given the current context, this disruption would be considerable, and impede the normal transition to a single school as a result of the pandemic conditions, for example, staff training and induction. In addition, both schools have separate but parallel initiatives running alongside, such as the recruitment of a substantive Headteacher in the case of the Junior School (or if cabinet decide, for an all through Primary School); whilst the infants are current consulting upon a Pupil Admission Number (PAN) reduction and managing the replacement and building of three classroom spaces.

## 7 Other Options

7.1 The two schools could remain separate entities with their own separate DfE numbers and separate governing bodies as currently constituted.

7.2 They could amalgamate.

## 8 Reasons for Recommendations

- 8.1** For the reasons stated above (6.2), and reflected in the majority (55%) against potential amalgamation, cabinet are asked to recognise that the context, timing and disruption that would be caused by a protracted amalgamation process and transition would outweigh the longer term benefits of an all through Primary School.
- 8.2** It should be noted that given the outcome, there were none the less a significant minority who were in favour of amalgamation. In addition, there were a number of responses from staff employed at the schools, which had some impact on the overall outcome.
- 8.3** Therefore, cabinet are asked to reserve the right to **review and revisit** that decision as an when the context changes, for example a subsequent change in leadership at either of the two schools. The preference remains for an all through primary model, but the current context would make that detrimental to outcomes for pupils.
- 8.4** Secondly, in several of the free text comments and comments within the staff session, reference was made to the collaborative and positive working relationship and practices between the two schools. Should cabinet support the recommendation, officers will continue to work with the two schools and their governing bodies to support and enhance these positive working relationships going forwards.

## 9 Corporate Implications

### **Contribution to the Southend 2050 Road Map**

Even as separate entities, the schools will continue to support the ambition of opportunity and prosperity that our children are school and life ready and young people are ready for further education, training or employment.

### **Financial Implications**

Some of the immediate benefits and disadvantages of amalgamation will now no longer be relevant. Savings that potentially may have been accrued through staff efficiency will be offset by the continuation of the single school core budget allocation.

### **Legal Implications**

The consultation has complied fully with statutory requirements.

### **People Implications**

All staff, parents and the local area have had the opportunity to contribute to the consultation and have their views considered.

### **Property Implications**

Both schools are Local authority maintained schools and as such there is no change to the ownership of the school buildings.

### **Consultation**

The local authority (as the admission authority for community schools) have undertaken this consultation in line with statutory duties where an amalgamation is considered.

### **Equalities and Diversity Implications**

The consultation was carried out in line with the Equality Act 2010, ensuring that there is no discrimination to any of the protected characteristics.

### **Risk Assessment**

No longer appropriate should cabinet support the recommendation.



**Value for Money**

As above

**Community Safety Implications**

None envisaged.

**Environmental Impact**

None envisaged

**10 Background Papers****10.1** Summary of the consultation responses

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# Project Report

12 October 2020 - 13 November 2020

## Your say Southend

**Phase 1 consultation on whether to merge Chalkwell Hall Infant School and Chalkwell Hall Junior School for September 2021**



### Visitors Summary

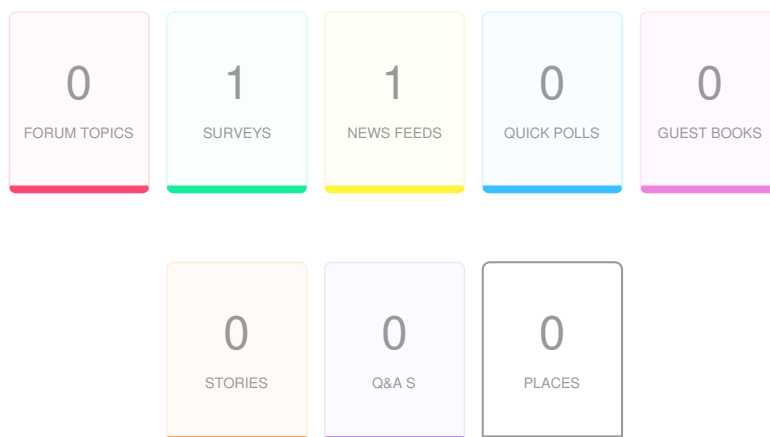


### Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
828	172	
NEW REGISTRATIONS		
150		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
158	410	632

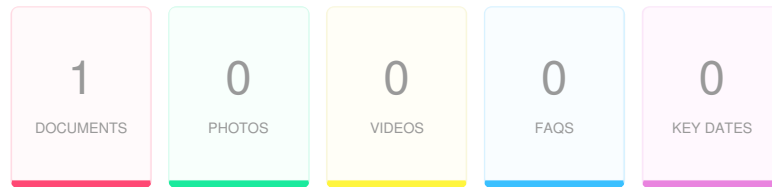
Aware Participants		632		Engaged Participants		158					
Aware Actions Performed		Participants		Engaged Actions Performed		Registered		Unverified		Anonymous	
Visited a Project or Tool Page		632									
Informed Participants		410		Contributed on Forums		0		0		0	
Informed Actions Performed		Participants		Participated in Surveys		158		0		0	
Viewed a video		0		Contributed to Newsfeeds		0		0		0	
Viewed a photo		0		Participated in Quick Polls		0		0		0	
Downloaded a document		23		Posted on Guestbooks		0		0		0	
Visited the Key Dates page		4		Contributed to Stories		0		0		0	
Visited an FAQ list Page		0		Asked Questions		0		0		0	
Visited Instagram Page		0		Placed Pins on Places		0		0		0	
Visited Multiple Project Pages		226		Contributed to Ideas		0		0		0	
Contributed to a tool (engaged)		158									

## ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Newsfeed	Questions you may have regarding the merger of Chalkwell ...	Published	2	0	0	0
Survey Tool	Proposed merge of Chalkwell Hall Infant School and Chalkw...	Draft	368	158	0	0

## INFORMATION WIDGET SUMMARY



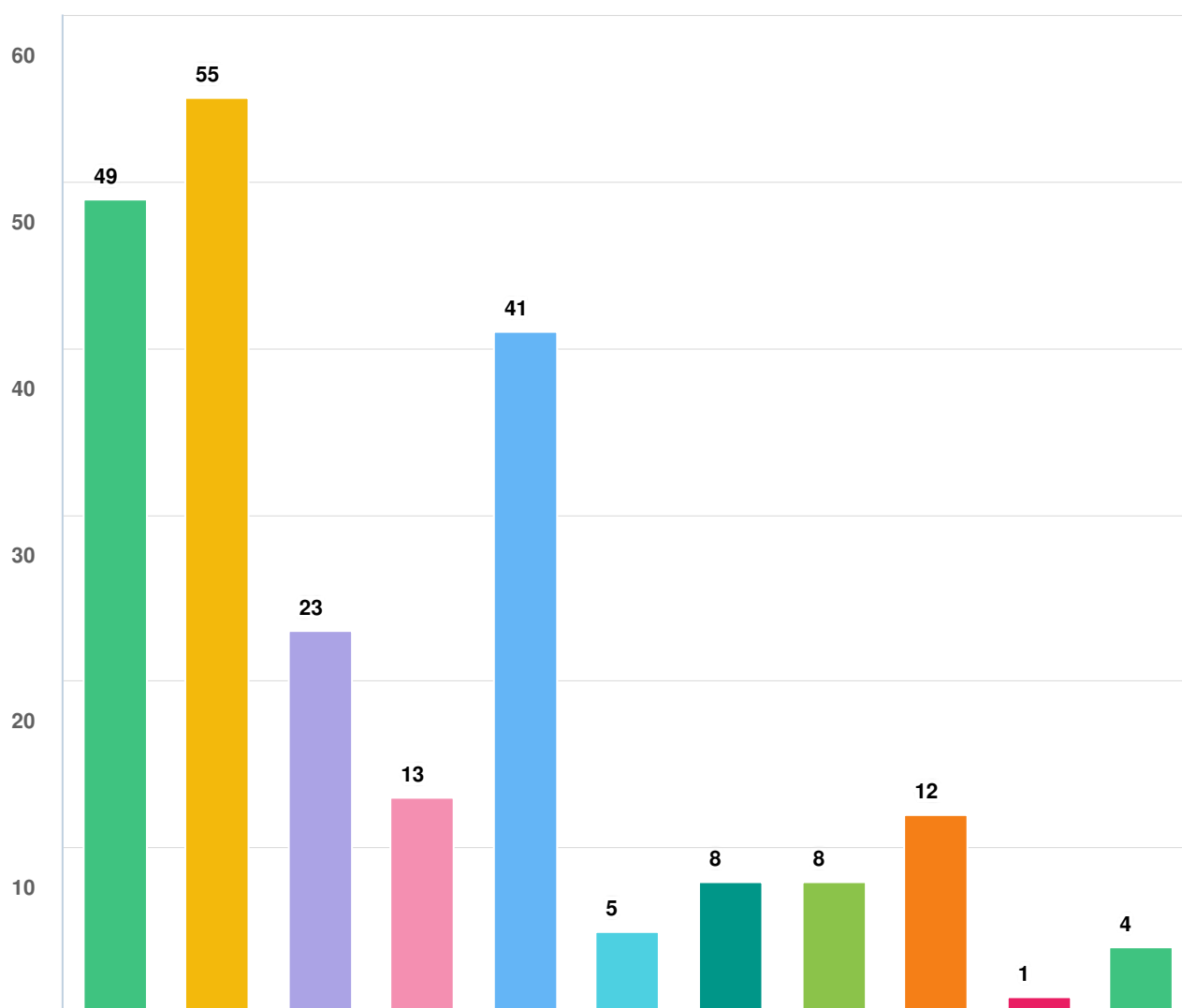
Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Document	deleted document from	14	14
Document	Chalkwell Hall Infants and Juniors Consultation Timeline.pdf	5	5
Document	deleted document from	4	4
Key Dates	Key Date	4	5

## ENGAGEMENT TOOL: SURVEY TOOL

### Proposed merge of Chalkwell Hall Infant School and Chalkwell Hall Junior School for September 2021 Survey - Phase 1

Visitors <b>368</b>	Contributors <b>158</b>	CONTRIBUTIONS <b>158</b>
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Who are you? Please tick all that apply



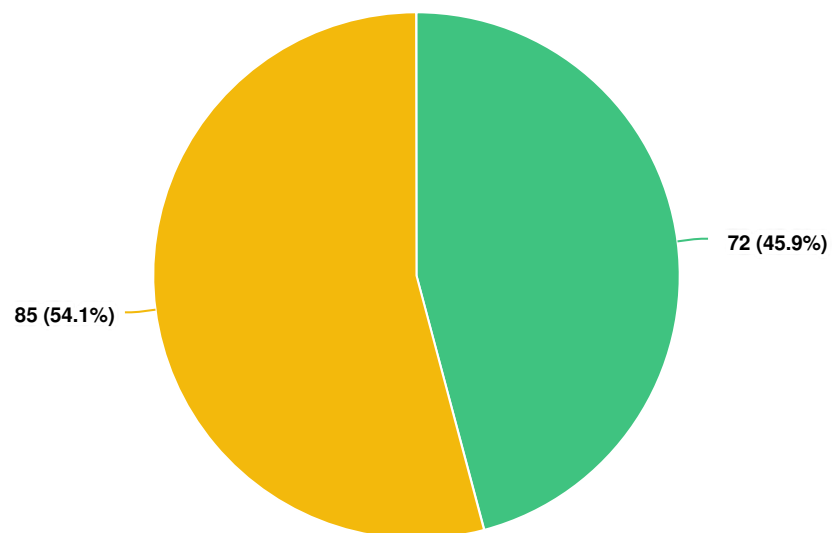
#### Question options

- I have a child/children attending Chalkwell Hall Infant School
- I have a child/children attending Chalkwell Hall Junior School
- I have children on roll at both schools
- I am a staff member at Chalkwell Hall Infant School
- I am a staff member at Chalkwell Hall Junior School
- I am a governor at Chalkwell Hall Infant School
- I am a governor at Chalkwell Hall Junior School
- I am a parent of a child who is considering application to these schools
- I am a community member with an interest in the school
- I am a Councillor
- Other (please specify)

Mandatory Question (158 response(s))

Question type: Checkbox Question

**Do you support the consideration to merge Chalkwell Hall Infant School and Chalkwell Hall Junior School? Please tick all th...**



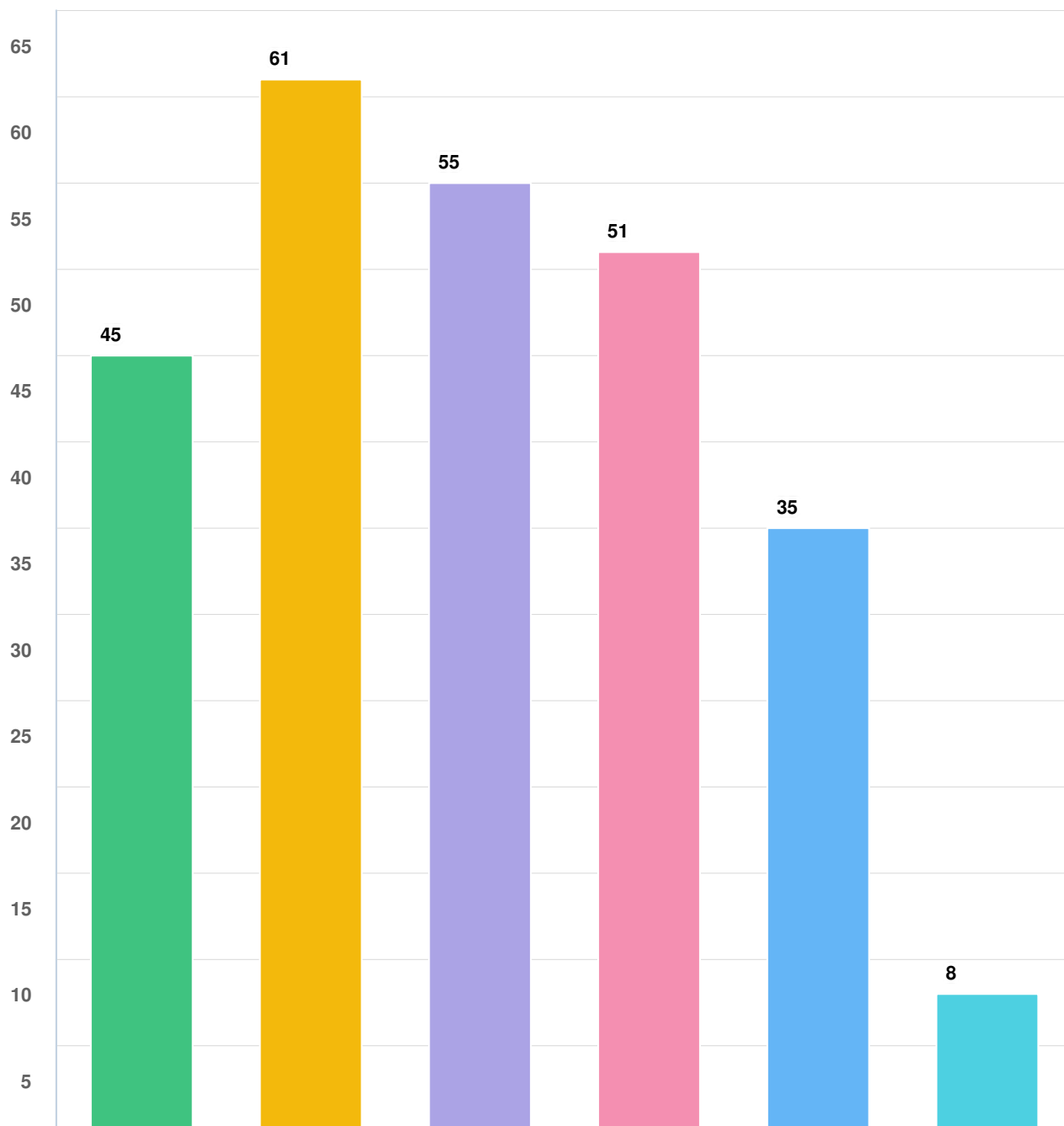
**Question options**

☒ Yes ☐ No

*Optional question (157 response(s), 0 skipped)*

*Question type: Radio Button Question*

**I support the discussion on an all through Primary school by bringing together Chalkwell Hall Infant School and Chalkwell Hall Junior School**  
**The reason I support this is because: Please tick all that apply**



#### Question options

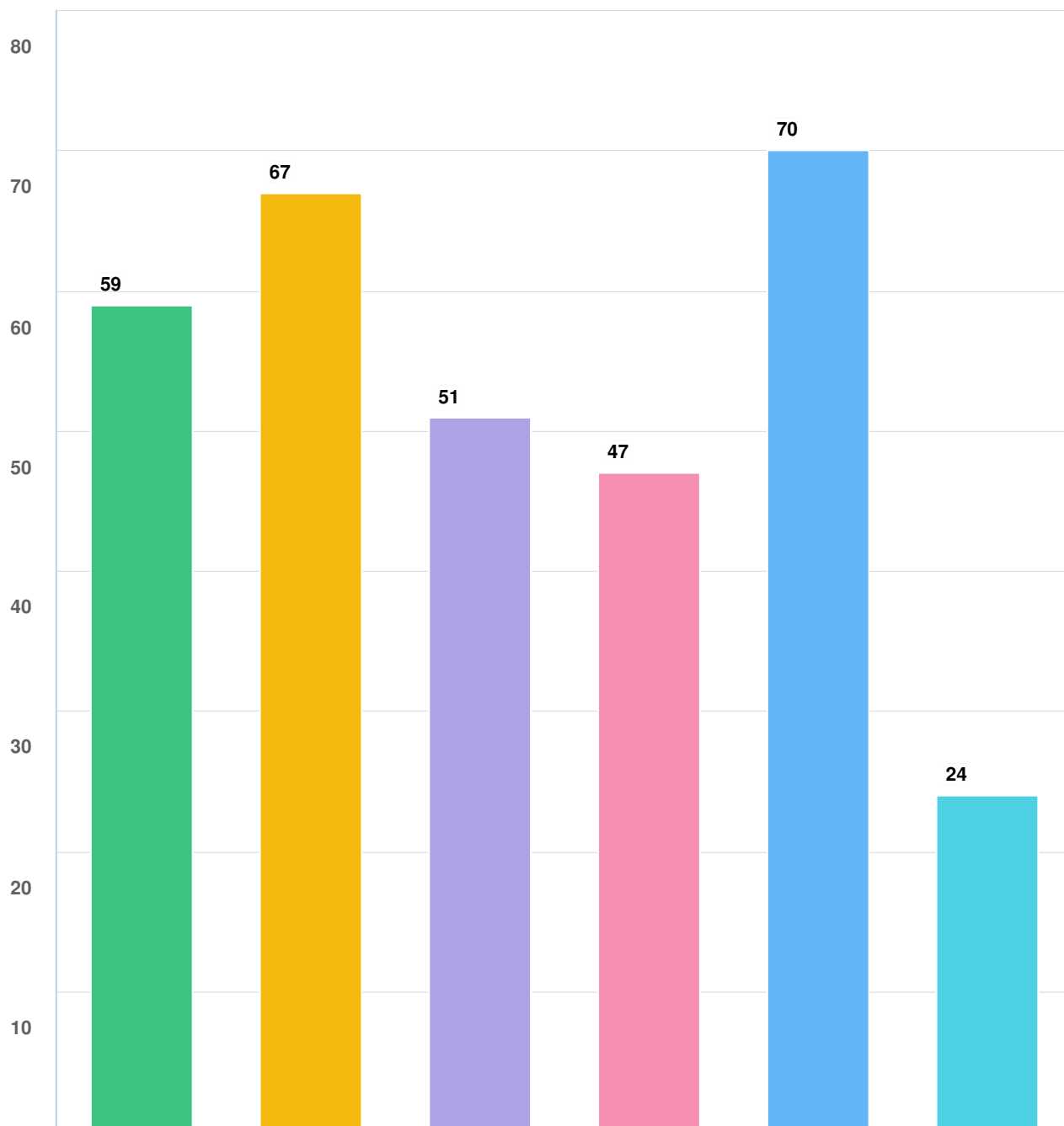
- I prefer one all-through school
- I feel that the schools could benefit from a single school ethos
- I feel there would be an opportunity to share resources and have best value for money
- Children could continue through the school without needing to re-apply for places at the end of Year 2
- I feel that there will be benefits for staff
- Other (please state)

Optional question (72 response(s), 85 skipped)

Question type: Checkbox Question



**I do not support the discussion on an all through Primary school by bringing together Chalkwell Hall Infant School and Chalkwell Hall Junior School**  
**The reason I do not support this is because: Please tick all that apply**



#### Question options

- I prefer separate schools      ● I feel that amalgamation will lead to a loss of school ethos
- I feel that it will lead to loss of monies/impact adversely on the school's financial situation
- I feel that there has been insufficient information about the benefits & reasons for amalgamating
- I feel there will be negative impacts on staffing      ● Other (please state)

Optional question (85 response(s), 72 skipped)

Question type: Checkbox Question

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