

Public Document Pack

Southend-on-Sea Borough Council

Legal & Democratic Services

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03 December 2021

Dear Councillor

CABINET - MONDAY, 6TH DECEMBER, 2021

Please find enclosed, for consideration at the special meeting of the Cabinet taking place on Monday, 6th December, 2021, the following report(s) that were unavailable when the agenda was printed. Please note that this is the same report that has been circulated in respect of the Shareholder Board meeting taking place earlier in the day.

Agenda No Item

4. **Porters Place LLP Final RMA Proposals (Pages 1 - 26)**
Report Director Regeneration & Growth

Yours faithfully

Tim Row
Principal Democratic Services Officer

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Director of Regeneration and Growth
To
Shareholder Board

On
6th December 2021

Report prepared by: Andy Grant, Better Queensway
Programme Manager
On behalf of the Better Queensway Partnership Board

Porters Place Southend-on-Sea LLP: Progress Update and Reserved Matters Application Phase 1A Final Proposals

Place Scrutiny Committee

Cabinet Member – Councillors Ian Gilbert & Ron Woodley

A Part 1 Public Agenda item

1 Purpose of Report

- 1.1 The report's purpose is to provide the Shareholder Board with clarity and assurance in regard to the second set of Final Proposals ("Final Proposals")¹, presented to the Council as Shareholder by Porters Place Southend-on-Sea LLP ("the LLP"), to enable Councillors to fulfil the Shareholders responsibilities as laid out in the current Business Plan. The first final proposals were laid before the council in June 2020 please see link in Section 7.
- 1.2 This report provides an update on progress of the Better Queensway project. It specifically deals with the submission of the Final Proposals for the Better Queensway project which relates to the first Reserved Matters Planning Application Phase 1A ("RMA")² such Final Proposals are appended to this report at Appendix 1.
- 1.3 The Final Proposals process is in place for the management board of the LLP to review and approve the Final Proposals prior to submission to planning, and for this then to be presented to the two 'Shareholders' (the Council and Swan) of the LLP for them to review, comment on and if appropriate, approve. The Final Proposals process must be completed in advance of any planning submission and must be approved by the LLP Board and the two LLP Shareholders. The Final Proposals presented must be an accurate representation of the specific

¹ Final Proposals – A high level summary of the content of the next reserved matters application for shareholder review. Currently this consists of a slide pack provided at Appendix 1.

² Reserved Matters Planning Application Phase 1A (RMA) – This is a set of technical documents which represent the content of the Final Proposals and is submitted to the Local Planning Authority.

planning submission to be made, but can be presented in summary form, for ease of understanding.

- 1.4 This report seeks to approve a request from the LLP to extend the budget period to enable the LLP to continue operation until the new budget and revised Business Plan are signed off early next year.
- 1.5 This report updates progress on delegations carried out this calendar year.

2 Recommendations

- 2.1 **To review the Final Proposals (Phase 1A Reserved Matters Application) submitted by the LLP, and to approve them subject to the submission of a budget and viability assessment, which will accompany the revised Business Plan and budget for approval by the Council as Shareholder by March 2022.**
- 2.2 **To note the LLP Quarterly update at Appendix 2.**
- 2.3 **That approval is given for the LLP to extend its budget period as detailed in section 3.2.**
- 2.4 **That the delegations exercised this calendar year, as set out in section 3.3 are noted.**

3 Background

3.1 Final Proposals Background

- 3.1.1 The Better Queensway Regeneration Project (“the Project”) is a Southend 2050 roadmap project which contributes across all the themes and outcomes as set out in section 6.1.
- 3.1.2 Within the current Business Plan (approved by Cabinet 2nd December 2020 Minute 600 and 603) there is a provision (section 1.2.1 - Approval structure) which states *“Each phase will require a reserved matters planning application to be submitted by the LLP to the LPA. Prior to the reserved matters planning application, a set of “Final Proposals” covering the outputs of the proposed planning application will be approved by the LLP Board and reviewed by each member [Shareholder] prior to the planning submission to ensure compliance with the minimum requirements and scheme objectives.”*
- 3.1.3 The role of the Shareholder Board in reviewing the Final Proposals is to represent the Council’s interests as Shareholder of the LLP, which includes its interests as body corporate. To do this Shareholders need assurance that what is being submitted to planning is still in line with the Council’s aspirations and objectives originally set out during procurement.

- 3.1.4 The purpose of the Shareholder review of this set of Final Proposals is to ensure that the LLP and the Council's objectives are continuing to be met through the scheme, and that the Council is content, as a Shareholder of the LLP, with the scheme being submitted to planning. Therefore, this report will focus on the development of the scheme since it was last presented as a set of Final Proposals (June 2020), which was the hybrid planning application containing details of the whole scheme, in outline, and the road in detail. Agreeing the Final Proposals as presented in this report will allow the LLP to submit its RMA to the Local Planning Authority (LPA) in December 2021 and progress with delivering the Project.
- 3.1.5 It is also important to remind Councillors that the role of the Council as LLP Shareholder is distinct and separate to the Council's functions as the LPA acting through its Development Control Committee (DCC).
- 3.1.6 The Council, as landowner, can submit a planning application in respect of the land that it owns for DCC to consider. In this case the LLP, of which the Council is a 50% partner, will submit the RMA, therefore the Council will have an interest in this application. The Council's constitution recognises this and there are rules concerning predetermination and bias, and the process will be kept under review. The Councillors that sit on DCC will be advised about predetermination and retaining an open mind with regard to the final officer report that sets out the relevant policies and material considerations in relation to the RMA which DCC should consider. Therefore, it follows that, whilst it may be the case that the Final Proposals are approved by the Council as landowner, the RMA may or may not be recommended for approval by planning officers, albeit the LLP will work with the Council in its role as LPA, to try and resolve any issues so arising or, alternatively, Councillors who sit on DCC may not agree with the planning officer's recommendation.

3.2 Background information on extending the LLP Budget

- 3.2.1 Following a formal resolution by the LLP Board, we are expecting to receive a request from the LLP to extend the current budget period from 31st December 2021 to the new date of 31st March 2022.
- 3.2.2 This extension is to allow the current work activities as detailed in the current Business Plan to continue, making use of the current authorised budget sum while the revised Business Plan is being finalised in anticipation of presentation to the Council and Swan as Shareholders for sign off by March 2022.
- 3.2.3 For the avoidance of doubt this is not a request for any additional Council funds as the current LLP budget still has approximately 50% of its previously approved budget available, and therefore is an extension of time only.

3.3 Background Information on Using Delegations

- 3.3.1 Taking on board recent Council discussions and the recommendations of the recent audit report of the investigation of the procurement this report advises members of three delegations which were exercised during 2021.

3.3.2 These three delegations were exercised to enable the Project to continue to run and deliver against the various workstreams, particularly the Finance & Housing Infrastructure Fund (HIF) workstreams. These three delegations (section 3.3.4 details), were exercised in accordance with the authority delegated, in the appointment of the Joint Venture Partner Cabinet Report of the 12th February 2019, (minute 699 and recommendation 2.4) and the last two bullet points refer (in bold, below) specifically to these;

3.3.3 *That authority is delegated to the Chief Executive in consultation with the Leader to;*

a) Negotiate the final details of, and then enter into, the following agreements;

- *LLP Partnership agreement;*
- *Land agreement;*
- *Compulsory Purchase order (CPO) indemnity agreement;*
- *Development and purchase agreement;*
- ***Such further agreements that the Council are party to which are required to enable the delivery of the Project;***
- ***Any ancillary agreements or documents necessary to give effect to the constitution, implementation and functioning of the LLP in accordance with this report and its appendices;***

3.3.4 These have materialised into the following agreements and documentation;

A. LLP Management accounts 2019 – 2020:

- This delegation was used in this instance, due to time constraints which were as a result of COVID-19.

B. Housing Infrastructure Fund (HIF) Back to Back agreement:

- This delegation was used in this instance, to enable the Back to Back agreement with the LLP on the HIF grant to comply with pre-draw down conditions within the grant.

C. Granting Power of Attorney to LLP Board Members:

- This delegation was used in this instance, to authorise LLP board Members to sign in the appropriate capacity required for Deeds.

3.4 Progress Update

3.4.1 This is a complex regeneration project which will be delivered in phases. Subsequent to the last Final Proposals being approved by the Shareholders (The Council and Swan) in June 2020 the LLP submitted the hybrid planning application to the LPA and planning permission was granted pursuant to that application in September 2021. As well as the detailed parameter plans, a design code and an illustrative masterplan this submission was supported by a full viability appraisal that demonstrated the scheme was viable in line with the viability test contained within the contractual suite of documents.

3.4.2 The set of documents constituting Final Proposals (Stage 1, Phase 1A Reserved matters application) in relation to the forthcoming RMA has now been submitted to the Council by the LLP for review following approval by the Porters Place Southend-on-Sea LLP management board on 14th October 2021.

- 3.4.3 These Final Proposals are the natural progression of the design stages of this complex regeneration scheme. Following the consent granted for the hybrid application, each phase of the scheme requires its own RMA for approval of reserved matters before that phase can proceed.
- 3.4.4 In order to grant approval of the RMA the LPA will cross reference that each part of the design is compliant with the Design Code and Parameter Plans. If there are any variances to the previously approved outline these will be identified by the LPA. This is a technical process and can only be carried out once the actual planning documents have been submitted. If variances are identified that are deemed adverse to the objectives, the LLP are under an obligation to seek approval from each Shareholder. In the case of the Council this would be via the Shareholder Board with recommendations sent to Cabinet.
- 3.4.5 Council officers have been appropriately involved with the LLP team throughout the iteration of the design in reviewing that it is in line with the previously submitted Hybrid application and consistent with the Objectives and Business Plan.
- 3.4.6 A Housing Needs survey was carried out in December 2020 by South Essex Homes, on behalf of the LLP. The data was then shared under a new data sharing agreement with the LLP and Swan. This information has been reviewed and verified by all three parties (The Council, LLP, and Swan) and this is being used to inform the Housing mix requirements for this RMA.
- 3.4.7 The LLP update (Appendix 2) captures some of the significant work undertaken by the LLP, the Council and Swan across all workstreams to reach this submission.
- 3.4.8 Councillors are reminded that the update report has not been prepared by the Council and is a report of the LLP which also serves to provide an update to the Council and Swan as Shareholders. A representative of the LLP will attend Shareholder Board to answer any questions.

3.5 Final Proposals

- 3.5.1 Final Proposals (Stage 1, Phase 1A Reserved matters application) are presented to the LLP Shareholders in the form of a slide deck (see Appendix 1) to confirm in narrative and in pictorial form how they relate back to the Outline Planning Consent granted in September 2021. The Final Proposals for Phase 1A have been approved by the LLP Board and have been agreed by Swan as the other Shareholder and will be supported by the usual suite of planning documents when submitted to the LPA.
- 3.5.2 This report also seeks to give assurance that the Final Proposals and therefore RMA submission are in line with the current Business Plan and Project Objectives.
- 3.5.3 This report contains a statement (at Section 3.6.1) from Barton Wilmore (the LLP's planning consultant) which states that everything that will be submitted to the LPA is in line with the Design Code and the Parameter Plans.

- 3.5.4 Subject to these Final Proposals being agreed by both the Council and Swan, the LLP is intending to submit the RMA in December 2021 which will cover the detailed proposals for Phase 1A of the programme (Essex Street car park and nearby surrounds) and predominantly consists of housing and public realm uses.
- 3.5.5 The Council's specialist advisors have reviewed the submission of Final Proposals by the LLP. Please see assurance at section 3.6.8 & 3.7 for these comments.
- 3.5.6 Phase 1A will consist of the following:

The accommodation and unit mix to be delivered at blocks C, D and G of Phase 1A will provide 218 homes (detailed breakdown in slide 5 of appendix 1). The exact unit mix of units for this phase is fixed via the submission of the RMA, this is demonstrated below:

Unit Mix				
	1 Bed	2 Bed	3 Bed	Total
C	64	26	8	98
D	36	26	7	69
G	29	10	12	51
Total	129	62	27	218

- 3.5.7 The exact massing of this phase is also fixed via the submission of the RMA and is demonstrated in Appendix 1 Final Proposals drawings and images on slide 2.
- 3.5.8 Once the blocks are built, they will enable the decant of the residents of the first tower, Quantock.
- 3.5.9 The Community Concierge office and Café are all located in Block G, adjacent to the park and at the heart of the development which is why these elements are being built at the beginning of the Project. It is important that these community amenities are established early to give access to services and thus help enhance the community aspect of this major regeneration project.
- 3.5.10 The new Porters Park will provide outdoor play, recreational spaces and exercise facilities for residents on site and the wider community to enjoy.

3.6 Assurance

3.6.1 Design Proposals:

The LLP's Planning Consultant Barton Wilmore has offered the following assurance around the compliance of the Phase 1A proposals with the design code and parameter plans;

“As discussed, I have liaised with DRMM and LDA. I have also reviewed the plans provided.

I would stress that the Phase 1A proposals are 100% within the red line boundary of the outline application, and 100% within the Parameter Plans. The Uses proposed (residential and commercial uses) are wholly compliant with the Land Use Parameter Plan and the Massing is wholly compliant with the Building Heights Parameter Plan. The proposals are also 100% compliant with the description of development and compliant with the requirements of the Section 106 Agreement. The extent of Porters' Park meets the minimum space required by the Parameter Plans and the Conditions. As such the Reserved Matters application is wholly compliant with the outline planning permission.

Further, the Phase 1A proposals are consistent with all of the 'musts' that are set out in the Design Code. As such it is compliant with the Design Code.

Should the Local Authority's Planning Department disagree with our assessment, they obviously have the right to request amendments to the Reserved Matters Application."

Note DRMM and LDA are the LLP's Architects & Master Planners

3.6.2 Scheme Viability:

3.6.3 The Final Proposals submitted by the LLP should be supported by a viability appraisal to provide assurance to the Shareholders that the elements to be submitted for planning continue to support the deliverability of the scheme.

3.6.4 The LLP is not yet in a position to be able to share the viability assessment while work on the funding strategy is being finalised. However, the LLP has confirmed that the appraisal will be available to support the updated Business Plan by March 2022 and this will be presented to Shareholder Board. In order for the commercial activities of the LLP to continue and the existing programme of delivery for phase 1A, the LLP has requested that the Final Proposals be considered now in order to submit the RMA to the Local Planning Authority.

3.6.5 In order to support this approach, the LLP has put forward the following written assurance to the Council that the scheme, as submitted within the RMA, remains viable:

"We [the LLP] have a viable model for the scheme and a revised viability model will accompany the phase viability test associated with the contractual suite of documents and the amended budget in due course."

3.6.6 Due to the complex nature of the Project the LLP are continually updating the viability assessment, which is quite usual for a Project of this size. There are various parts of the appraisal currently being scrutinised for optimisation and refinement. These include the design, costs of goods and values of properties along with funding and phasing. To this end the production and analysis of a viability assessment at this stage to support Final Proposals, is unnecessarily complex and costly. As the Council have been assured of two things; 1. The LLP has a viable scheme and 2. That a full viability appraisal will accompany the revision of the Business Plan by March 2022. It is felt, therefore, that continuing

with these assurances, in the spirit of the partnership, is the appropriate way forward.

- 3.6.7 Should the new appraisal prove not to be viable, the LLP will be required to cease work on this RMA whether it has been granted planning consent or not. This is therefore proposed as a pragmatic way forward which manages the risk.
- 3.6.8 The Final Proposals information submitted by the LLP, along with this proposed approach, have been supplied to the Council's lead advisors 31ten Consulting who have provided the following comments:

"The Final Proposals process has been discussed, defined and agreed with the LLP through the previous submission in June 2020. This process agreed that the LLP would submit a summary of the upcoming planning submission in the form of plans, a narrative and supporting financial viability appraisal.

The submission received in November 2021 provides summary plans but has not been supported by the associated narrative and financial viability appraisal. The Council team has worked hard to provide narrative support to the submission and has received appropriate assurance from Barton Wilmore that the upcoming submission meets requirements in terms of the objectives and design code.

Whilst this does support the potential approval of the Final Proposals submission, it is not possible for the Council, or by extension 31ten, to review appropriate evidence of the financial viability of the scheme. This places the Council in a position where it is unable to demonstrate whether the objectives have been met in relation to the deliverability of the scheme.

The LLP has submitted a statement supporting the viability of the scheme, and whilst this does not provide appropriate verifiable evidence it does provide some assurance of the scheme's viability.

The Council has laid out its options at section 4. As referred to in this section the Council is in the position that were it to decide to not review the Final Proposals at this time, from a financial perspective it could decline and insist on the provision of a financial viability appraisal to demonstrate the deliverability of the scheme.

However, if the Council wishes to support the delivery of the scheme to timetable the recommended course of action would seem appropriate provided the Council utilises this control effectively and ensures that the LLP submits the appraisal on time and in complete form to support the viability position."

- 3.7 The following comments have been provided by the Council's legal advisors Sharpe Pritchard;

The Final Proposals process is designed to provide the Council with an opportunity to review and comment upon planning applications ahead of their submission. Each LLP business plan has built in it the right for the two LLP members/shareholders to review and comment on Final Proposals ahead of their submission to planning to ensure that the minimum requirements and objectives contained within the agreed business plan are being met.

The Final Proposals submitted by the LLP that are the subject of this report does not contain a financial viability appraisal, nor any supporting narrative, so there is uncertainty at this stage that the scheme does indeed remain financially viable and therefore remain consistent with the current LLP business plan. As highlighted in the Scheme Viability section above, we consider that there are two potential courses of action available to the Council: (i) halt the review of the Final Proposals submission and await the required financial viability appraisal before progressing to planning; or (ii) review the Final Proposals submission and acknowledge that the minimum requirements and objectives contained in the business plan are being met based on the LLP's assurance in the LLP's supporting statement. As a new LLP business plan will be required for approval by in March 2022, the Council will have a further opportunity to assess financial viability. If, at this stage, the LLP cannot provide sufficient comfort to the Council that the scheme is financially viable, it will have the ability to withhold its approval of the new business plan. If this occurs, the legal position under the LLP partnership agreement is that existing business plan will continue, but the LLP will not be able to continue with it as it will require changes to reflect the change in viability. Any such changes, being material by their very nature, will require the approval of the Council. Pursuing the second of these two options therefore does not result in the Council relinquishing its control over this fundamental financial viability requirement."

3.8 In conclusion, with the commentary before us and the statements from our advisors it is felt that in the spirit of partnership, that to continue with the recommendation of supporting these Final Proposals would seem to promote a pragmatic approach, which, in turn balances risk and reward and enables the project to continue at pace maintaining the financial integrity of the scheme and allowing future phases to be developed.

3.8.1 When preparing this report the following recommendation from the recent audit investigation has been taken into account;

Appoint a member of the project team to specifically oversee the reporting process to challenge and /or confirm the continuity of detailed narrative between reports and the reporting of changes made.

3.9 As the audit report was finally signed off at Full Council recently the project team are in discussions to find a suitable Critical Friend to carry out the recommendation above. In the interim the Head of Audit was asked to review this paper for transparency and clarity before presentation and the feedback has been addressed.

4 Other Options

4.1 If the Council decided not to approve the Final Proposals submission at this time it would mean that the RMA could not be submitted in December 2021.

4.2 If the LLP were unable to submit the RMA in December this would have a negative impact on the delivery of the Project by delaying the delivery of homes, adding to

the cost of the entire delivery and in turn would affect the overall viability of the Project.

- 4.3 This would jeopardise the £15m HIF funding from Homes England which has a deadline for spend in 2023. Therefore delays resulting from not approving the Final Proposals could result in non-expenditure by the deadline and therefore a gap in project funding. Not approving the Final Proposals could also jeopardise the £4.2m SELEP funding which has a deadline for spend in September 2022.

5 Reasons for Recommendations

- 5.1 Supporting the recommendation is required for the continued delivery of the Better Queensway scheme. In particular this set of Final Proposals relating to phase 1A, will deliver the much needed new housing, public realm and community facilities which sit at the heart of the Project. This phase which will see a significant investment into the town and will deliver first phase of housing which will allow demolition of the first tower block, by providing social Housing and other tenures and this will set the pattern of delivery for the rest of the scheme. It is essential that as an equal Shareholder of the LLP, the Council acts with due consideration to the contracts entered into in April 2019 and to therefore act expeditiously and commercially to enable the scheme to be delivered with its partner Swan Housing Association by the LLP.
- 5.2 A review of the Final Proposals by Officers and Advisors has been undertaken during the preparation of the RMA. Assurances from our financial and legal advisors support an approach where the Council reviews the Final Proposals and recognises that the RMA will proceed into planning, but in the knowledge that it has the ability to assess financial viability in March 2022 when the amended Business Plan is presented for approval along with the new budget and viability assessment.
- 5.3 Should the new appraisal prove not to be viable, the LLP will be required to cease work on this RMA whether planning permission has been granted or not. The Business Plan is required to be submitted and approved by March 2022, as such the updated viability appraisal will need to be submitted by this time.

6 Corporate Implications

6.1 Contribution to the Southend 2050 roadmap and outcomes:

- 6.1.1 The delivery of Better Queensway 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 a number of the Southend 2050 outcomes:
- 6.1.2 **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.

- 6.1.3 **By 2050 We are well on our way to ensuring that everyone has a home that meets their needs.** Queensway 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.
- 6.1.4 **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.
- 6.1.5 **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.
- 6.1.6 **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.
- 6.1.7 **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 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.

6.2 Financial Implications

- 6.2.1 At this stage of the process the current Business Plan is under revision to take account of the next stage of work activities. This will include a new budget and financial appraisal that consider these activities and demonstrate a viable scheme.
- 6.2.2 Following the submission and determination of the RMA for the scheme to progress to "Start on Site" the LLP will require the land is transferred to them by way of the grant of a long lease and subject to the other requirements of the contractual suite of documents to enable commencement of works. In the event the Council grants a long lease to the LLP it will need to ensure it complies with its statutory obligations under s123 LGA 1972 as this will amount to a disposal. As part of satisfying the requirements of the Councils contractual obligations for any land transfer, the LLP will need to run the appropriate viability appraisals and provide these to the local authority (as landowner). These appraisals will then be checked both internally and externally by our financial advisors. Once confirmed as viable this will support the s123 certification.

6.2.3 The budget extension is not an additional financial ask and therefore has no negative implications.

6.3 Legal Implications

6.3.1 Delegations were exercised in line with decisions taken February 2019

6.3.2 The Councils external legal advisors have provided assurance as part 3.7 above.

6.4 People Implications

6.4.1 In accordance with the Cabinet report of February 2019 three senior officers have been appointed to the LLP board.

6.4.2 While the LLP is responsible for delivery of the Project, the Project continues to be appropriately 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 in regard to the Project. Following Cabinet approval in September 2020 the budget has been approved and additional resource in some teams has been agreed to ensure that other Council priorities are also met and outcomes delivered.

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

6.5 Property Implications

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

6.6 Consultation

6.6.1 Two rounds of public consultation and engagement were undertaken by the LLP to inform the first set of Final Proposals in June 2020. This consultation included specific sessions for Councillors, residents and businesses as well as opportunities for wider public response.

6.6.2 This consultation was fed into the planning application submission and was 'subsequently considered by the LPA in determining the application. This documentation can be seen by the link contained at the section 7 'Background papers'.

6.6.3 The RMA will be consulted on as part of planning process by the LPA.

6.7 Equalities and Diversity Implications

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

6.7.2 The LLP also carried out an Equalities Assessment to support the Outline planning application.

6.8 Risk Assessment

6.8.1 Section 3.6 “Assurance” sets out assurances, risks and mitigations where appropriate.

6.9 Value for Money

6.9.1 The LLP are procuring the contracts for the delivery of the Scheme. They are applying a similar process of procurement to Swan Housing which has been reviewed by our procurement department and found to be appropriate for this scheme. LLP Board members and project team see a summary of each procurement before any contract is let to ensure value for money.

6.10 Community Safety Implications

6.10.1 The creation of a safe community was one of the procurement requirements and has been a common theme in the consultations. Part of the planning application determination relied on engagement with the Police who have endorsed the scheme and it has been designed with ‘safe by design’ principles throughout.

6.11 Environmental Impact

6.11.1 The energy strategy devised by the LLP is an all-electric solution which will be compliant with the new regulations banning the use of gas boilers in residential properties. It will be powered by air source heat pumps.

6.11.2 The Park will provide much needed green space and play facilities for residents onsite and passing through.

7 Background papers

7.1 Please find the link to the Planning Portal where you will find the Outline Planning Permission and associated documents:

<https://publicaccess.southend.gov.uk>

[20/01479/BC4M](#)

[First Final Proposals June 2020](#)

8 Appendices

Appendix 1 – BQ Phase 1A RMA – November 2021 Presentation to LLP Board

Appendix 2 – LLP Quarterly update summary October 2021

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November 2021

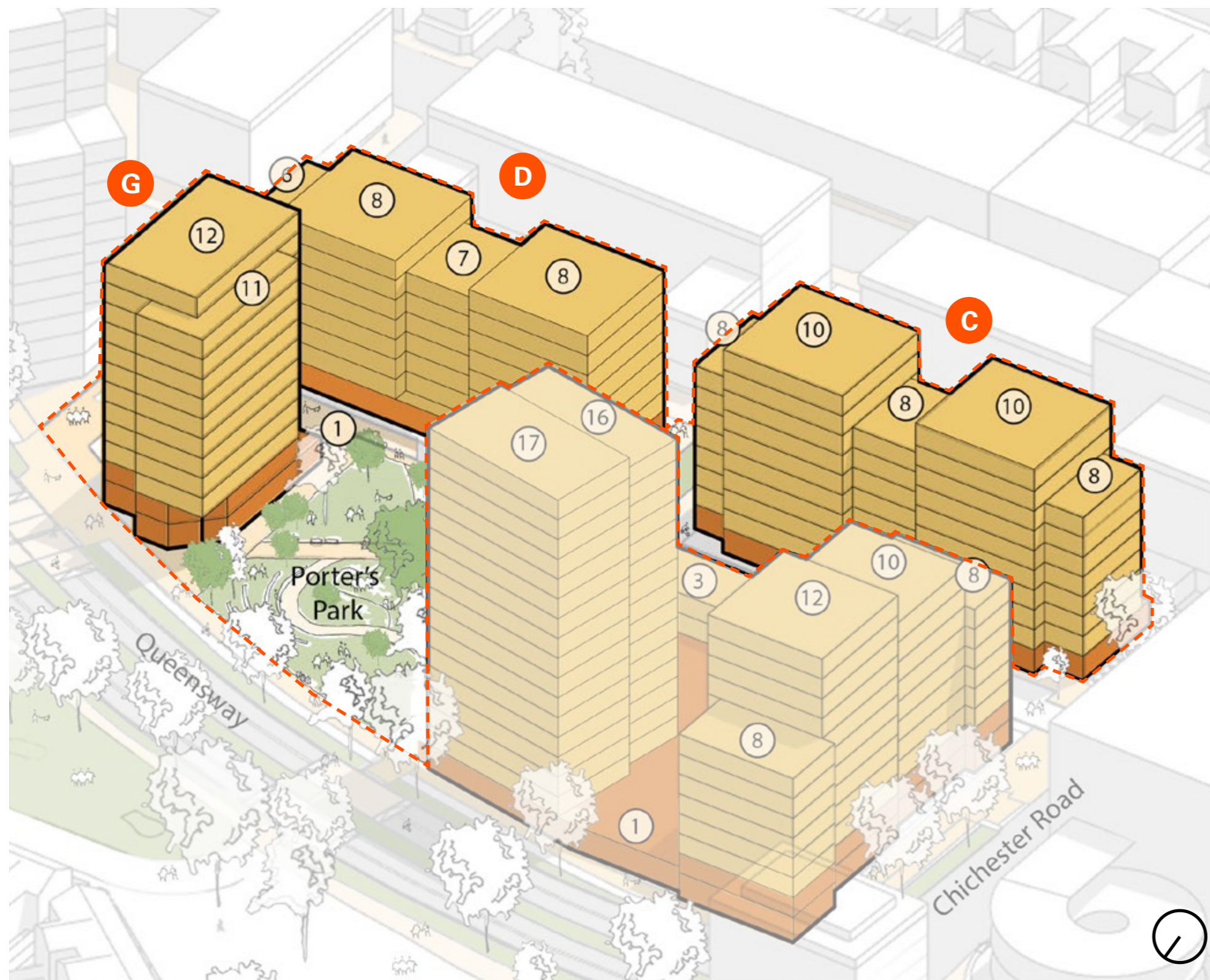
BETTER QUEENSWAY

Phase 1 RMA

Rev2

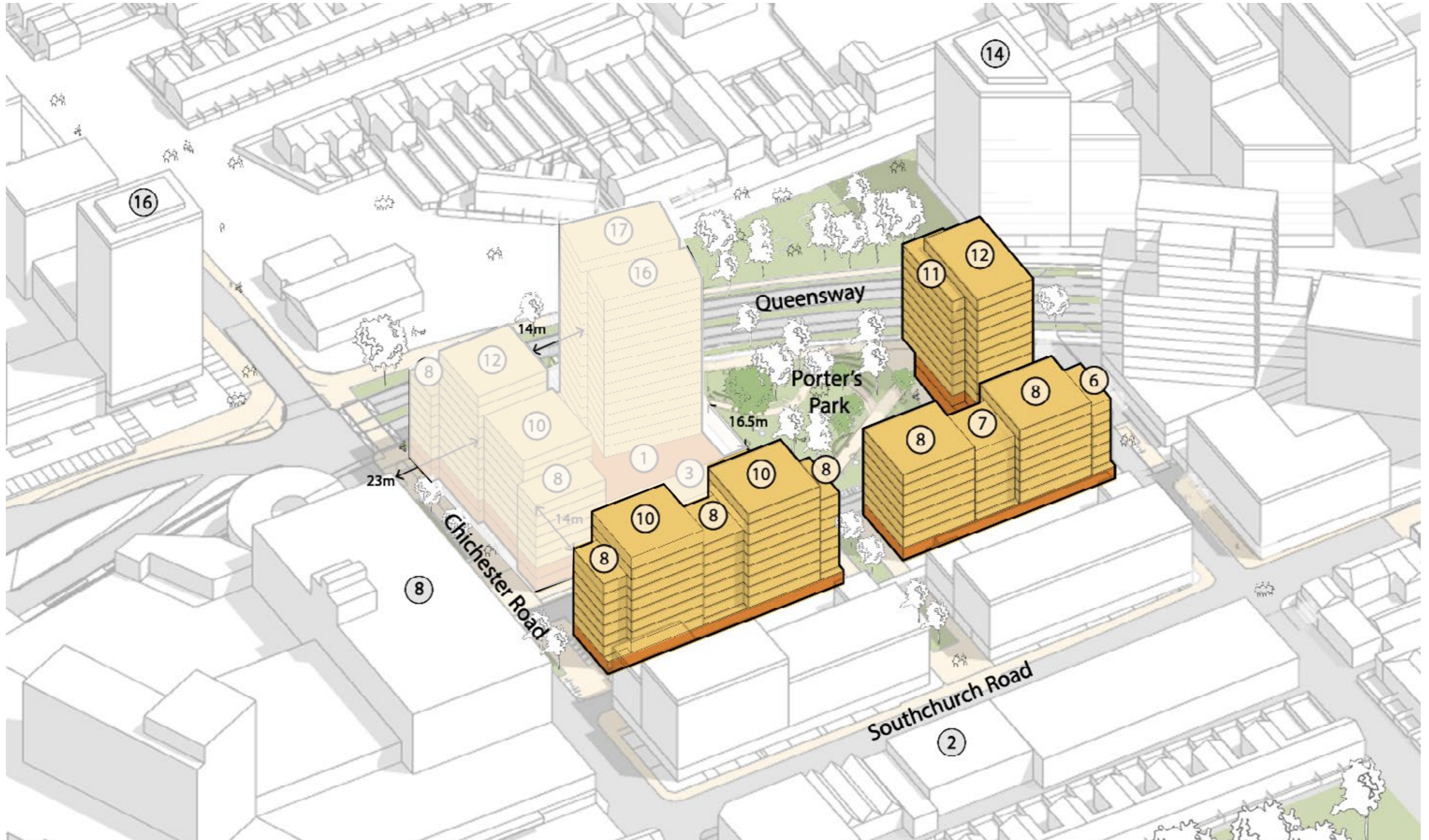


Phase 1A Massing

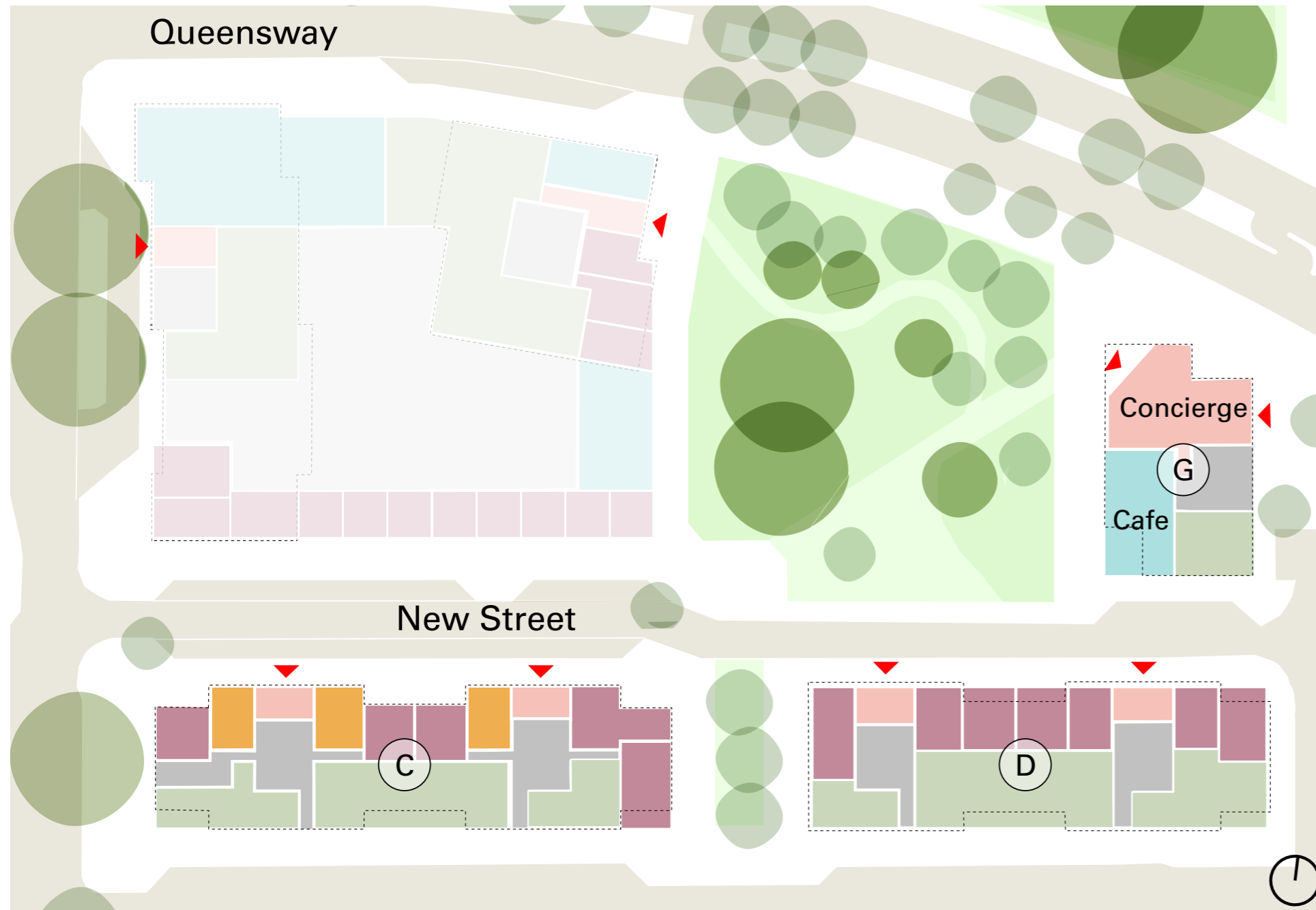


- Phase 1A includes Plots C, D and G as well as Porter's Park

Phase 1A Massing

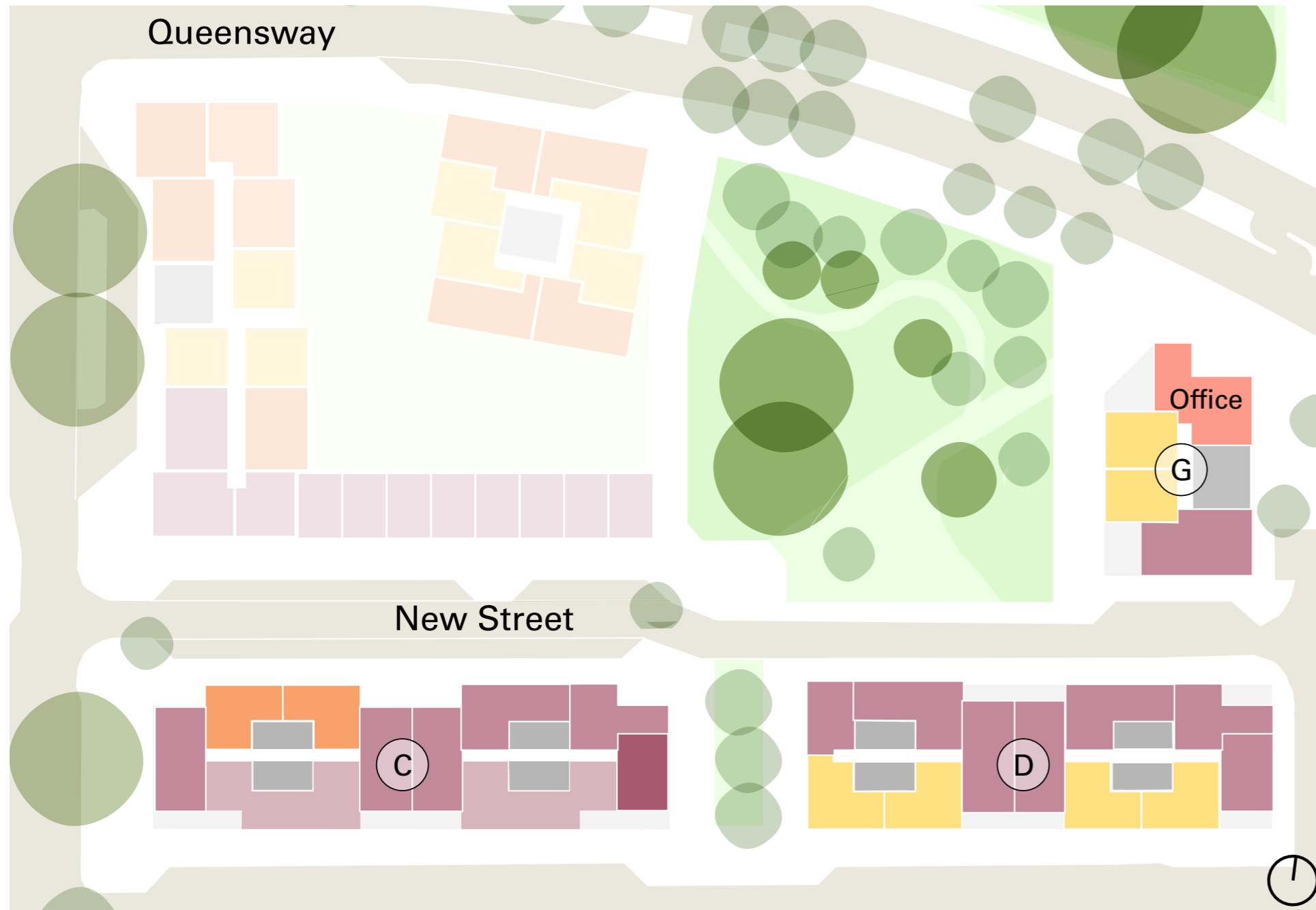


Phase 1 Ground Floor



- Key
- Commercial
 - Lobby
 - Maisonette/Townhouse
 - Core
 - Ancillary

Phase 1A First Floor

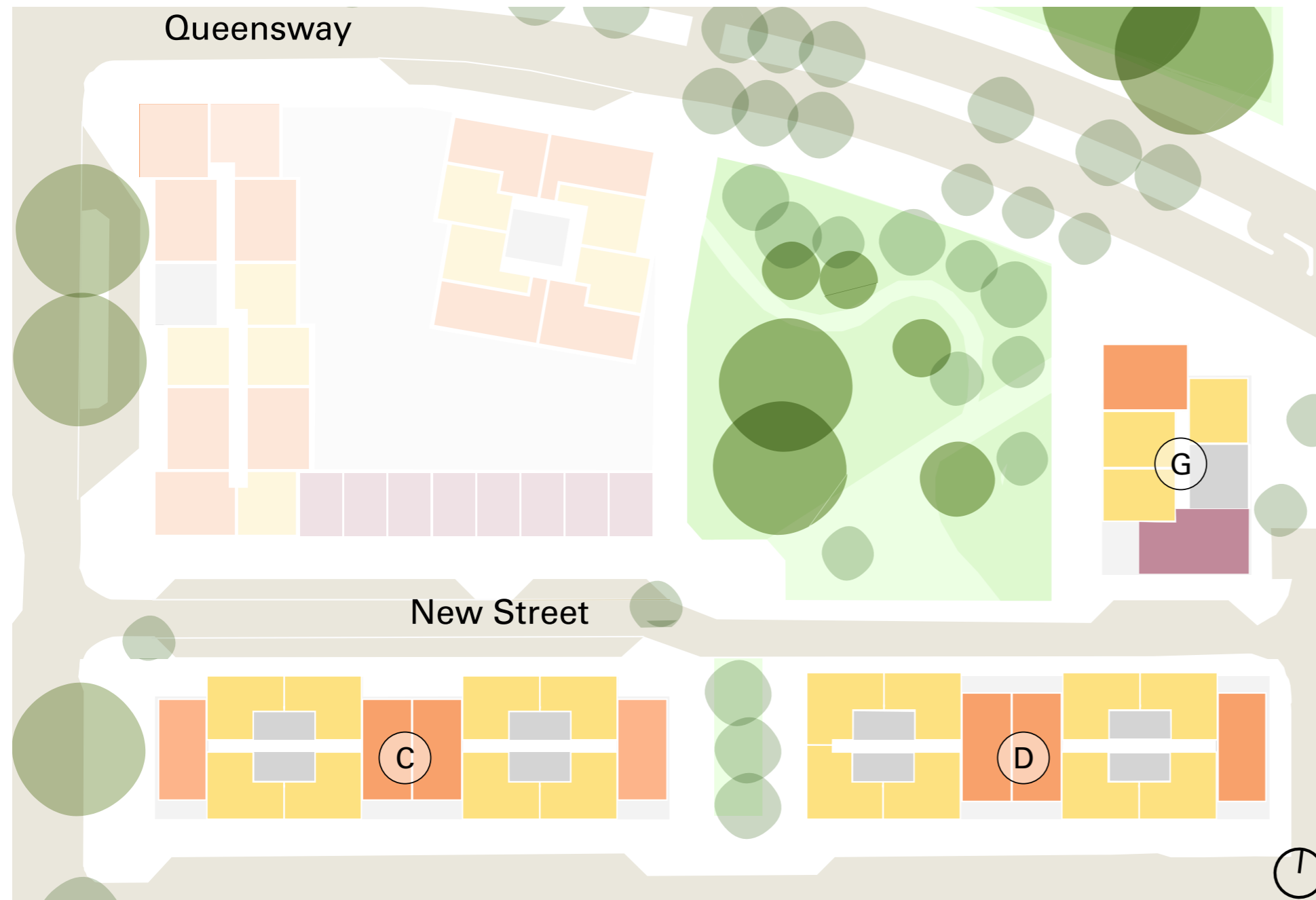


Key

- Commercial
- Maisonette/Townhouse
- 1-bedroom Apartment
- Core
- Plant

Phase 1A Typical Floor

Second floor



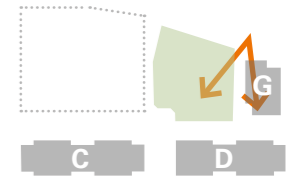
Unit Mix

	<i>1b</i>	<i>2b</i>	<i>3b</i>	<i>Total</i>
C	64	26	8	98
D	36	26	7	69
G	29	10	12	51
Total	129	62	27	218

Key

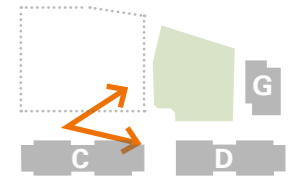
- 1b2p
- 2b3p
- 2b4p
- 3b5p
- Core

View 1



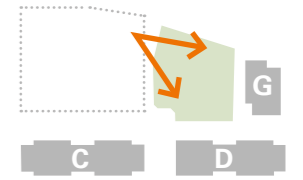
View looking along eastern edge of Porter's Park

View 2



View looking east towards Plots G and D

View 3



View looking southeast from Plot B

Thank You



Meeting: N/A	Agenda item:	
Date: October 2021	n/a	
Author: Graham Kauders	Job title: Project Director – Better Queensway	
TITLE OF REPORT: Quarterly update report		ACTION: INFORMATION
Private & Confidential		

1. Quarterly Update Report – October 2021

- 1.1 The S106 agreement was completed in September 2021. The planning decision notice has now been issued and the Judicial Review period expired on the 18th October 2021 and we now have an implementable planning consent.
- 1.2 An amendment to the planning strategy for the Phase 1 Reserved Matters Application (RMA) is required to meet the overall programme milestones.
- 1.3 Homes England have confirmed acceptance of the extended “availability period” for the current HIF allocation and the amended milestones and forecasts. This is subject to confirmation of the overall funding position for the project, which is subject to the principles for the senior debt being set out for Phase 1 and the Enabling Works.
- 1.4 A draft back-to-back agreement for SELEP funding has been provided by the council to the LLP, and the LLP has had this reviewed by Devonshires, who confirm it is acceptable for the LLP to sign to enable LLP to begin drawing SELEP funding in connection with the early enabling works. Devonshires summary note will be circulated to the board for review.
- 1.5 The remaining site surveys have now all been instructed and completed. The information is being processed and fed into the pre-construction activities and design activities for the workstreams.
- 1.6 Scheme viability remains challenging due to a variety of factors but principally due to increased cost estimates for the enabling infrastructure work, build cost inflation and additional unforeseen costs on the scheme

through the S106. Following the period of scheme optimisation and value engineering over the summer, the project team identified the opportunity to increase the number of homes and improve the efficiency of the blocks in Phase 1. Several items have been able to be rationalised through this process. Some further savings have been identified through the highways workstream. However, we still have a challenge with viability having considered all these potential opportunities, and so a range of scenarios is to be presented and a funding and viability workshop is to be held.

- 1.7 Due to the optimisation for Phase 1, the RMA application will now need to be made in two stages of a Phase 1A RMA and a Phase 1B RMA. This will not affect the delivery programme as Phase 1B has always required the completion of Phase 1A for it to be able to be progressed due to decanting requirements.
- 1.8 The CPO Workstream is continuing on programme. S16 notices have been issued to all property interests in and adjoining the CPO red line boundary in line with the legal requirements to establish all known property interests. The workstream has been pro-actively engaging with property owners to complete initial negotiations with all parties as necessary. Door knocking of resident leaseholders is taking place to continue progress in buy outs.
- 1.9 Resident engagement returned in person with a successful estate resident fun day on Queensway with excellent turn out from existing residents and positive feedback, along with connecting residents to training and skills opportunities.
- 1.10 Work is continuing on an amended business plan and budget for next year.