

# Public Document Pack

## Southend-on-Sea City Council

### Strategy, Change & Governance

Executive Director: Stephen Meah Sims (Interim)

📍 Civic Centre, Victoria Avenue, Southend-on-Sea, Essex SS2 6ER

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28 June 2022

Dear Councillor

### **CABINET - FRIDAY, 1ST JULY, 2022**

I refer to the Agenda for the special meeting of Cabinet taking place on Friday, 1st July, 2022, the following report(s) that were unavailable when the agenda was printed.

<b>Agenda Item No.</b>	<b>Item</b>
4.	<b>Seaway Leisure</b> (Pages 1 - 8) Report of Deputy Chief Executive & Executive Director (Finance & Resources)
7.	<b>City Council Branding Refresh (Engagement)</b> (Pages 9 - 26) Report of Interim Executive Director (Strategy, Change & Governance)
12.	<b>Vecteo</b> (Pages 27 - 36) Report of Interim Director Highways and Parks Please note that this item is a part 2 confidential report

The reports for the remaining on the Agenda will be published and circulated in due course.

All items will be referred direct to the relevant Scrutiny Committees for consideration.

**Tim Row**

Principal Democratic Services Officer

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# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Deputy Chief Executive and  
Executive Director (Finance and Resources)

To

Cabinet

On

1 July 2022

Report prepared by:  
Alan Richards - Director of Property & Commercial

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## Seaway Leisure

Relevant Scrutiny Committee: Policy and Resources Scrutiny Committee

Cabinet Members:

Councillor Ian Gilbert – Cabinet Member for Economic Recovery, Regeneration and  
Housing

Councillor Paul Collins – Cabinet Member for Asset Management and Inward  
Investment

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### Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

This report confirms that the updated Seaway Leisure legal documentation is now ready to exchange, following all the required due diligence, and enables the opportunity to be presented in the best light to the funding market.

The report identifies that there are no changes to the scheme arrangements, as previously approved by Members in November 2021, but merely to ensure the Council has a final clean suite of legal documents to effectively and swiftly proceed with the scheme.

#### 2. Recommendation

**That Cabinet approve the preparation of a final clean suite of legal documents for the Seaway Leisure scheme.**

#### 3. Background

3.1 Cabinet agreed on 2 November 2021 ([minute 417](#) refers) to vary the transaction with Turnstone Estates to enable an annuity lease structure to be put in place so that the development could be funded differently and delivery unlocked.

3.2 The Council has appointed Pinsent Masons, the same lawyers who represented Colchester Borough Council on the very similar Northern Gateway transaction

(now on site), to act on its behalf to document the transaction for the Seaway development.

- 3.3 The Council has retained CBRE to advise on the property transaction and 31Ten to advise and review the proposition from a financial due diligence perspective.
- 3.4 Collectively, the professional team and officers, following all the required due diligence, are comfortable and are ready to proceed to exchange. This will then enable Turnstone to proceed to the next stage (requiring a further c.£500k investment by them) and for the funding market to be approached following exchange of contracts with a view to funding the development in the autumn of 2022 for a start on site targeted for spring 2023.
- 3.5 Given the increases in build costs arising principally from the increasing cost of inflation, it is estimated by Turnstone's quantity surveyors that the total development cost is now likely to be in the order of £70m. The final cost of the scheme will be determined during Turnstone's next stage which includes more detailed contractor engagement and procurement. It is important to note that the Council will only enter into a final agreement on the basis that the scheme is financially viable. Also that the increase in build costs being experienced has no impact on the level of the Council's agreed 'up to £10m' enabling funding (minute 417 refers).
- 3.6 The Cabinet decision in November 2021 provided for the existing transaction to be varied. The legal review and due diligence work which followed that decision has led to the conclusion that it would be significantly preferable for the Council to document the variation via a new document suite rather than a further variation of the existing suite however this was not provided for in the previous decision.
- 3.7 The benefits of the new document suite are principally to remove redundant legacy drafting which is no longer required to mitigate procurement risk as the landscape has changed since the transaction was originally documented in December 2014, and to ensure that a professionally presented, concise and current set of drafting is presented to the funding market now to reduce the likelihood and extent of the need for document changes to secure the funding. Having recently worked with Colchester to fund the Northern Gateway, Pinsent Masons are very well placed to advise on the positioning of this documentation.
- 3.8 Included at Appendices 1 and 2 are letters from Pinsent Masons and CBRE supporting the position laid out above.

#### **4. Other Options**

- 4.1 The updated transaction could be documented by way of the approved variations but this is not considered to be optimal either in terms of managing risk or presentation to the funding market.

#### **5. Reasons for Recommendations**

- 5.1 To enable the proposition to be presented clean, current documents for the funding market and to reduce procurement risk.

## **6. Corporate Implications**

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

As set out in previous reports.

### **6.2 Financial Implications**

All financial considerations as set out in previous reports have been independently modelled and assessed.

Assurance has been provided by 31Ten to the Council's s.151 officer in relation to the value for money, sustainability and accounting treatment considerations associated with the transaction.

### **6.3 Legal Implications**

This report deals primarily with the mechanics for documenting the transaction.

Pinsent Masons have advised the Council on the legal side of the transaction.

### **6.4 People Implications**

No staffing implications arise from this report.

### **6.5 Property Implications**

As set out in this report.

### **6.6 Consultation**

Not applicable to the distinct point covered by this report.

### **6.7 Equalities and Diversity Implications**

Not applicable.

### **6.8 Risk Assessment**

The recommendation in this report is made to ensure that the transaction can be documented to reduce risk and present the opportunity cleanly and optimally to the funding market.

### **6.9 Value for Money**

31Ten have independently assessed and considered all the financial considerations and provided assurance to the Council's s.151 officer.

6.10 Community Safety Implications

Not applicable

6.11 Environmental Impact

Not applicable

**7. Background Papers**

Previous Cabinet reports.

**8. Appendices**

**Appendix 1 – Letter from CBRE**

**Appendix 2 – Letter from Pinsent Masons**

Alan Richards  
Southend-on-Sea City Council  
Civic Centre  
Victoria Avenue  
Southend-on-Sea  
Essex  
SS2 6ER

23<sup>rd</sup> May 2022

Dear Alan

### **SEAWAYS LEISURE DEVELOPMENT, SOUTHEND-ON-SEA**

I write to confirm that CBRE have continued to advise from a property and commercial perspective on the proposed Seaways Leisure Development transaction since the Cabinet approval on 2<sup>nd</sup> November 2021.

Our continued due diligence and engagement with Turnstone Estates on behalf of the Council has allowed us to continue to support an annuity lease structure to unlock the delivery and funding of the development.

However, we are of the view that the Council would benefit significantly for the transaction to be varied (as approved in November 2021) by way of a new suite of documents rather than simply varying existing documents (as the approval catered for in November 2021).

This will ensure that prospective funders (of whom CBRE will be engaging with on behalf of the Council, jointly with Waring & Partners) are presented with a relevant and clean set of drafted documentation when considering the transaction. In our view, this will be advantageous to the Council's commercial position and maximise the opportunity for competitive bidding as well as removing execution risk to the transaction i.e. by reducing the prospect of significant changes from funders.

In addition, we also understand the Council has received procurement and legal advice that the new suite of documents would remove redundant legacy drafting to mitigate procurement risk (since the documents were originally drawn up in 2014) which we appreciate is also an important consideration for the Council. We understand that advice has been sought from both Counsel & Pinsent Masons.

More widely, it is also encouraging to note that generally, and despite the cost of living pressures facing the country, that the leisure and restaurant sectors continue to recover well from the impacts of the pandemic. This has been demonstrated at Seaways itself with a further large leisure letting expected to go under offer shortly which will take the overall pre-let of the development to over 75% (by forecast income) – even before construction has commenced.

Kind regards,



**LUKE WILSON**  
**DIRECTOR - NATIONAL INVESTMENT PROPERTIES**

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# Pinsent Masons

## BY EMAIL

Alan Richards  
Southend-on-Sea City Council  
Civic Centre  
Victoria Avenue  
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Essex  
SS2 6ER

Your Ref  
Our Ref 132508766.1\695107.07000

DDI 0113 294 5297

E [anne.bowden@pinsentmasons.com](mailto:anne.bowden@pinsentmasons.com)

24 May 2022

Dear Alan

### **SEAWAYS LEISURE DEVELOPMENT, SOUTHEND-ON-SEA (THE "PROJECT")**

I am writing in connection with your proposed Cabinet report in relation to the Project, intended to be discussed as soon as a Cabinet date can be agreed.

Pinsent Masons LLP has been engaged by the Council to advise on the suite of legal documentation which documents the Project, and also in relation to procurement risks arising from the changes to the legal structure that are required in order to make it viable and fundable (which were previously discussed and approved by Cabinet on 2 November 2021).

In our discussions with specialist procurement Counsel, and also in our review of the document package with you and your team, we have opined that it would be preferable for the changes to the Project to be documented by way of a fresh, clean suite of legal documents. The benefits are two-fold:-

1. From a procurement law perspective, both we and Counsel have advised that the changes will in substance create a new transaction, and so for transparency it is preferable to document the changes in a fresh suite of documents. A new suite will remove redundant drafting and give clarity as to the legal structure; and
2. Whilst not a legal point, we can see that from a market perspective it would be desirable to present a clean suite of documents to the funding market when Turnstone approaches funders in relation to the Project, rather than documentation being varied again: presentationally we anticipate that the clean suite will be more attractive to the market.

We trust this is helpful but, as always, would be happy to discuss further.

Pinsent Masons LLP

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Yours faithfully

Pinsent Masons LLP

**Pinsent Masons LLP**

# Southend-on-Sea City Council

Report of Executive Director (Strategy, Change & Governance)

To

Cabinet

On

1 July 2022

Report prepared by: Stephen Meah-Sims, Executive Director (Strategy, Change and Governance) and Adam Keating, Strategic Communications Manager

Agenda  
Item No.

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## City Council corporate branding refresh (engagement)

Policy and Resources Scrutiny Committee  
Cabinet Member: Councillor Stephen George  
Part 1 (Public Agenda Item)

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### 1. Purpose of Report

- 1.1 The new city designation for Southend has provided an opportunity for the council to consider options connected to the council's existing corporate branding and updating it to reflect the new name of the council.

This report follows on from 14<sup>th</sup> March cabinet report and recommendations, and subsequent referral back from Policy and Resources Scrutiny Committee on 16<sup>th</sup> March 2022.

- 1.2 This report sets out the opportunities connected to updating the corporate branding for the council and re-presents options for Cabinet to agree on, and for those options to be engaged on more widely.

### 2. Recommendations

**That Cabinet consider the corporate branding options set out within this report**

- 2.1 **To agree on the four branding concepts to go out to wider engagement, as set out in section 4.1.**
- 2.2 **To agree to the timeframe of engagement of 4 weeks.**
- 2.3 **To use the feedback as an evidence-base to inform the final decision on the council's new corporate branding**

### **3 Background**

- 3.1 Following the tragic death of Sir David Amess MP in October 2021, Southend-on-Sea, the place, was granted the privilege of being granted City Status; a long-standing ambition which Sir David Amess fought for on behalf of Southend. Southend, the place, officially became a city at a Civic Commemoration Event on the 1st of March 2022, where His Royal Highness, The Prince of Wales and Her Royal Highness, The Duchess of Cornwall bestowed city status, through the handing of the Letters Patent to our serving Mayor at a Full Council meeting, as part of the Commemoration Event.
- 3.2 The current branding, known as the council's corporate brand, should enable users of council services to instantly recognise the council. Corporate branding aims to identify the council and the range of services that the council is connected to across the city. Branding also raises awareness of council services and makes the council publicly accountable. Our branding also conveys our authenticity as a local authority, whether that is in council communication, policies, and strategies, to official correspondence from the council.
- 3.3 The change of Southend to a city includes the council changing its name to Southend-on-Sea City Council to reflect its new status within a new city. Looking forward as a strong, ambitious, and cohesive city; the council has the opportunity to embrace the change of status by updating the corporate branding, which reflects where the council sees itself in the city and how it wants to be perceived going forward. Whilst digital social media accounts and references in content have been changed to Southend-on-Sea City Council, the council's current logo naturally refers to Southend-on-Sea Borough Council.
- 3.4 Developing a new corporate brand for any organisation comes with challenges as brands can mean different things to different audiences. It is important to emphasise that the corporate branding for the council is not the same as the place branding that was developed for Southend as a whole, in 2021. The corporate branding for the council is focused on the council. Drawing in ideas and preferences from across the political spectrum was essential in working up the design brief. A Cross-Party Working Group, chaired by the Leader of the Council came together in January 2022 to start the conversation about a new corporate brand for Southend-on-Sea City Council. This engagement and other conversations with political group leaders outside of the working group informed the options set out in appendix 1 of this report.
- 3.5 The design team that have worked up the options are the council's contracted bespoke design and print company. They are a local company that have worked with the council since a procurement exercise in 2017, with a track record of high-quality design work across council services.
- 3.6 Through the Cross-Party Working Group, and conversations with political group leaders outside of the working group, several points around design preferences

were established to create the new council branding brief and specification and the evolving designs.

These included:

- a) Keeping the new branding simple and identifiable
- b) Drawing on our location as a city by the sea
- c) Using colour, shapes and form in our branding to signal our city as a diverse one, where many council services operate for a diverse range of residents and businesses
- d) Must work well across different settings, e.g., for social media and digital channels, to large vehicle livery
- e) Looks forward, not backwards
- f) Draws on good recent examples from other local authorities and sectors

3.7 The design preferences under 3.6 were used as the framework to work up design options for consideration, which were presented back to the Cross-Party Working Group and political group leaders. In a process of further discussion, the design options were further refined based on a range of feedback, with some new additions, such as the Southend 'S' Monogram with the pier option. The corporate branding options set out in detail within appendix A illustrates four branding options.

3.8 The four options set out very different design concepts which work across the visual platforms that the council use. The options apply the design preferences across three very different styles yet remain consistent with contemporary branding concepts used by local authorities and other sectors.

3.9 The issue of copyright was raised at the Policy and Resources scrutiny committee on 16<sup>th</sup> March. Initial legal advice has been sought regarding this and is summarised below:

It is important that the Council, when considering its rebranding, respects the trademarks and intellectual property of others. Legal advice suggests that so long as the logos developed were done so independently and there was no copying, the risk of challenge from third parties is very low.

Once a logo and branding are chosen, it is not considered necessary for the Council to register its logo as a trademark, as it is not delivering goods or services in a commercial capacity (and where it does through council companies, these have their own branding).

However, although the council has a contract in place with Formara, it is recommended that the Council and Formara enter into an appropriate deed of assignment once the final logo is decided upon. Following entry into the deed of assignment, the Council would be able to rely on the warranties and associated

indemnities contained therein which would significantly reduce risk exposure in this matter, although that risk is deemed very low.

#### **4 Seeking views on the four options**

4.1 As part of engaging, a market testing exercise on public perceptions around the four proposed options, an on-line poll to different testing groups will be conducted to obtain feedback. The groups approached for feedback, in addition to the Cross-Party Working Group and Political Group Leaders will be:

- All 51 Councillors
- Council staff
- Business community leaders
- Voluntary and Community leaders
- Young people
- Anyone wishing to share views through the council's engagement platform
- Strategic partners

4.2 The opportunity to participate will be promoted through social media and direct contact that signposts to where the four options are, with the ability to feedback.

4.3 It is essential to ensure that a new corporate brand is accessible and contains no reference that could cause offence. The initial testing will also assess Equality Impact.

4.4 An updated report will be brought back to Cabinet for consideration after the engagement has taken place

#### **5. Reasons for Recommendations**

5.1 A delay, pause or undertaking further work at this stage will require additional budget and resource, and mean that the council will continue to operate with an outdated logo that does not reflect the areas new city status or the council's new name. It is important reputationally that the council responds to its new city status and has an up-to-date brand and logo that reflects the council's new name, showcases a new visual identity for the council, and demonstrates that we are a confident and bold new city council delivering for its local community.

5.2 Significant and professional advice, support and work from council members, officers and a local company have been invested into this project.

5.3 Although this is about the council's organisational brand, and not the brand of Southend-on-Sea as a place, it is important that there is a level of engagement with the local community and other stakeholders and their views are sought and considered.

## **6. Corporate Implications**

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

The council is a major delivery partner of Southend 2050 and though the updated corporate branding will not affect the agreed outcomes in Southend 2050, the council being perceived as a pro-active, engaging, and a forward-looking organisation is essential in successful leadership of Southend 2050.

### **6.2 Financial Implications**

Financial implications up to this point total £4338.75 and is based on 111.25 hours of work. This is likely to increase with final development and design work, following the engagement connected to this report. This is within the budget identified for council rebranding, which was established to support the council with its City Status programme of work. A further budget of c.£2,500 has also been allocated for advice provided on copyright on intellectual property and trademarking, following comments made at the March scrutiny committee, and as set out in 3.9 of this report.

### **6.3 Legal Implications**

Initial advice has been sought in regard to copyright and intellectual property rights, following questions at the Policy and Resources scrutiny committee on 16<sup>th</sup> March. This is set out in 3.9 of the main report.

### **6.4 People Implications**

None

### **6.5 Property Implications**

Updated signage to electronic property, buildings, signs and vehicles will be required in due course.

### **6.6 Co-design/production/consultation**

Market testing connected to perception of brand options is set out in section 4 of this report.

### **6.7 Equalities and Diversity Implications**

It is essential to ensure that a new corporate brand is accessible and contains no reference that could cause offence. The initial testing will also assess Equality Impact.

## 6.8 Risk Assessment

Legal advice has been sought regarding copyright and is covered in 3.9 of this report.

## 6.9 Value for Money

Given the scale and range of services provided by the council, it is not advised to change branding across all areas at the same time. The costs associated with this approach will not represent best value.

Once the decision is made on the new corporate brand, it is advised that the council prioritises areas to be updated with new corporate branding. This is a common approach across local government and other sectors. This will enable the council to focus updated branding where it has the most impact and value for money. It is also advised that the council update its Corporate Style Guide, which sets out the guidelines for use of corporate branding where all newly commissioned items requiring branding contain the new format and new branding replaces the old as part of a programme of 'as and when' renewal. This pragmatic approach to updating the council's branding over time, is sensitive to budget challenges and demonstrates value for money.

## 6.10 Environmental Impact

None at this stage

## 7. Background Papers

Appendix 1 – corporate branding options for engagement

## 8. Appendices

Appendix 1 – corporate branding options for engagement



SOUTHEND-ON-SEA CITY COUNCIL  
**CORPORATE IDENTITY REBRAND**

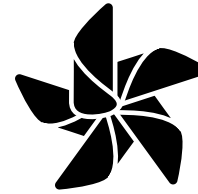
LOGO DESIGN CONCEPTS FROM



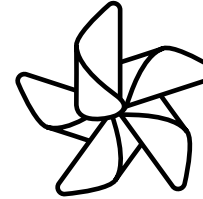
Please note. Colour schemes and typefaces are for illustration only and subject to change.



**Southend-on-Sea  
City Council**



**Southend-on-Sea  
City Council**



**Southend-on-Sea  
City Council**



**Southend-on-Sea  
City Council**



**CONCEPT 1 - SEASIDE WINDMILL/PINWHEEL**

A pinwheel design has been developed that clearly represents Southend's seaside town heritage but also acknowledges the Council's environmental credentials such as wind power, and shares similarities with the St Mary's lily, representing the origins of the new City.

It also demonstrates working together and inclusivity.

As symbol, a pinwheel is a childhood symbol - it represents a time when things were simple and natural. In Chinese culture, for example, the pinwheel signifies "turning one's luck around"; the pinwheel figures prominently in Chinese New Year celebrations where it is represents good luck, longevity, health and prosperity.

Mono treatment are also shown to illustrate how the design can work with different solid fills, outlines only or single colour.

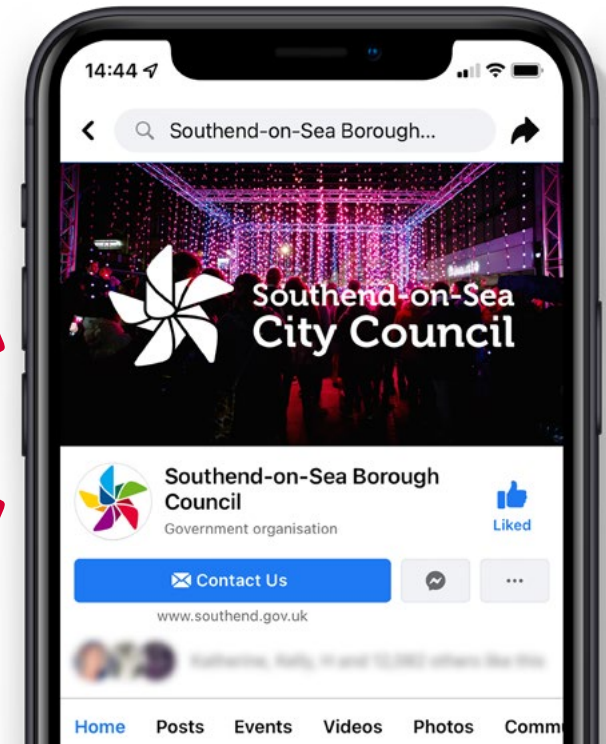
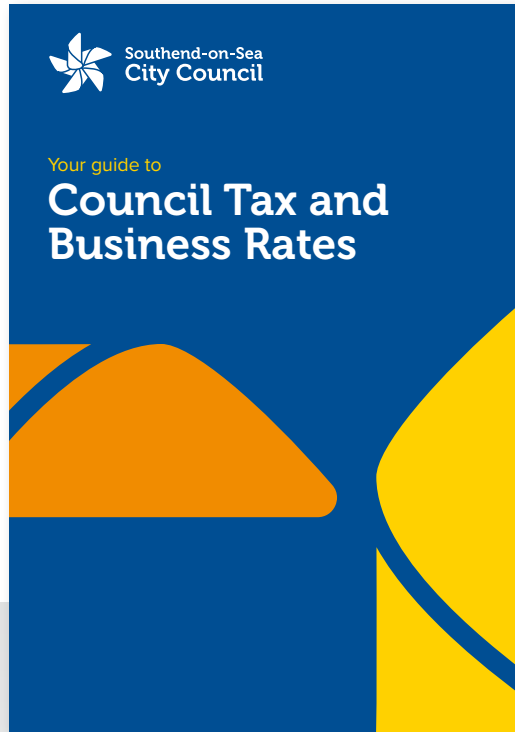
The icon could equally be used in single colours as standalone devices, such as a the

2050 icons or to represent council services/campaign, and broken into individual elements as part of a design scheme.

Alternative treatments and colour schemes for the pinwheel design are shown below.



# SOUTHEND-ON-SEA CITY COUNCIL



*Social media banner*

*Document cover*

*Social media icon*

*Letterhead watermark*

*Uniform with mono logo on coloured shirt*



*Vehicle livery*

# SOUTHEND-ON-SEA CITY COUNCIL



## CONCEPT 2 - SHELL DESIGN

Conch shell design that includes a subtle 'S' motif on the right hand section of the shell.

This icon is representative of the seaside and beach and also alludes to waves, water and the environment.

Again, we can use this in various colour ways and treatments as well as having different orientations.

This design works as a standalone device without supporting text, for social media.



# SOUTHEND-ON-SEA CITY COUNCIL



Letterhead watermark

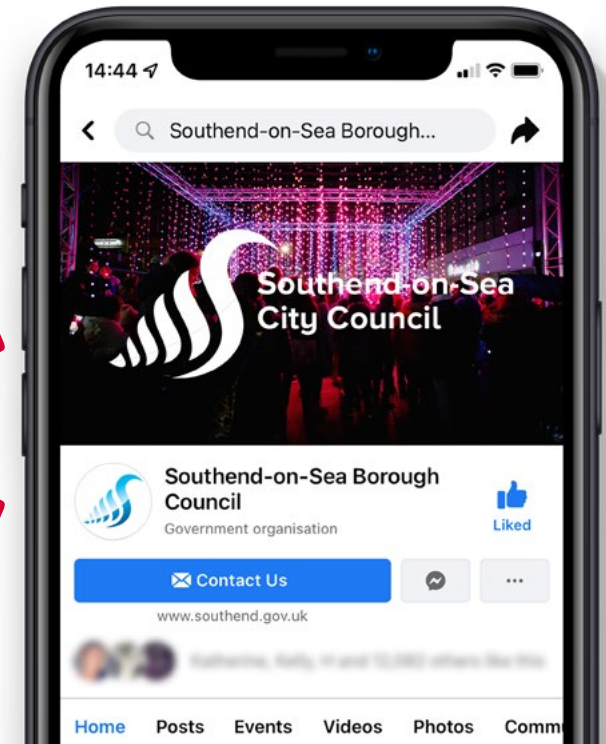
Uniform with mono logo on coloured shirt



Document cover

Social media banner

Social media icon

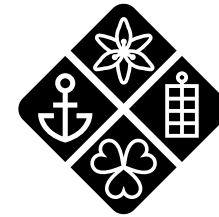


Vehicle livery

# SOUTHEND-ON-SEA CITY COUNCIL



## Southend-on-Sea City Council



## Southend-on-Sea City Council



### CONCEPT 3 - MODERN COAT OF ARMS

A modern take on the coat of arms, focussing on the main shield element and its four arms that represent the heritage of the city.

- The lilies and vase, symbol of the Virgin Mary are for St Mary, Prittlewell,
- The anchor, the symbol of St Clement is for Leigh,
- The gridiron is for St Lawrence, Eastwood,
- The trefoil, symbol of the Holy Trinity, is for Southchurch.

These symbols can be simplified into basic icons and arranged in clear and uncomplicated quadrant design.

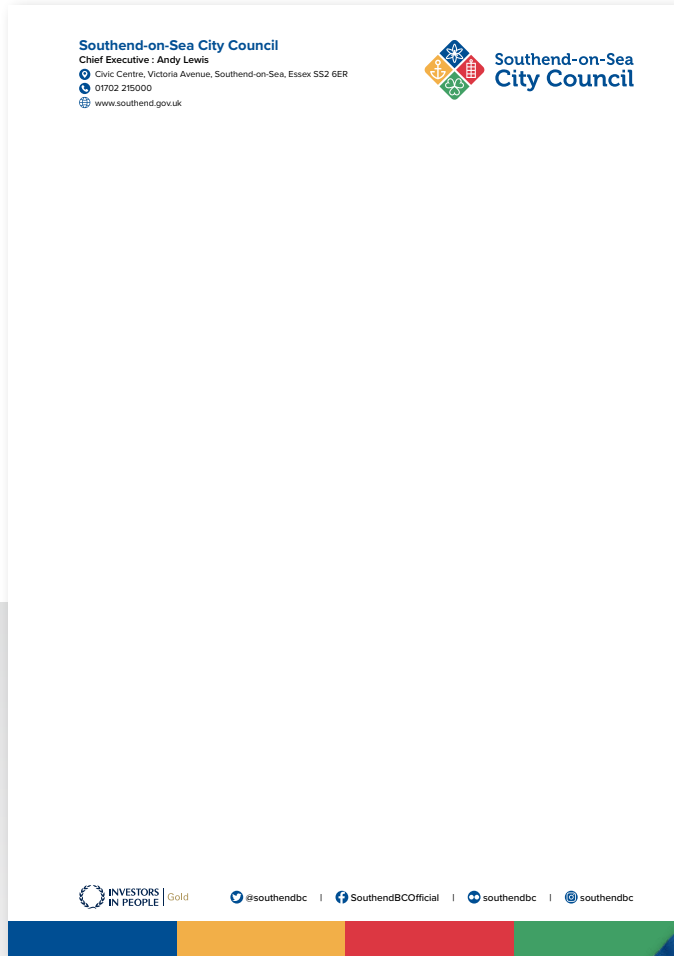
Furthermore, we can assign colours that are frequently associated with each saint: blue for St Mary, gold for St Clement, red for St Lawrence and green for the Holy Trinity.

This design works as a standalone device without supporting text, for social media.

Alternative colour schemes show below.

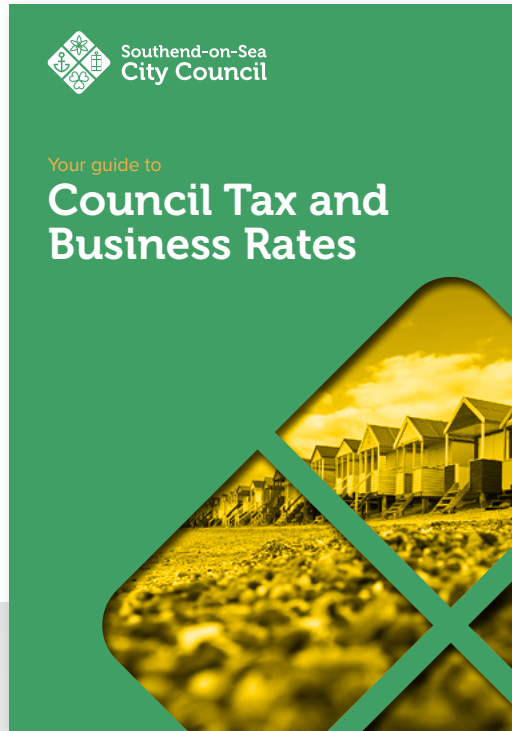


# SOUTHEND-ON-SEA CITY COUNCIL



Letterhead logo and matching border

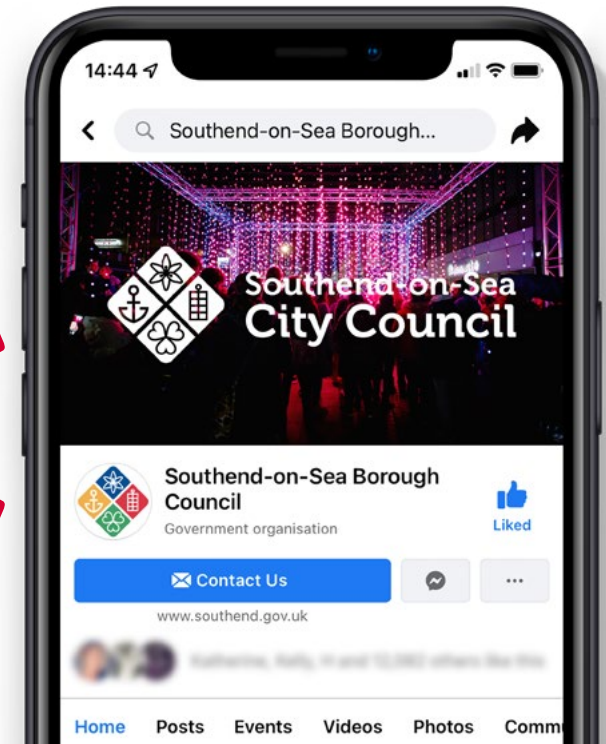
Uniform with mono logo on coloured shirt



Document cover

Social media banner

Social media icon



Vehicle livery



## CONCEPT 4 - S MONOGRAM

An upper case 'S' for 'Southend' monogram style logo including waves and pier in the lower portion.

Including a simple representation of the pier with the Royal Pavilion makes this icon unmistakably 'Southend' and is unique in that it cannot be applied to any other Seaside town or city, even those that have a name that starts with an 'S'.

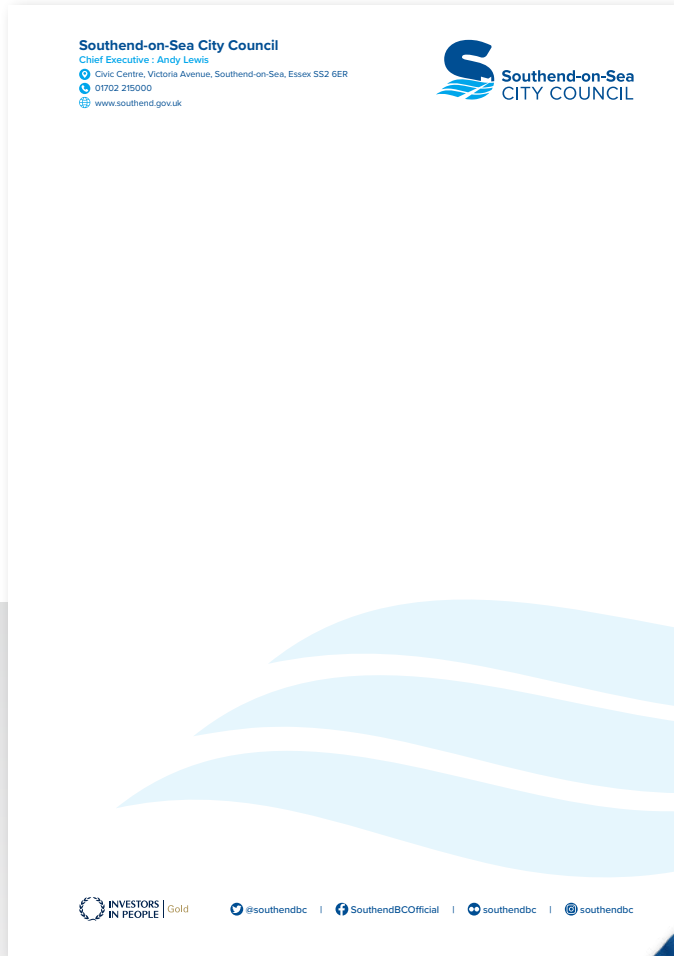
As a bold, striking design this logo works well across all platforms as a standalone logomark or combined with the Council name.

We can use this in various colour combinations and treatments as well as in different orientations with the Council name.



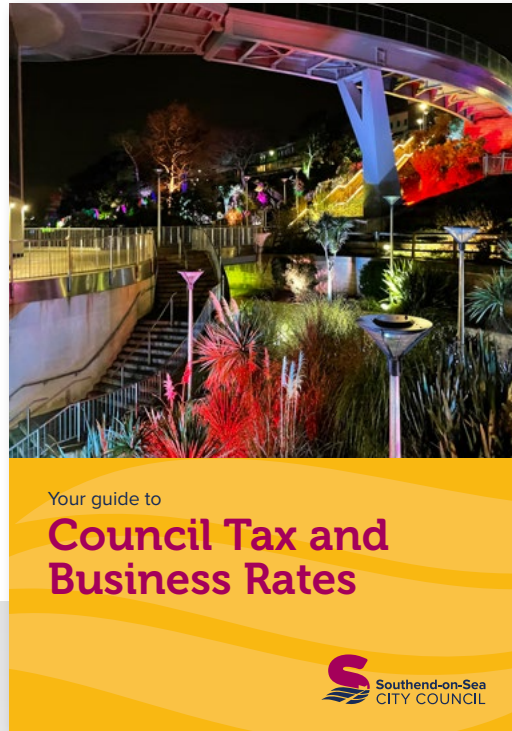


# SOUTHEND-ON-SEA CITY COUNCIL



Letterhead watermark

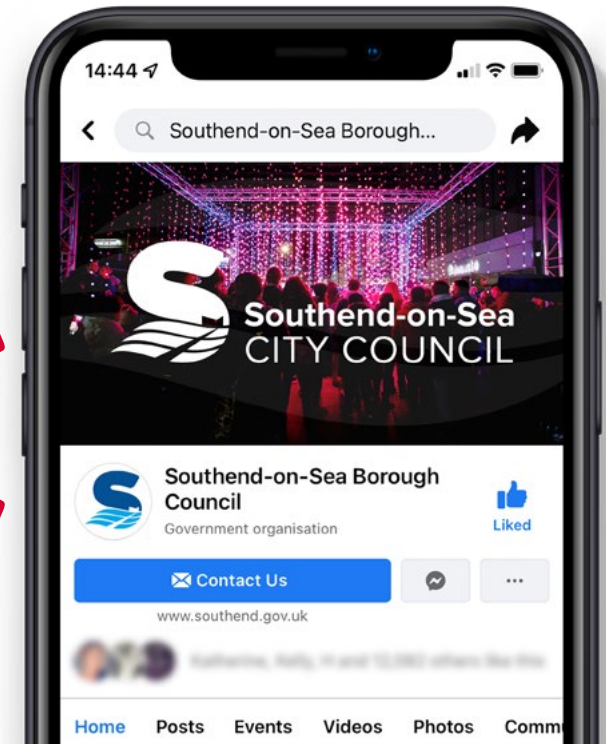
Uniform with mono logo on coloured shirt



Document cover

Social media banner

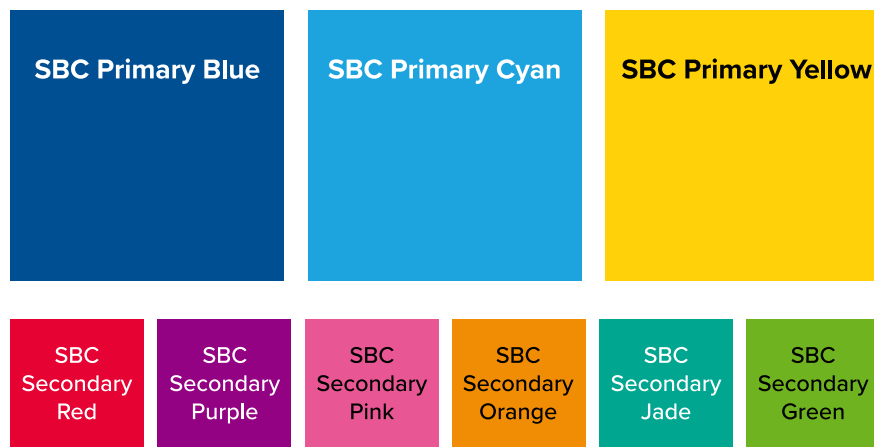
Social media icon



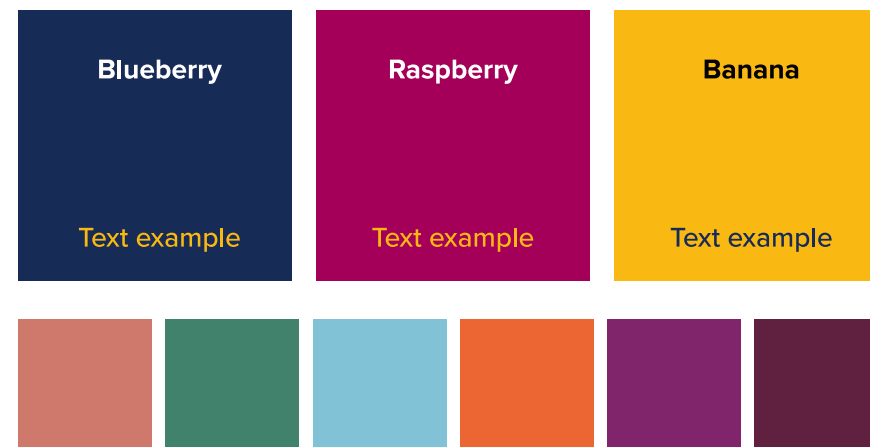
Vehicle livery

# SOUTHEND-ON-SEA CITY COUNCIL

*Current S.B.C. colour palette*



*Example alternate accessible colour palette*



## ANNEX A - COLOUR PALETTES

We have used the existing SBC colour palette throughout the design process as a baseline. However, we feel that it doesn't completely meet the requirements for accessibility, so an alternative palette option is being developed that could be applied to the new brand that meets WCAG compliance. These colours have been used sporadically on the previous pages.

The colour palette will form the basis of the entire brand identity. Whilst the primary colour will feature most heavily, a selection of secondary colours will help expand the flexibility of the design scheme when required, such as graphs, illustrations and CTAs.

# SOUTHEND-ON-SEA CITY COUNCIL

*Proxima Nova (current S.B.C brand font)*

**Southend-on-Sea  
City Council**

*PT Sans*

**Southend-on-Sea  
City Council**

*Museo*

**Southend-on-Sea  
City Council**

*Aleo*

**Southend-on-Sea  
City Council**

## ANNEX B - TYPEFACES

A few typeface options for the wordmark element of the logo are shown above. These have been specifically chosen to meet accessibility standards for legibility.

The typeface used in the logo will ideally be used as part of the wider design scheme for the Council's new brand identity. In the case of Museo for example, this could be used as a display font paired with a simple body copy font such as Arial.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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