

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 9th July, 2020

Place: Virtual meeting via Microsoft Teams

Present: Councillor D Garston (Chair)
Councillors D McGlone (Vice-Chair), B Ayling, D Burzotta, D Cowan, T Cox, P Collins, M Davidson, M Dent, S George, S Habermel, H McDonald, D Nelson, I Shead, M Stafford, S Wakefield and P Wexham

In Attendance: Councillors I Gilbert, C Mulroney, K Robinson, M Terry and R Woodley (Cabinet Members), Councilor M Borton, Councillor K Evans, A Lewis, J Chesterton, J Ruffle, J Williams, E Cook, G Halksworth, M Sargood, T Row and S Tautz

Start/End Time: 6.30pm - 7.20 pm

134 Apologies for Absence

There were no apologies for absence from the meeting.

135 Declarations of Interest

The following councillors declared interests as indicated:

- (a) Councillors I Gilbert, C Mulroney, K Robinson, M Terry and R Woodley (Cabinet Members) - Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011;
- (b) Cllr P Wexham - Minute 138 (Housing and Regeneration Pipeline, Including Acquisitions Programme - Update) - Board member of South Essex Homes - Non-pecuniary interest;
- (c) Cllr M Davidson - Minute 138 (Housing and Regeneration Pipeline, Including Acquisitions Programme - Update) - Non-Executive Director of South Essex Homes - Non-pecuniary interest;
- (d) Cllr S Wakefield - Minute 138 (Housing and Regeneration Pipeline, Including Acquisitions Programme - Update) - Sub-contractor for South Essex Homes - Non-pecuniary interest;
- (e) Cllr D McGlone - Minute 138 (Housing and Regeneration Pipeline, Including Acquisitions Programme - Update) - Previous involvement with residents of Lundy Close - Non-pecuniary interest; and
- (f) Cllr M Borton - Minute 138 (Housing and Regeneration Pipeline, Including Acquisitions Programme - Update) - Board member of South Essex Homes - Non-pecuniary interest.

136 Questions from Members of the Public

There were no questions from members of the public relating to the responsibilities of the Committee.

137 Minutes of the Meeting held on 30 January 2020

Resolved:

That the minutes of the meeting of the Committee held on 30 January 2020 be confirmed as a correct record and signed.

138 Housing and Regeneration Pipeline, Including Acquisitions Programme - Update

The Committee considered Minute 857 of the meeting of the Cabinet held on 25 February 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Finance and Resources) and Deputy Chief Executive and Executive Director (Housing and Growth), that provided an update on the pipeline of housing and development opportunities across the borough and presented proposed new arrangements to support housing delivery and wider benefits.

Resolved:

That the following decisions and recommendations of the Cabinet be noted:

“1. That the progress on the Acquisitions Programme for Council Housing as set out in sections 3.5 – 3.9 of the submitted report, be noted.

2. That the progress of the first phase of housing and development pipeline sites currently in delivery as set out in sections 3.10 – 3.13 of the report, be noted.

3. That it be noted that the new arrangements for the LLP have been settled and the legal work is being completed to establish the new arrangements pursuant to minute 324 of Cabinet 17 September 2019 and Policy and Resources Scrutiny Minute 404 on 10 October 2019.

Recommended:-

4. That the proposed new arrangements for the LLP including (i) to (viii) below, be approved:

(i) The updated aims and objectives for the LLP for 2020-2030 as set out in sections 3.13 to 3.34 of the report, including the housing model.

(ii) Establishing the new Procedure Agreement and Members Agreement between PSP Facilitating Limited (1), Southend on Sea Borough Council (2) and the LLP (3) and delegating authority to the Executive Director (Legal and Democratic Services) to finalise and complete the Agreement.

(iii) Delegate authority to the Chief Executive, including dealing with any future changes to such appointments, to:

a. Appoint the Council representatives to the LLP Partnership Board.

b. Appoint the members of the Partnership Board and the Partnership Executives.

(iv) Delegate authority to the Partnership Board, to:

a. Agree the re-branding of the LLP (creation of a new trading name),

b. The commitment (on behalf of the Council) to funds for feasibility and project delivery within budgets already approved for housing and development delivery,

c. Following a Cabinet decision to opt land in to the LLP for the delivery of agreed objectives, to progress the development of the land through the LLP in accordance with the objectives for that land subject to each project clearing the required financial and legal due diligence tests.

(v) Delegate authority to the Director of Property & Commercial to request that the LLP consider the initial feasibility of sites following their appraisal through the development pipeline process (noting that Cabinet approval will be required prior to any site being legally opted in to the LLP for delivery).

(vi) That any necessary amendments be made to the Constitution to reflect the recommendations in 4 above.

(vii) That it be noted that the matters identified in Appendix 1 to the report are matters which will be reserved for the Shareholder Board.

5. That, subject to Council approval, an initial budget of £5 million be identified in the Capital Programme for the delivery of housing through the LLP and authority be delegated to the Executive Director (Finance and Resources) to finalise the terms and make loans to the LLP within the allocated budget to enable delivery of development in accordance with the principles of the PSP Housing Model and subject to any schemes delivering an appropriate and sustainable return on investment.”

Note: The decisions in 1-3 above constitute Executive functions. The decisions in 4-5 above constitute Council functions.

Cabinet Members: Cllr I Gilbert and Cllr R Woodley

139 Seaway Car Park

The Committee considered Minute 866 of the meeting of the Cabinet held on 25 February 2020, which had been called in to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Finance and Resources), that provided an update on the current situation in relation to the Seaway Car Park and presented options to enable Cabinet to decide how it wished to proceed in relation to the proposed development of the car park and associated land.

With the agreement of the Committee, the Chair indicated that he intended to take this item together with the following agenda item (Item 7 - Notice of Motion - Seaway Car Park Development), as the two matters were related to similar issues.

Resolved:

1. That the following decision of the Cabinet be noted:

“1. That option 2 set out in the submitted report be approved, namely the Council maintains its support for the Development and does not serve notice to terminate the Agreement at least until such time as the final decision has been made on the planning application 18/02302/BC4M.

Such support would be maintained on the basis of:

- The economic case including the significant job opportunities that the development will bring;
- The contribution to the Council’s published Ambition and Outcomes;
- The level of commitment made by the Council and Turnstone;
- The desire to maintain the currently committed tenants;
- The progress which has been made to date;
- The reduced risk of the Homes England funding claw back.

2. That while the planning appeal is running, negotiations be progressed with Turnstone about the possibility of a lease-wrapper/income strip lease model to accelerate delivery and provide additional rent for the Council through a different model and any other matters which would accelerate delivery.”

2. That the decision of the Cabinet and the Notice of Motion be referred to full Council for consideration in accordance with Council Procedure Rule 39.

Note: This is an Executive Function
Cabinet Member: Cllr R Woodley

140 Notice of Motion - Seaway Car Park Development

This item was taken together with the previous agenda item (Item 6 - Seaway Car Park), as the two matters were related to similar issues.

141 In-Depth Scrutiny Projects & Summary of Work 2019/20

The Committee received a report of the Executive Director (Legal and Democratic Services), which provided an update on progress with regard to the in-depth scrutiny projects due to have been completed during the 2019/20 municipal year. The report also provided information about the work that had been carried out by each of the scrutiny committees during the previous year.

Resolved:

1. That the Committee note progress with regard to its in-depth scrutiny project due to have been undertaken during the 2019/20 municipal year.
2. That the completion of the in-depth scrutiny project be carried forward into the 2020/21 municipal year.
3. That no further topic(s) be selected by the Committee for additional in-depth review during 2020/21.
4. That the Committee note the summary of the work undertaken by each of the Scrutiny Committees during 2019/20.

Note: This is a Scrutiny function.

Chair: _____