

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Thursday, 19th December, 2024

Place: Committee Room 1 - Civic Suite

Present: Councillor D Cowan (Chair)
Councillors A Jones (Vice-Chair), L Burton, P Collins, M Dent,
L Hyde, K Robinson, M Sadza and M Terry

In Attendance: C Ansell, S Zeiss, A Richards, R Harris and A Keating

Start/End Time: 6.00pm - 7.19pm

54 Apologies for Absence

There were no apologies for absence at this meeting.

55 Declarations of Interest

The following declaration of interest was made:

Cllr Terry – Minute 56 (Fossetts Farm) – Season ticket-holder at Southend United Football Club.

56 Fossetts Farm

The Cabinet considered a report of the Executive Director (Environment and Place) setting out the latest position reached between the Council and Thames Plaza Plc and Citizen Housing LLP in relation to the proposed development of land at Fossetts Farm.

Resolved:

1. That the latest position in relation to Fossetts Farm following the sale of Southend United Football Club to COSU, be noted.
2. That the updated Heads of Terms for the Fossetts Agreement for Lease (AFL) as set out at Confidential Appendix 1 to the submitted report, be approved.
3. That officers proceed to enter into a new suite of agreements based on the Heads of Terms as set out at Confidential Appendix 1 to the report, including an updated AFL for housing at Fossetts Farm, noting that entering in to such an agreement will also release the Council from the AFL relating to Roots Hall.
4. That authority be delegated to the Executive Director (Finance and Resources), in consultation with the Leader of the Council, to agree any adjustments required to the transaction and to authorise the completion of the relevant documentation including the AFL, subject to:

- A) The completion of all due diligence (as referenced in 4.12 or this report and the link in that paragraph to the 29 April 2024 Cabinet Report) to the satisfaction of those to whom authority is delegated above.
- B) A pre-exchange condition that all Merseyside Pension Fund/CBRE approvals relating to the Club transaction and the AFL have been delivered
- C) The inclusion of satisfactory protections securing contributions to the redevelopment of SUFC Stadium at Roots Hall.
- D) The underwriting of all the Council's costs relating to the transaction (referenced in 4.12 and in the Confidential Appendix 1).
- E) There being no remaining sums due to the Council under any accounts (rent/business rates etc) at the point of exchange of contracts.

Reasons for decision:

1. To enable the proposed development to proceed by ensuring that the relevant documentation is in place in good time, with all suitable and necessary protections for the Council in place and subject to all necessary due diligence. such that the development can proceed when the funding market conditions enable it to be funded.
2. To secure payments to the new owners of Southend United Football Club and to enable investment to refurbish and upgrade the stadium and facilities at Roots Hall.

Other options:

1. To opt not to proceed with the varied terms and to disengage in the negotiations. The exchanged AFL remains valid however this was proved with due diligence not to be viable and is no longer deliverable with the change in ownership of SUFC and the need to separate Roots Hall and Fossetts Farm to enable the stadium to be redeveloped at Roots Hall.
2. Support the principles but encourage the developer to find an alternative partner to take the built product. This is an option although the Council has previously agreed to take on this role and there is benefit in retaining control over the housing, housing types and tenure and in receiving the long-term commercial benefit from the rental income (above rent paid-out and costs) and ultimately the full capital value for £1 at the end of the annuity lease terms.

Note: This is an Executive Function
 Not eligible for call-in
 Cabinet Member: Cllr Cowan/Cllr Robinson

57 Parking Contact Award

The Cabinet considered a report of the Executive Director (Environment and Place) concerning the procurement of the Council's Parking Enforcement and Operations, comprising two key components:

- (a) Parking Enforcement and Operations – Civil Enforcement Operations & Technology System, for which a competitive tender process has been successfully completed.

(b) School crossing patrol staffing, for which a competitive tender process is currently underway.

Resolved:

1. That the award of the contract for Parking Enforcement and Operations – Civil Enforcement Operations & Technology System to the highest scoring bidder, to commence on 1 February 2025 for a period of five years (as per framework requirements), be approved.
2. That the progress be noted and that the principle of the award of the contract for School Crossing Patrol Staffing, to the highest scoring bidder, to commence on 1 February 2025 for a period of up to four years (i.e. 2 years plus 2x 12-month extensions), be approved.
3. That authority be delegated to the Executive Director (Environment and Place) to notify the successful bidders of the outcome of the procurements and to enter into relevant contracts.
4. That authority be delegated to the Executive Director (Environment and Place) to award the contract for the school crossing patrol staffing.
5. That it be noted that the identity of the successful bidders will remain confidential until the relevant standstill period concludes, after which elected members will be notified.
6. That it be noted that the budget implications of the contract awards as detailed in the submitted report and set out in the confidential Appendix 1, will be considered as part of the draft Council budget for 2025/26.

Reasons for decision:

1. To enable the award of new contracts for Parking Enforcement - Civil Enforcement Operations & Technology System, ensuring continuity of service provision from 1 February 2025. Without this contract, the Council would be unable to fulfil its parking enforcement obligations under the Traffic Management Act 2004, potentially leading to increased congestion, non-compliant parking, and loss of revenue.
2. To enable the award of a contract for the School Crossing Patrol staffing, ensuring continuity of service provision from 1 February 2025. Without this contract, the Council would be unable to fulfil its obligations in ensuring the safe crossing of school children at drop off and pick up times.

Other options:

1. Other options have been considered as part of the options appraisal process. The Council has no alternative arrangement in place upon the expiration of the incumbent contract for parking enforcement as this procurement is the preferred route. At this point, without the new contracts, the Council would be unable to meet its statutory obligations under the Traffic Management Act 2004, which could result in increased congestion, higher rates of non-compliant parking, a loss of revenue and an increased risk to safety.

2. Similarly, other options for school crossing patrol staffing have been reviewed, but none are immediately feasible. A longer-term approach could involve the implementation of engineering solutions like pelican crossings, speed humps, or raised zebra crossings at current sites to enhance safety sustainably and eventually phase out the need for patrols. Maintaining current staffing ensures immediate safety while these alternatives are explored.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Cowan

58 Parking Fees and Charges

The Cabinet considered a report of the Executive Director (Finance and Resources) setting out the proposed parking fees & charges for 2025/26 and the statutory requirements required in advance of any subsequent implementation.

Resolved:

1. That the proposed parking fees & charges as set out in Appendices A, B and C of the submitted report, be approved. The changes must be effective from 1st April 2025.
2. That authority be delegated to officers to progress and implement the required Traffic Regulation Order (TRO) changes. This includes the statutory consultation required to inform customers of the proposals and implement the relevant Traffic Regulation Orders formalising all amendments (where required).
3. That authority be delegated to the Executive Director (Environment and Place) and/or the Director of Infrastructure and Environment, in consultation with the Cabinet Member for Infrastructure and Corporate Strategy (Leader of the Council) to make the necessary Traffic Regulation Orders under the Road Traffic Regulation Act 1984 (as amended), subject to receiving no objections.
4. Where objections are received to the advertised Traffic Regulation Orders, under the Road Traffic Regulation Act 1984 (as amended), these will be referred to Traffic Regulation & Working Party (TRWP) and Cabinet Committee for consideration and a decision.
5. That the budget implications of these proposals as detailed in the submitted report and that these proposals will be considered and set as part of the budget setting process for the 2025/26 financial year, be noted.
6. That it be noted that the costs associated with implementing these changes will need to be met from existing budgets. The intention is for all signage changes to be funded from Capital which has been allocated in the Capital Investment Programme for this purpose and all Traffic regulation Order (TRO) requirements to be funded from revenue.

Reasons for decision:

1. The primary reason for charging for parking is to effectively manage kerb-side space and demand, in both central on-street locations and car parks as well as residential and business areas. Effective parking management will aim to support wider transport policy objectives, ensuring that on- and off-street space is used more effectively.

2. Effective management of parking provision is recognised as making a significant contribution to reducing congestion, whilst supporting access to residents, visitors and businesses. In turn this supports the Council's network management duty under the Traffic Management Act 2004.

3. These proposals are expected to further encourage footfall and visitors to the city beyond existing levels, whilst ensuring charges are applied consistently and fairly across Southend.

Other options:

1. To retain the existing parking fees and charges which may not deliver increased footfall or income.

2. To amend some, or all these proposals and alternative savings be identified and to decide to just apply an inflationary increase to all current parking fees & charges.

Note: This is an Executive Function

Not eligible for call-in

Cabinet Member: Cllr Cowan

59 Local Government Finance Policy Statement Headlines and local Fees & Charges budget intentions for 2025/26

The Cabinet considered a report of the Executive Director (Finance and Resources) summarising the national headlines of the Policy Statement published on 28th November 2024 by the Minister of State for Local Government and English Devolution in advance of the provisional Local Government Finance Settlement for 2025/26. The report also set out the Council's intentions and budget considerations in relation to fees and charges for 2025/26.

Resolved:

1. That the summary of the Government's recent Finance Policy Statement, the timing of release of the Local Government's Provisional Finance Settlement for 2025/26 and the major reform planned as part of a Comprehensive Spending Review from 2026/27 to 2028/29, be noted.

2. That it be noted that the income yield for fees and charges generally across all City Council services will be increased by circa 2.75% with effect from 1st April 2025, under officer delegation, with certain exceptions, as set out in Appendix 1 to the submitted report.

3. That, in principle, the proposals for the fees and charges changes set out in Appendix 1 to the report, together with a commitment to provide a comprehensive schedule detailing all fees and charges proposed for 2025/26 as part of the final budget report to Cabinet in February 2025, be approved.

Reasons for decision:

1. To note the update following the publication of the Government's Policy Statement on the 2025/26 Local Government Finance Settlement.
2. To approve in principle the intention generally to increase fees and charges yield from services by circa 2.75% for 2025/26, under officer delegation, with certain exceptions that fall outside of this parameter.

Other options:

To change fees and charges in most service areas by a different amount. This approach is not recommended following the careful consideration that has been given to balancing the level of charges proposed with the significant financial challenges currently being faced by the Council.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Members: Cllr Cowan/Cllr Collins

60 Exclusion of the Public

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

61 Fossetts Farm - Confidential Appendices

This matter was considered in conjunction with Minute 56 (Fossetts Farm) above.

62 Parking Contract Award - Confidential Appendix

This matter was considered in conjunction with Minute 57 (Parking Contract Award) above.

Chair: _____