

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 28th March, 2017

Place: Committee Room 1 - Civic Suite

Present: Councillor J Lamb (Chair)
Councillors A Holland (Vice-Chair), T Byford, J Courtenay, A Moring
and L Salter

In Attendance: Councillors Callaghan and Mulrone
J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton, J Ruffle,
C Gamble, I Ambrose, E Cooney, M Sargood and G Webb

Start/End Time: 2.00 - 2.20 pm

888 Apologies for Absence

Apologies for absence were received from Councillors Cox and Flewitt.

889 Declarations of Interest

There were no declarations of interest at this meeting.

890 Decant Policy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the proposal for the adoption of a borough-wide Decant Policy that would apply to any Council tenants who may have to move either on a permanent or temporary basis as a result of a regeneration project.

Resolved:-

1. That the terms of the Decant Policy be approved.
2. That there is an allowance made in the capital programme on a scheme by scheme basis for any costs that are incurred in respect of the Policy.

Reason for Decision

With the Queensway project progressing, it is important that the Council has a clear Decant Policy which will enable tenants to be compensated for the disturbance associated with the regeneration projects.

Other Options

The Council has legal responsibilities to meet to its tenants whose home is subjected to demolition, or major refurbishment.

This is an Executive function
Referred directly to Policy & Resources Scrutiny Committee
Executive Councillor:- Flewitt

891 Local Lettings Policy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the proposal for the adoption of a Local Lettings Policy for Council Tenants on the Queensway Estate which would give them additional priority to move from the Estate, in advance of redevelopment/regeneration, to alternative Council housing provision if they choose to do so.

Resolved:-

1. That the terms of the Local Lettings Policy for Queensway tenants be approved.
2. That the Deputy Chief Executive (People) and the Deputy Chief Executive (Place) each be individually authorised, in consultation with the Executive Councillor for Housing, Planning and Public Protection Services, to determine the timing of the implementation of the Policy.
3. That the proposals be publicised on the Council's On the Move website.

Reason for Decision

As the Better Queensway Scheme progresses there may be a number of tenants who wish to leave the Estate but the Council's Allocation Policy does not enable them to do so and the only option would be to introduce a Local Lettings Policy which would enable them to move.

Other Options

The other option would be to include the Local Lettings Policy alongside a wider review of the Allocation Policy but this would take some months to complete.

Note: This is an Executive function
Referred direct to Policy & Resources Scrutiny Committee
Executive Councillor:- Flewitt

892 Better Queensway

Further to the meeting of the Cabinet held on 20th September 2016, Members considered a report of the Deputy Chief Executive (Place) which sought approval to progress the Better Queensway project to procurement stage to identify a preferred partner(s) and set out a series of processes that need to be undertaken in order to meet the proposed procurement timetable.

Recommended:-

1. That the following key elements be included in the procurement documentation to set out the Council's ambitions, parameters and expectations of Better Queensway and to enable the procurement process:

Finance

(i) That the intention for the Council to act as senior lender be approved and included in the procurement documentation while clearly stating that the Council will assess the position at the time to ensure that this meets the Council's best interests.

Procurement

(i) That Competitive Dialogue be approved as the procurement approach to securing a preferred project partner(s).

(ii) That commencement of the competitive dialogue process, based on the timetable set out in paragraph 5.4 of the submitted report, be approved.

(iii) That the term "Partnership Approach" be used in defining the approach to be developed by tenderers in response to the Council's objectives and that this be used throughout the procurement documentation.

(iv) That the proposed Better Queensway objectives/requirements be approved, in principle, as an appropriate and comprehensive set of underpinning statements to be included in procurement documentation and to form the basis for evaluation questions and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to refine and confirm the final objectives and requirements.

(v) That the outline evaluation criteria and weightings be approved, in principle, and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to refine and confirm the final evaluation criteria.

Governance

(i) That a sponsoring group be established within the project structure including the Leader of the Council, Portfolio Holder for Culture, Tourism and the Economy, Chief Executive, Deputy Chief Executive (Place) and Deputy Chief Executive (People).

(ii) That the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, in the context of the sponsoring group, to take decisions during the procurement process to ensure agile and timely decision making keeping the procurement to timetable and protecting the Council's position.

(iii) That the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, and the Director of Finance and Resources to negotiate to purchase residential and commercial properties which become available within the 'Better Queensway' site if this offers value for money and proves to be advantageous to the project.

Planning

(i) That the draft site boundary, as per the plan set out in Appendix 1 to the report, be approved as the preferred regeneration area for which a partner(s) is sought but in order that adjustments, which may be required to optimise the final scheme, can be made the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to approve the final site.

(ii) That a preference for buildings of no more than 12 storeys is reflected in the procurement documentation.

(iii) That a preference for a minimum of 1:1 residential parking is reflected in the procurement documentation.

(iv) That the outline for the Design Code be approved and authority delegated to the Deputy Chief Executive (Place), in consultation with the Portfolio Holder for Housing, Planning and Public Protection Services to approve the final document.

(v) That the demolition of the towers, as per the decision taken at Cabinet in September 2016 (Minute 261, item 4 refers), be approved as a minimum criterion in the procurement documentation.

Housing

(i) That a minimum of 441 affordable homes is included in the specification and that the composition of tenancy type for the remaining housing units (private sale and private rented) is finalised through competitive dialogue.

(ii) That the overall total number of housing units to be provided on the scheme, subject to compliance with Council planning policies, will be finalised through competitive dialogue.

(iii) That a viable mix of 1, 2 and 3 bed residences will be developed as part of the overall Better Queensway scheme and finalised through competitive dialogue.

(iv) That Assured Tenancies, containing the same terms and conditions as current Secure Tenancies, must be offered to returning current Council tenants.

(v) That the option of offering a 'Right To Buy' clause for returning Council tenants should be retained.

(vi) That the partnership approach procured should entail the whole funding, development and management approach for all elements of the Better Queensway scheme (affordable, private, commercial and community).

(vii) That the Council's tender documentation encourages tenderers to consult with South Essex Homes (SEH) as the Council's existing Arm's Length

Management Organisation (ALMO) and managers of the Council's existing housing stock with regards to their approach to the scheme.

Transport

(i) That the plan, as set out in Appendix 2 to the report, be approved as the preferred road transport layout for the regeneration area but in order that adjustments can be made, which may be required to optimise the road layout, authority be delegated to the Deputy Chief Executive (Place), in consultation with the Portfolio Holder for Transport and Waste, to approve the final layout.

Land

(i) That land and premises outside the Council's ownership, but which may be of strategic significance for the project, are identified and considered on a case by case basis for acquisition.

Communication

(i) That the communication and engagement activity includes the wider resident base, business community and stakeholders.

(ii) That a general public awareness event be held prior to the submission of an outline planning application.

Quality of Place

(i) That a sustainable energy and environment approach is taken in the design and development of Queensway, to be determined by the market.

(ii) That a Smart Cities approach is taken in regards to Queensway, designing in current and future-proofed capability to ensure that the site benefits from cutting-edge technology for the benefit of residents, businesses and in its management.

(iii) That local skills and employment benefits be sought where possible from the design, development and delivery of Queensway.

(iv) That external funding be sought for as many elements of the project as possible noting that external funding often requires match funding which may be able to be found in the partnership, but which may need to come back to Cabinet for approval as part of future budget rounds.

(v) That the principle of a community fund to maximise participative community development and integration be included in the procurement documentation for development through competitive dialogue.

(vi) That roads surrounding the regeneration site (excluding primary highway roads), are considered for 'home zone' or equivalent treatment.

2. That, on the basis of the objectives, expectations and processes set out in 1 above, commencement of the procurement process in accordance with the timetable set out, be approved.

3. That a further £1.25m financial support to the project, as set out in paragraph 15.2 of the report, be approved.

4. That in agreeing the additional financing for the project there is approval for an addition to the capital programme of £1m and an adjustment to reserves of £0.25m to fund these costs.

5. That it be noted that the costs of any Sustainable Urban Drainage System (SUDS) interventions and relevant highways works beyond those directly related to the project be considered as part of the review of the Capital Programme in the 2018/19 budget setting.

6. That it be noted that there may be additional funding requests for the Capital Programme in respect of commercial and residential acquisitions during 2017/18.

7. That the status of the financial viability of the project as, set out in paragraphs 4.1 to 4.3 of the report, be noted.

Reason for Decision

It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in the report in order to shape the procurement documents and to ensure that the Council's ambitions for the Queensway site are delivered through the partnership. Not reaching agreement on any of these matters risks delaying the procurement process or leaving the Council exposed in the partnership with no defined red lines or tolerances on specific matters.

Other Options

As set out in the report.

Note: This is a Council function
Referred direct to Place Scrutiny Committee
Executive Councillor:- Holland

893 Revocation of Pier Cycling Byelaw

The Chairman agreed to accept the above matter as an urgent item of business to enable steps to be taken to revoke the byelaw as soon as possible.

The Cabinet considered a report of the Deputy Chief Executive (Place) requesting consideration to be given to the proposed revocation of byelaw 18 of the Council byelaws regulating and governing the riding or use of bicycles or other wheeled vehicles on Southend Pier.

Recommended:

That authority be given for the preparation of all necessary draft orders, undertaking of consultation and to seek confirmation of the Secretary of State for the Department of Communities and Local Government where required to enable members to determine whether or not to revoke byelaw 18.

Reason for decision

The byelaws are obsolete and unnecessary and the provisions within them can now be managed by the Pier's entry arrangements separately.

Other options

As set out in the report.

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Executive Councillor: Holland

Chairman: _____