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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Wednesday, 13th February, 2019

Place: Committee Room 4a - Civic Suite

Present: Councillor K Robinson (Chair)
Councillors M Terry (Vice-Chair), A Bright, K Buck, T Byford,
A Chalk, M Davidson, N Folkard, D Garston*, J Garston, I Gilbert*,
R Hadley*, A Jones, D McGlone, C Mulrone*, N Ward and C Willis
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Courtenay (Cabinet Member), B Ayling, M Borton,
D Garne, T Harp, C Nevin and R Woodley
A Griffin, A Lewis, S Leftley, J K Williams, J Chesterton, E Cooney,
G Halksworth, G Gilbert, T Row, A Grant, M Sargood, G Webb and
P Moyo

Start/End Time: 6.30 pm - 9.10 pm

711 Apologies for Absence

Apologies for absence were received from Councillors Burzotta (substitute: Councillor Hadley), Dent (substitute: Councillor Gilbert), Nelson (substitute: Councillor D Garston) and Wexham (substitute: Councillor Mulroney).

712 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Courtenay – Disqualifying non-pecuniary interest in Agenda Item Nos 4 and 6; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011; and

(b) Councillor Davidson – Agenda Item Nos 4 and 6 – Non-pecuniary interest: Non-executive Director of South Essex Homes Board.

713 Questions from Members of the Public

There were no questions from members of the public.

714 Better Queensway Regeneration Project

The Committee considered Minute 699 of Cabinet held on Tuesday, 12th February 2019, which had been referred direct to scrutiny by Cabinet, together with a report of the Deputy Chief Executive (Place) concerning the outcome of the procurement process and requesting agreement to the appointment of a 50/50 joint venture (JV) partner to work with the Council to deliver the Better Queensway Regeneration Project in accordance with the agreed objectives for the Project.

The Committee considered this item in conjunction with the Cabinet report including confidential Appendix 2.

In response to questions, the Cabinet Member for Growth gave his assurance that the Administration would work with councillors from all groups to ensure the final scheme meets with Council objectives and provides as much affordable housing for rent as possible within a financially viable and deliverable scheme.

Resolved:

1. That the following decisions of Cabinet be noted:

“1. That Swan Housing Association (Swan) be appointed as the preferred bidder, and subsequently the joint venture partner following the conclusion of the competitive dialogue process undertaken in compliance with the Public Contracts Regulations 2015.

2. That a limited liability partnership (LLP) be established with Swan through a Swan subsidiary company.

3. That the Chief Executive, in consultation with the Leader, be authorised 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 the submitted report and appendices.

(b) Establish and implement a process for the on-going selection and appointment of appropriate individuals to the board of the LLP.

4. That the Chief Executive and S151 Officer, in consultation with the Leader, be authorised to identify, declare surplus and dispose of assets to the LLP (subject to the Council’s obligations under S123 of the Local Government Act 1972 or any such other statute that is appropriate for any such disposal) and acquire assets within the Project boundary for the purpose of facilitating the delivery of the Project.

Recommended:

5. That an investment of £1.5M equity and £13.5M junior debt be made by the Council to match the level of investment by Swan, and that the capital investment programme for 2019/20 to 2023/24 be adjusted to reflect this.

6. That the terms of reference of the Council’s Shareholder Board be amended to include this joint venture.”

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council. ||

Note: This is an Executive Function save that Recommendations 5 and 6 above are Council Functions.

Cabinet Member: Cllr Courtenay

715 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.

716 Better Queensway Regeneration Project - Confidential Appendix 2

Resolved:

That the confidential Appendix 2 to the Better Queensway Regeneration Project report, be noted.

Note: This is an Executive Function

Cabinet Member: Cllr Courtenay

Chairman: _____

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