

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Wednesday, 24th August, 2022

Place: Council Chamber - Civic Suite

Present: Councillor S George (Chair)
Councillors C Mulroney (Vice-Chair), L Burton, P Collins, I Gilbert,
K Mitchell and S Wakefield

In Attendance: Councillor R Woodley
A Lewis and G Gilbert and R Harris

Start/End Time: 6.30 pm - 6.35 pm

225 Apologies for Absence

Apologies for absence were received from Councillor Terry.

226 Declarations of Interest

The following declaration of interest was made:

A Lewis – Minute 227 (Porters Place LLP – Change of Control – Acquisition of Swan HA by Orbit Group Limited) – Council representative on Porters Place Southend-on-Sea LLP Board.

227 Porters Place Southend-on-Sea LLP: Change of Control - Acquisition of Swan HA by Orbit Group Limited

The Cabinet considered a report of the Interim Director of Regeneration and Growth seeking formal approval to give Southend-on-Sea City Council's consent under the Porters Place Southend-on-Sea LLP Partnership Agreement for a change of control of Swan Housing Association in favour of Orbit Group Limited.

The matter had been considered by the Shareholder Board at its meeting held on 23rd August 2022 and the recommendations from the Board were before the Cabinet for consideration (Minute 228 below refers).

The Cabinet noted that the Shareholder Board had made an amendment to resolution 3 in respect of the extension to the time periods concerning the revised Business Plan, budget and viability assessment (as set out in the tabled Minutes).

Resolved:

1. That approval is given for consent, under the Porters Place Southend-on-Sea LLP Agreement, to a change of control of Swan BQ Limited to reflect the proposed acquisition of Swan Housing Association (together with its subsidiaries) by Orbit Group Limited.

2. That the Executive Director (Finance and Resources) be authorised to finalise and authorise the execution of any legal documentation (if required) with Orbit Group Limited, and any relevant other party, to comply with the terms of the legal suite and to effect the approval of the change of control.

3. That the time periods referred to in resolutions 1 and 2 of Cabinet of 22nd March 2022 (Minute 836 refers) be extended beyond the 31st December 2022 until such time as the revised Business Plan, budget and viability assessment is approved or the 31st December 2023, whichever is the earlier.

Note: This is an Executive Function

Cabinet Members: Cllr George and Cllr Gilbert

Referred direct to: Place Scrutiny Committee

228 Minutes of the meeting of the Shareholder Board held on Tuesday, 23 August 2022

The Cabinet received the Minutes of the meeting of the Shareholder Board that had taken place on 23rd August 2022, in respect of the report referred to in Minute 227 above.

Resolved:

That the Minutes of the meeting of the Shareholder Board held on 23rd August 2022, be noted.

Note: This is an Executive Function

Cabinet Member: Cllr George and Cllr Gilbert

Referred direct to: Place Scrutiny Committee

Chair: _____