

SUFC/Council Frequently Asked Questions

The Shrimpers Trust has received a number of questions concerning the current situation regarding the takeover of Southend United Football Club, and would like to provide the following update.

We have remained in constant dialogue with the key stakeholders over the past couple of months, including the leader of Southend-on-Sea City Council, Tony Cox, members of the consortium led by Justin Rees and the member of parliament for Southend West, Anna Firth.

The following Frequently Asked Questions do not seek to represent those parties, but to improve knowledge of the ongoing process at the current period of time. We intend to update our website with additional questions at the appropriate junctures.

What is the current situation?

Contracts were exchanged for Justin Rees' consortium to take control of the football club, the ground at Roots Hall and the new training ground close to Smithers Farm in late December. However, this framework agreement includes provision for the homes that had been set to be built on the site at Roots Hall to be moved to the Fossetts Farm site, now that the football club is not leaving its current location, and that transition needs to be approved by the Council. A period of due diligence has now been initiated.

Did the due diligence not begin when the framework agreement was signed?

Although a Southend-on-Sea City Cabinet meeting on 9th November 2023 set out the process to be followed regarding the land transaction, this was signed off on 13th February 2024 once the scope of the due diligence to be undertaken had been decided and costing had been determined for an external organisation to conduct this. Due diligence is now expected to conclude in the next six to eight weeks.

Six to eight weeks seems like a long time. Can't this be expedited?

The due diligence needs to be thorough and to stand up to scrutiny, and too quick a decision would be likely to mean the proposals being rejected. The deal that has been agreed appears to be beneficial to the Council, as it delivers much-needed housing, to the developers, Thames Plaza and Citizen Housing, and to the football club, who can remain at Roots Hall under new ownership, but the Council's due diligence is required to confirm that nothing has been missed.

Should we be concerned if the timeframe slides, especially with local elections this year?

Cross-party support is there in principle, but this may become more fragile the closer we get to election time. It is to be hoped that due diligence is completed by then, and that the commitment to not politicising this matter holds throughout this period. There is a possibility that there could be a change in administration towards the end of the process, and the current cross-party support will increase in significance if that is the case. We will continue to monitor this situation closely.

Does Ron Martin need to be certain of planning permission before the takeover can be completed?

Should the due diligence complete satisfactorily, an Agreement for Lease should be signed between the parties shortly afterwards, and it is this that will allow the sale of Southend United Football Club to COSU to complete. It will not have to wait for full planning permission.

The removal of the stadium and its replacement with housing from the previous approved application will be regarded as a material change to the existing planning permission, and so absolutely cannot be enabled by a simple amendment. The application will have to follow the full planning procedures. If the Council, Cabinet or any officers are seen to be stating confidence in a particular planning decision, it gets legally tricky. At worst, it would leave any decision open to appeal and possible judicial review. That could incur huge financial costs and intellectual reputational damage for Southend-on-Sea City Council, and could leave individuals at the Council open to criminal charges for gross misconduct in public office.

Southend-on-Sea City Council will be able to see they're getting a good deal out of the agreement, but the climate and landscape have changed since planning permission was given for the last set of Fossetts Farm plans. The Council has a budget deficit to manage and is trying to balance the books and, with local councils all over the country getting into financial difficulties, they'll need to be all the more certain that the deal is good for them

Is there a danger the consortium will walk away from Southend United FC if this drags on?

Whilst the consortium is likely to share the frustration amongst the fanbase that the takeover isn't complete and they can't fully implement their new proposals, all parties appear to be committed to getting this done. We are not aware of any plans to stop funding the football club as the expectation remains that the deal will go through, and the consortium have already contributed over £1.5 million, as disclosed at the recent Evening with the Consortium event.

Can any pressure be exerted?

Whilst it is hugely frustrating that the football club remains compromised by uncertainty, putting any pressure on the due diligence process is unlikely to be successful for the reasons set out above.