



Council 30 September 2013

Bury St Edmunds Seasonal Park and Ride: Use of Chief Executive's Urgency Powers

At the request of the Overview and Scrutiny Committee (17 July 2013: Minute 16 refers), a more detailed report on this urgent decision is being provided.

1. Background

- 1.1 The annual Bury St Edmunds Christmas Fayre, now in its tenth year, attracts in excess of 100,000 visitors with more than 300 traders taking part. This has increased the demand for parking which, for short periods, exceeds supply. Seasonal park and ride was introduced to help ease traffic congestion in the town over the Christmas Fayre weekend five years ago.
- 1.2 As identified in the 2012 Overview and Scrutiny Review of the Bury St Edmunds Christmas Fayre, the Council has struggled to find a permanent place for the Fayre's park and ride which offers capacity during the working week when staff need to use these car parking facilities, as well as being able to cope with the peak demand on Saturday. A number of alternative options have been examined for a permanent site over the years with no success.
- 1.3 The first recommendation of the Scrutiny Review (Paper C439, 18 April 2012 refers) was therefore:

'That the provision of additional and/or alternative sites for Park and Ride for use over the period of the Bury St Edmunds Christmas Fayre be investigated as a matter of urgency.'
- 1.4 In response to this recommendation, at last year's Christmas Fayre, a farmer's field near Rougham Hill adjacent to the Police detention centre was trialled, alongside the Council's car park and Haldo depot at Olding Road. This new option at Rougham Hill was not without a degree of risk. It is also not guaranteed to be available in the long-term. Money was spent preparing the site to mitigate the field becoming a bog and cars getting stuck in the wintery conditions. The facility remained open until Sunday morning when the decision was taken to close it due to ground conditions. Whilst this trial largely achieved its objectives, it was expensive and did not create an ideal first impression for new visitors to the town. However, the fact that the site became unusable by the Sunday morning highlighted that this approach was not a prudent long-term strategy.
- 1.5 Excluding officer time, the total cost to establish the temporary park and ride facilities in 2012 was £34,000 (before taking into account income). Most of

these costs would be required wherever the park and ride is located (buses, welfare facilities, signs, etc), but over £15,000 was spent making the field near Rougham Hill suitable for parking. Even allowing for the initial outlay, it is reasonable to expect that future provision of this type would cost a premium upwards of £12,000 subsidy per year over other sites.

2. Claas Saxham as a potential park and ride option

- 2.1 As a consequence of the issues outlined above, an informal approach was made in 2013 to Claas at Saxham Business Park to explore the possibility of utilising their extensive farm machinery parking area (approx 4.5 acres). Given its ready access to the A14, with suitable improvements it was felt that this site could be used for a seasonal park and ride. A positive response was received; the company has strong local connections with the area dating back to the late 1940s, and was keen to work with the town.
- 2.2 The company was also planning to modernise its facilities within the next three years, including the existing rough parking area. In discussion, it became clear that, if this element of investment was brought forward in the form of a possible joint capital venture with the Borough, both parties could benefit. For the taxpayer, this benefit would come in the form of ongoing revenue savings, since no rent or licence fee would be payable for the use of the parking area.
- 2.3 Following an initial engineering assessment, it was apparent that in order to be suitable for use by cars during the winter months, the Claas site would need a suitable surface with associated drainage. Work would need to commence by July if the site were to be ready for use in November. Indicative costs for these works have been estimated to be in the order of £200,000 which would give the ability to park between 750 and 1,000 cars at the site. In addition, Claas has offered its staff parking area for parking during the weekend of the Christmas Fayre to provide for an additional 150 -200 spaces. A plan of the site is attached as Appendix 1.

3. Terms of the agreement and funding

- 3.1 A long term 'in principle' commitment has been obtained from Claas for a 10 year use agreement, in return for the Council making a 50% investment of £100,000. Should Claas require the land back, then they can give 12 months' notice after year 3 of the agreement but must reimburse a pro-rata proportion of the capital investment.
- 3.2 Over three years ago, Suffolk County Council (SCC) made funds of £50,000 available to the Borough Council to assist with the potential provision of seasonal park and ride facilities in Bury St Edmunds. This commitment has remained in place but could be at risk of being withdrawn if it remains unused for much longer, and other calls are made on the funding. SCC has confirmed that it believes that the proposal for the Claas site would be an appropriate use of these funds. The capital cost to the Borough Council taxpayer would therefore be £50,000, in exchange for a 10 year use agreement.

- 3.3 If a field such as Rougham Hill site were to be used over the same 10 year period, the additional costs (excluding inflation) could be over twice as much. In view of these savings, the annual return on the Borough's additional capital investment (in the form of revenue savings) would also be over 20%, with a pay-back within 5 years. Furthermore, the Claas site offers up to 500 more spaces than were available in 2012.

4. Traffic Management

- 4.1 The provisional route that buses will be travelling along for the Christmas Fayre is set out in Appendix 2. The possibility of the buses stopping at the bus station was examined carefully, but it was determined that this would add 10 minutes journey time to the round trip, as well as requiring additional buses, stewards and toilets. Therefore, for the first year at least, the tried and tested drop-off at St Mary's Church in Crown Street will be retained for the Christmas Fayre.
- 4.2 In terms of access to the Claas site by car from the A14, routes from the east and west have been tested and found to be acceptable subject to a formal traffic management plan that will be presented to Suffolk's Safety Advisory Group for approval. Clear signage will obviously be a key factor. Mulleys Bus Company (who have previously provided services at the Christmas Fayre events) are also positive about running buses on the A14 and the improved access the Claas site affords.
- 4.3 As Members will be aware, the Council has also experimented with a weekend park and ride scheme during December, in the weeks following the Christmas Fayre. This service has not been well used enough to justify its continuation in 2013. However, 'park and walk' schemes will continue to be provided during December 2013 at sites closer to the town centre, for example, from the Council's Olding Road staff car park. This should provide enough additional capacity to cope with previous demand in the run up to Christmas. The Claas scheme also allows this situation to be kept under review.

5. Joint Chief Executive's Urgency Powers

- 5.1 In order to guarantee delivery of the scheme for the next Christmas Fayre, works on site had to start by July 2013. Therefore, the Council needed to act swiftly to react to this opportunity. As reported to the Overview and Scrutiny Committee, it had originally been hoped to report this matter to Cabinet for formal approval in early July. However, investigations and negotiations were not fully completed until mid-June, and it had become evident by that time that full Council approval would also be subsequently required given the additional capital investment. The June meeting of Council had then passed and the next scheduled meeting of full Council was not until September 2013.
- 5.2 In view of these circumstances, having consulted the Cabinet and Chairman of the Overview and Scrutiny Committee, it was felt important not to risk the project being completed by November 2013 by delaying the decision. Without this scheme, it was unlikely that officers would be able to find a suitable alternative location in the time remaining before the Fayre, which may have had a consequential impact on the on-going success and reputation of the event and town.

- 5.3 It was also felt impractical to convene a special and unscheduled meeting of full Council in the time available; the statutory notice period for calling the meeting would have caused a further delay and there was the risk that, at very short notice, insufficient Members would have been able to attend. In these circumstances, the use of the Chief Executive's urgency powers was felt to be proportionate and justified.
- 5.4 Given that the CEO's urgency powers were to be used (and Cabinet could not make the decision itself), it was also decided to gain an additional 3-4 weeks of construction time by not reporting the matter, as originally planned, to Cabinet on 9 July 2013.
- 5.5 Accordingly, on 20 June 2013, the Joint Chief Executive exercised his urgency powers in accordance with paragraph C(a) of the Scheme of Delegation and Rule 4 of the Budget and Policy Framework Procedure Rules to authorise the allocation of £50,000 from the Council's currently unallocated capital funds to part-fund works at the Claas site, Saxham Business Park, for the creation of a seasonal park and ride facility. The release of the Council's funds would be dependent on a binding legal agreement being put in place to secure the use of the site for 10 years.
- 5.6 The local Ward Members have been fully briefed on the proposal and the implementation plan will involve communication with local residents, businesses and parish councils.

6. Comments of the Overview and Scrutiny Committee

- 6.1 On 17 July 2013, the Overview and Scrutiny Committee, noting this decision, discussed the use of the urgency powers, specifically the safeguards in place to prevent the powers from being over used for expediency reasons. While accepting they were currently used only sparingly, the Committee suggested that when the urgency powers had to be used, more detail should be provided to Councillors at the time of the decision and in the report later presented to Cabinet or full Council.
- 6.2 It was therefore agreed with officers that more detail would be provided in relation to this particular decision when it was reported to full Council (hence this report). The officers also advised Members that the Committee's general suggestions around the urgency powers would be looked at as part of the next review of the Constitution by the Democratic Renewal Working Party.

7. Recommendation

- 7.1 Council is recommended to **NOTE** the content of this report.

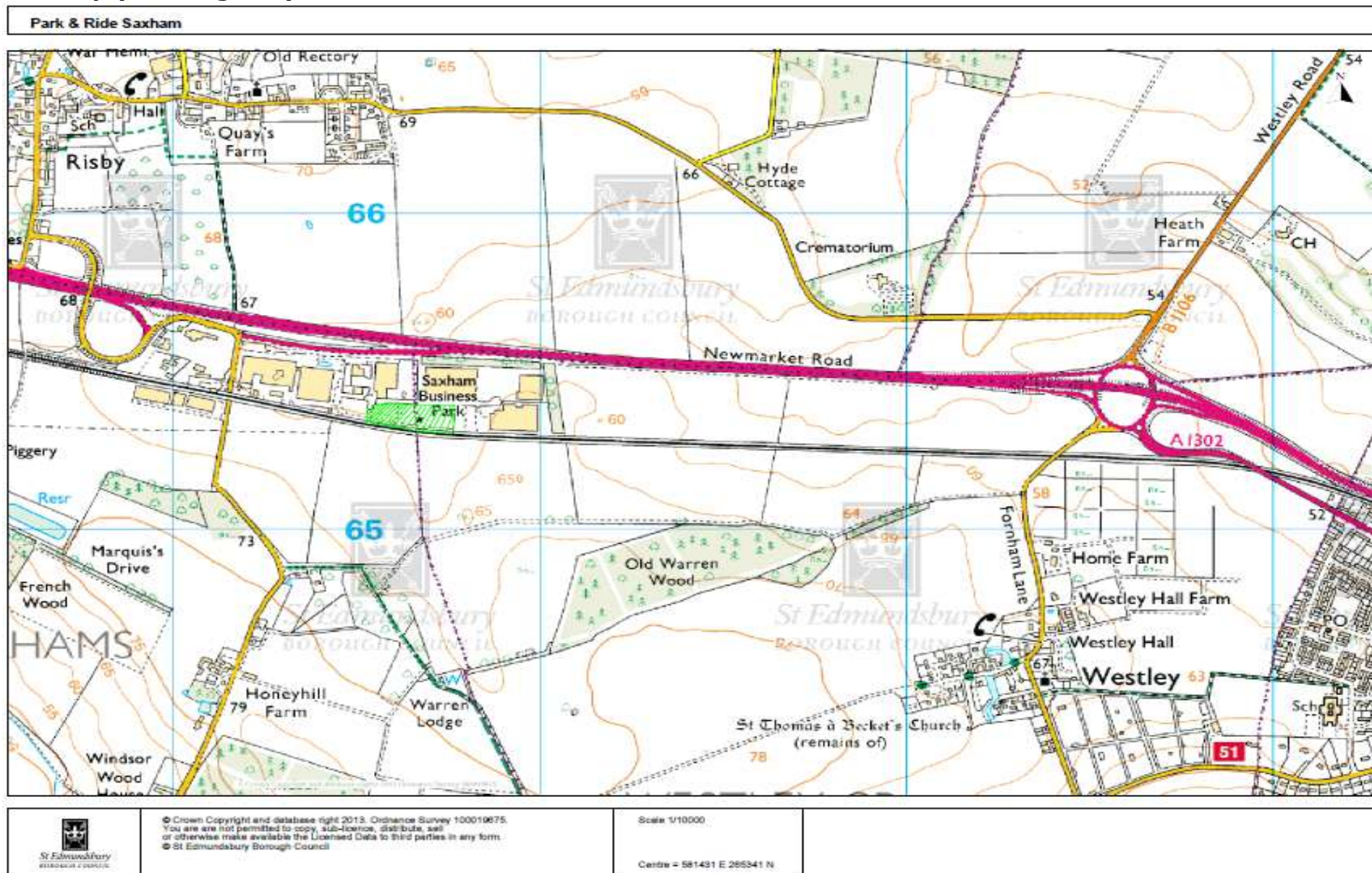
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Site map (area in green)



Indicative route for Christmas Fayre Park and Ride (subject to change)

