

Council



Title	Agenda
Date	Tuesday 13 December 2022
Time	7.00 pm
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds
Membership	All Councillors You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.  Ian Gallin Chief Executive 5 December 2022
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Quorum	One third of the Council (22 members)
Committee administrator	Claire Skoyles Democratic Services Officer Telephone 01284 757176 Email claire.skoyles@westsuffolk.gov.uk

Public information

Venue	Conference Chamber, West Suffolk House, Bury St Edmunds IP33 3YU
Contact information	Telephone: 01284 757176 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting	The agenda and reports will be available to view at least five clear days before the meeting on our website.
Attendance at meetings	<p>This meeting is being held in person in order to comply with the Local Government Act 1972. We may be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please inform Democratic Services in advance of the meeting.</p> <p>As a local authority, we have a corporate and social responsibility for the safety of our staff, our councillors and visiting members of the public. We therefore request that you exercise personal responsibility and do not attend the meeting if you feel at all unwell.</p> <p>West Suffolk Council continues to promote good hygiene practices with hand sanitiser and wipes being available in the meeting room. Attendees are also able to wear face coverings, should they wish to.</p>
Public participation	<p>Members of the public who live or work in the district may put questions about the work of the Council or make statements on items on the agenda to members of the Cabinet or any committee. A total of 30 minutes will be set aside for this with each person limited to asking one question or making one statement within a maximum time allocation of five minutes. 30 minutes will also be set aside for questions at extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.</p> <p>The Constitution allows that a person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. We urge anyone who wishes to register to speak to notify Democratic Services by 9am on the day of the meeting so that advice can be given on the arrangements in place.</p>

Accessibility	If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.
Recording of meetings	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>
Personal information	<p>Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website:</p> <p>https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</p>

Agenda

Procedural matters

	Pages
1. Minutes	1 - 10
To confirm the minutes of the meeting held on 27 September 2022 (copy attached).	
2. Chair's announcements	11 - 14
To receive announcements (if any) from the Chair.	
A list of civic events/engagements attended by the Chair and Vice-Chair since the last ordinary meeting of Council held on 27 September 2022 are attached .	
3. Apologies for absence	
To receive announcements (if any) from the officer advising the Chair (including apologies for absence).	
4. Declarations of interests	
Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda no later than when that item is reached and, when appropriate, to leave the meeting prior to discussion and voting on the item.	

Part 1 – public

5. Leader's statement	15 - 24
Paper number: COU/WS/22/020	
Council Procedure Rules 8.1 to 8.3. The Leader will submit a report (the Leader's Statement) summarising important developments and activities since the preceding meeting of the council.	
Members may ask the Leader questions on the content of both his introductory remarks and the written statement itself.	
A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. A supplementary question arising from the reply may be asked so long as the five minute limit is not exceeded.	

6. Public participation

Council Procedure Rules Section 6. Members of the public who live or work in the district may put questions about the work of the council or make statements on items on the agenda to members of the Cabinet or any committee.

(Note: The maximum time to be set aside for this item is 30 minutes, but if all questions/statements are dealt with sooner, or if there are no questions/statements, the Council will proceed to the next business.)

Each person may ask **one** question or make **one** statement only. A total of **five minutes will be allowed for the question to be put and answered or the statement made.** If a question is raised, one supplementary question will be allowed provided that it **arises directly from the reply and the overall time limit of five minutes is not exceeded.**

If a statement is made, then the Chair may allow the Leader of the Council, or other member to whom they refer the matter, a right of reply.

The Constitution allows that a person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. **We urge anyone who wishes to register to speak to notify Democratic Services by 9am on the day of the meeting so that advice can be given on the arrangements in place.**

As an alternative to addressing the meeting in person, **written questions** may be submitted by members of the public to the Monitoring Officer **no later than 10am on Monday 12 December 2022.** The written notification should **detail the full question** to be asked at the meeting of the Council.

7. Referrals report of recommendations from Cabinet

25 - 98

Report number: **COU/WS/22/021**

A. Referrals from Cabinet: 18 October 2022

There are no referrals emanating from the Cabinet meeting held on 18 October 2022.

B. Referrals from Cabinet: 8 November 2022

1. West Suffolk Statement of Licensing Policy

Portfolio holder: Councillor Andy Drummond

C. Referrals from Cabinet: 6 December 2022

These referrals have been compiled before the decisions have been taken by the Cabinet and are based on the recommendations contained within each of the reports listed below. Any amendments made by the Cabinet to the recommendations within these reports will be notified to members in advance of the meeting accordingly.

1. Delivering a Sustainable Medium Term Budget

Portfolio holder: Councillor Sarah Broughton

2. Treasury Management Report (September 2022)

Portfolio holder: Councillor Sarah Broughton

3. Western Way Project Review – December 2022

Portfolio holder: Councillor Joanna Rayner

4. West Suffolk Local Council Tax Reduction Scheme (LCTRS) 2023 to 2024

Portfolio holder: Councillor Sarah Broughton

5. Council Tax Base for Tax Setting Purposes 2023 to 2024

Portfolio holder: Councillor Sarah Broughton

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| 8. | Report of the Independent Remuneration Panel: Members' Allowances Scheme | 99 - 114 |
| | Report number: COU/WS/22/022 | |
| 9. | West Suffolk Council Constitution: non-executive licensing functions | 115 - 120 |
| | Report number: COU/WS/22/023 | |
| 10. | Interim polling places review 2022 | 121 - 126 |
| | Report number: COU/WS/22/024 | |
| 11. | Motion on notice | |
| | Under section nine of the Council Procedure Rules, Councillor Julia Wakelam has given notice of a motion, as set out overleaf: | |

"Council is asked to note:

- 1. That there is growing evidence that glyphosate is a higher health risk than previously assumed. In 2015 the World Health Organisation identified it as 'probably carcinogenic to humans'. A 2019 study found the use of Roundup increased the risk of Non-Hodgkin's Lymphoma by 41 percent.*
- 2. A 2018 study found that glyphosate, the most used agricultural chemical ever, may be contributing to the global decline in bees and other pollinators, both by poisoning them and through loss of habitat.*
- 3. Glyphosate, and other pesticides, impact on the environment more generally by decreasing biodiversity*
- 4. Council should also acknowledge the work of the Environment and Climate Change Task Force in this connection. However, over 30 local authorities in Britain have already decided to ban the use of glyphosate from all their own operations and this Council should take immediate steps to do likewise.*

In light of this, Council resolves to ask the officers to follow the precautionary principle and:

- 1. Pledge to stop the use of glyphosate completely from all its in-house operations (including in Parks and the streetscene) by April 2023 without increasing the use of other chemical weedkillers. If thought absolutely necessary, an exception could be granted regarding the control of Japanese knotweed, or other specified invasive species, where there are currently no effective mechanical techniques available. However, in this case glyphosate will be sparingly sprayed in the case of young soft growth and otherwise it will be stem-injected, rather than sprayed, to reduce its spread in the environment. A Register, open to Members, shall be kept of all areas where glyphosate is used and this will be reported on in the annual Environmental Statement*
- 2. Officers are instructed not to spray round trees and in other public areas in spring and autumn 2023. If thought absolutely necessary, then weeds round trees could be removed by other, non chemical, means but ideally they should be left to promote biodiversity.*
- 3. Early in 2023, officers will embark upon a publicity and awareness campaign explaining why the spring and autumn sprays will not take place and highlighting the benefits to human health and biodiversity of not spraying. Officers will provide template responses for councillors to respond to residents to assist this campaign."*

It has been previously indicated that the motion will be seconded by Councillor Joe Mason.

Paragraphs 9.6 to 9.11 of the Council Procedure Rules states:

'Each member may put one motion on notice at each Council meeting. A maximum of three motions may be considered at each Council meeting unless the Chair agrees, by virtue of special urgency, that additional motions may be considered. Any motions that cannot be considered at the meeting will be deferred for consideration at a future meeting of Council.

The motion on notice can be moved and seconded at the meeting by any member. If the motion on notice is not moved, it will be treated as withdrawn and may not be moved without another notice in accordance with these rules. A motion may be withdrawn at any time by the proposer of the motion.

Once the motion has been moved and seconded, the Chair will invite members to debate the motion. **Only five members**, in addition to the proposer and seconder, may speak to the motion. Each member may speak only once, for a maximum of **three minutes** on the motion. The proposer has the right of reply at the conclusion of the debate for three minutes.

The Chair has the discretion to extend the time allowed and/or the number of speakers to discuss the motion, to allow for the proposer (with the agreement of the seconder) to amend the motion, or to allow for the proposer to respond to questions or points of clarification on the motion.

At the conclusion of the debate, the motion shall be put to a vote and determined by a simple majority of those present and voting.

Where an agreed motion on notice refers a matter to a committee for consideration, then a report shall be presented in due course to the Council on how the motion on notice was considered by that committee and any consequential outcomes as a result.'

12. Any other urgent business

To consider any business, which by reason of special circumstances, should in the opinion of the Chair be considered at the meeting as a matter of urgency.

Part 2 – exempt

None

Council



Minutes of a meeting of the **Council** held on **Tuesday 27 September 2022** at **7.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Chair Mike Chester

Vice Chair John Augustine

Richard Alecock	Pat Hanlon	Joanna Rayner
Michael Anderson	Diane Hind	Karen Richardson
Sarah Broughton	Rachel Hood	David Roach
Simon Brown	Ian Houlder	Marion Rushbrook
Tony Brown	Paul Hopfensperger	Ian Shipp
Carol Bull	Beccy Hopfensperger	Andrew Smith
John Burns	James Lay	David Smith
Patrick Chung	Victor Lukaniuk	Karen Soons
Simon Cole	Birgitte Mager	Clive Springett
Dawn Dicker	Margaret Marks	Sarah Stamp
Roger Dicker	Joe Mason	Lance Stanbury
Andy Drummond	Sara Mildmay-White	Peter Stevens
Robert Everitt	Andy Neal	Peter Thompson
Stephen Frost	Robert Nobbs	Julia Wakelam
Susan Glossop	Colin Noble	Don Waldron
John Griffiths	David Palmer	Cliff Waterman
	Sarah Pugh	Phil Wittam

238. **Minutes**

The minutes of the meetings held on 14 June 2022 and 26 July 2022 (extraordinary meeting) were confirmed as correct records and signed by the Chair.

239. **Chair's announcements**

As this was the first meeting of Council since the sad death of Her Majesty Queen Elizabeth II on 8 September 2022, the Chair, followed by Group Leaders, took the opportunity to pay their respects to Her late Majesty. A minute's silence in remembrance was also observed by all persons present.

The Chair then reported on the civic engagements and charity activities which he and the Vice-Chair had attended since the last meeting of Council on 26 July 2022.

Attention was particularly drawn to the 'National Young Traders Competition' and the 'British Ugandan Asians at 50' exhibition.

240. **Apologies for absence**

Apologies for absence were received from Councillors Trevor Beckwith, Mick Bradshaw, Nick Clarke, Jason Crooks, Brian Harvey, David Nettleton, Richard Rout, Jim Thorndyke and Nick Wiseman.

Councillors Max Clarke and Aaron Luccarini were also unable to attend the meeting.

241. **Declarations of interests**

Members' declarations of interest are recorded under the item to which the declaration relates.

242. **Leader's statement (Report number: COU/WS/22/016)**

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in paper number: COU/WS/22/016.

In his introductory remarks, Councillor Griffiths:

- a. **Investment zone:** drew members' attention to the recent Government announcement that Suffolk had been named as one of the UK's special investment zones. This recognised the opportunities contained in Suffolk for business and economic growth.
- b. **Mildenhall Hub:** reminded Council that this month marked the first anniversary of the opening of the Mildenhall Hub. He highlighted its successes including the benefits of public services working together under one roof.
- c. **Mildenhall skate park:** that work on the £100,000 skate park in Mildenhall was nearing completion. Funded by the Council's Community Asset Renewal Fund, local young people had collaborated in the design process which helped enable this fit-for-purpose facility to come to fruition.
- d. **'In Bloom' initiative:** whilst special mention had been given in his written statement to 'in Bloom' groups in Brandon and Bury St Edmunds, Councillor Griffiths thanked all the volunteers involved across West Suffolk who took part in this initiative and other projects that encouraged a sense of pride in towns and villages across the district.
- e. **Cost of living:** working with partners across Suffolk, Councillor Griffiths summarised the support available to those in need during the current cost of living crisis. A more detailed update would be provided to members in due course.
- f. **Bus routes:** that West Suffolk Council was seeking reassurances that action was being undertaken by the relevant transport authorities to

actively pursue, and where possible, secure replacement operators for the bus routes recently ceased by other operators. This situation had largely arisen as a result of viability challenges faced by the previous providers.

The Leader responded to a range of questions relating to:

- a. **Investment zones:** that although much of the detail was yet to be received, the Council was working collaboratively with partners to ensure any investment zone initiatives would be for the benefit of businesses and residents, with potential environmental impacts assessed and mitigated, as appropriate. Representations relating to the potential effect of relaxing planning considerations in certain circumstances had been made with relevant civil servants and the local MPs.
- b. **Rural England Prosperity Fund ('Rural Fund'):** Councillor Victor Lukaniuk wished to place his thanks on record to the Operations team, and in particular the work of those in the Parks and Landscapes for their efforts in Brandon. In response to Councillor Lukaniuk's question, Councillor Griffiths informed Council that once further detail had been received, the methods by which to allocate monies from the Rural Fund would be agreed, following which a range of initiatives would be assessed across the whole of West Suffolk, where eligible and appropriate.
- c. **Mildenhall Hub:** Councillor Griffiths wholeheartedly agreed that by working with partners, the Mildenhall Hub had been a tremendous success in providing vital services from a single location. The benefits for the community were evident and the Hub was an excellent example for modelling future developments of this kind.
- d. **Mildenhall skate park:** Councillor Griffiths fully supported comments that the new skate park in Mildenhall was an extremely valuable addition for the young people in Mildenhall and across the district. The involvement of the designated group of young people in the design was commendable.
- e. **Taxi buses:** In response to a question from Councillor Don Waldron in respect of whether West Suffolk Council issued licences which enabled Hackney Carriage and Private Hire Vehicle companies to operate taxi buses of up to 15 seats. A written response would be provided following the meeting by Councillor Griffiths and Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment. This response would be circulated to Councillor Waldron and all members.

243. **Public participation**

No members of the public in attendance had registered to speak.

244. **Referrals report of recommendations from Cabinet and the Portfolio Holder for Resources and Property (Report number: COU/WS/22/017)**

Council considered the referrals report of recommendations from Cabinet and the Portfolio Holder for Resources and Property, as contained within Report number: COU/WS/22/017.

A. Referrals from Cabinet: 21 June 2022

1. Procurement Policy and Contract Procedure Rules

It was noted that the new West Suffolk Council Procurement Policy (Appendix A to Report number CAB/WS/22/028) was approved by Cabinet on 21 June 2022. The approval of the West Suffolk Council Contract Procedure Rules had been recommended to Council, as it required changes to be made to the Council's Constitution.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property drew relevant issues to the attention of Council.

Discussion was held on the percentage of the total number of business contracts made with the Council that were local to the district. This data was not held; however, local businesses did partake in the Council's procurement processes.

Together with welcoming the key aims of the revised documents, as summarised in paragraph 1.3 of the referrals report, recognition was particularly given to promoting environmental sustainability to support the Council's commitment to achieving carbon net zero by 2030; and to adhering to the Council's Modern Slavery Statement.

On the motion of Councillor Broughton, seconded by Councillor Joanna Rayner, it was put to the vote and with the vote being 50 for the motion, none against and two abstentions, it was

Resolved:

That the constitutional changes, as set out in the revised West Suffolk Council Contract Procedure Rules at Appendix B to Report number CAB/WS/22/028, be approved.

B. Referrals from Cabinet: 19 July 2022

An extraordinary meeting of Council was held on 26 July 2022 which considered a referral from Cabinet on 19 July 2022. There were no other referrals emanating from that meeting.

C. Referrals from Portfolio Holder for Resources and Property: 23 September 2022

Following the sad death of Her Majesty Queen Elizabeth II and observing the period of national mourning, the Cabinet meeting arranged for 20 September 2022, was cancelled as a mark of respect.

As three of the items were due to be referred by Cabinet to Council for a final decision, the Portfolio Holder for Resources and Property was asked to make these decisions on behalf of Cabinet. These were to recommend to Council, approval of the recommendations set out in the relevant reports.

Following the publication of the agenda and papers for this meeting, which took place before the portfolio holder decisions were taken on 23 September 2022, the Chair confirmed that no changes had been made to the recommendations contained in the referral report.

1. Annual Treasury Management and Financial Resilience Report (2021 to 2022)

Approval was sought for the Annual Treasury Management and Financial Resilience Report (2021 to 2022).

Councillor Sarah Broughton, Portfolio Holder for Resources and Property drew relevant issues to the attention of Council.

Reference was made to paragraph 1.6 of the referral report where it was questioned whether the external borrowing of £10 million created additional risk to the Council's financial position rather than '....reduce the level of interest rate risk...' as quoted. In response, members were informed that as it was an aspirational Council with several projects underway and in the pipeline which would benefit residents, businesses and visitors of West Suffolk, Council had previously approved a significant Capital Programme within its overall budget. External borrowing at a fixed rate of 1.84 percent was considered to be a very prudent decision to take at that time, which in turn reduced the level of interest rate risk the Council was currently exposed to.

On the motion of Councillor Broughton, seconded by Councillor Ian Houlder, it was put to the vote and with the vote being 51 for the motion, none against and one abstention, it was

Resolved:

That the Annual Treasury Management and Financial Resilience Report (2021 to 2022), as contained in Report number: FRS/WS/22/003, be approved.

2. Treasury Management Report (June 2022)

Approval was sought for the Treasury Management Report (June 2022).

Councillor Sarah Broughton, Portfolio Holder for Resources and Property drew relevant issues to the attention of Council, including that £66.5 million worth

of investments had been made by the Council, of which £5 million had been invested in Thurrock Council. Members may have already been aware of recent press coverage relating to the financial position of Thurrock Council. West Suffolk Council had loaned £5 million to Thurrock and the term of this loan was due to mature by 5 December 2022. The situation was being closely monitored and the Council's Treasury Management Advisors, Arlingclose had indicated that existing investments with Thurrock Council were subject to financial protections in place for local authorities.

On the motion of Councillor Broughton, seconded by Councillor Carol Bull, it was put to the vote and with the vote being 51 for the motion, none against and one abstention, it was

Resolved:

That the Treasury Management Report (June 2022), as contained in Report number: FRS/WS/22/004, be approved.

3. Exempt item: Investing in our commercial portfolio

This item was exempt and would therefore be considered in private session under agenda item 13 (see minute 250. below).

245. Community Governance Review (Report number: COU/WS/22/018)

(Councillor Peter Thompson declared that he was Mayor of Bury St Edmunds Town Council. He remained in the meeting for the consideration of this item and voted.)

Council considered this report, which sought approval for the final recommendations emanating from the interim Community Governance Review (CGR).

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Council. She thanked the Community Governance Review Task and Finish Group and the Business Partner (Governance) for their work on the review, and extended her thanks to members, town and parish councils and other groups that had engaged with the process.

On 22 March 2022, Council considered and approved the draft recommendations for consultation and at that meeting it was recognised by members that a general consensus on those recommendations was not always going to be achievable. The consultation on the draft recommendations was held between April and end of June 2022, following which the Task and Finish Group considered each of the 10 issues (summarised in section 2.6 of the report) in detail and the evidence within the consultation responses before making the final recommendations. This included exercising their delegated authority to amend and re-consult on revised recommendations for 'Issue 1: Bury St Edmunds (Out Westgate) Town Ward and Bury St Edmunds (Westgate) Town Ward' and 'Issue 7: Properties on Wickham Street between Wickhambrook and Denston' to ensure it made its final recommendations based on sufficient evidence provided.

It had also been recommended that delegated authority be given to officers to take the necessary steps to implement the changes so that they took effect from 1 April 2023. This included enabling engagement to take place with the Local Government Boundary Commission for England (LGBCE) to request any necessary changes to district wards and county divisions so that they remained aligned with parish boundaries.

A discussion was held on Issue 4, which sought to extend the boundary of Bury St Edmunds parish to include the Lark Grange housing development, which was currently located within Rushbrooke with Rougham parish, as detailed in Appendix A. Lark Grange was located in the district ward of Moreton Hall.

Recognising that a general consensus was not achievable in this case and that opportunities for enabling electoral boundaries to be looked at again as part of future CGRs, Councillor Peter Thompson, one of the ward members for Moreton Hall, spoke moderately in support of the final recommendation for Issue 4 and was relatively satisfied with the proposal.

In response, Councillor Bull informed Council that the feedback from the consultation had been carefully considered and with the evidence presented to the Task and Finish Group, the final recommendation had been made on that basis.

On the motion of Councillor Bull, seconded by Councillor Robert Nobbs, it was put to the vote and with the vote being 51 for the motion, none against and one abstention, it was

Resolved: That

1. the recommendations, as set out in Appendices A to J to Report number: COU/WS/22/018, be adopted by the Council as the Final Recommendations for the purposes of the interim Community Governance Review.
2. The Director for HR, Governance and Regulatory be authorised to write to the Local Government Boundary Commission for England (LGBCE) to request approval to make changes to the protected arrangements for Bury St Edmunds Town Council and Haverhill Town Council.
3. Subject to approval from the LGBCE where appropriate, the Director for HR, Governance and Regulatory be authorised to prepare the Reorganisation Order to take effect on 1 April 2023.
4. The Director for HR, Governance and Regulatory be authorised to write to the LGBCE to request necessary consequential changes to the district ward boundaries for Moreton Hall ward, Rougham ward, Red Lodge ward and Manor ward and the County Council division boundaries for Newmarket and Red Lodge division and Mildenhall division.

246. **Appointment of Independent Persons (Report number: COU/WS/22/019)**

Council considered this report, which sought approval for West Suffolk Council to join a consortium of Suffolk authorities that held a pool of Independent Persons and for the individuals proposed for that role to be appointed accordingly.

The Localism Act 2011 required that authorities adopted arrangements for dealing with complaints about potential breaches of the Code of Conduct by members. This must include provision for the appointment of at least one Independent Person.

Since 2012 the Council had appointed two Independent Persons whereas Babergh District Council, Mid Suffolk District Council, Ipswich Borough Council and Suffolk County Council had formed a consortium and had jointly recruited and appointed a pool of Independent Persons, the rationale for which was set out in paragraph 1.3 of the report.

The arrangement with the current Independent Persons appointed by West Suffolk Council ended on 30 September 2022. Although the work of the Independent Persons had been exemplary, they had both decided they no longer wished to continue to undertake the role. The current pool of Independent Persons for the consortium of four authorities was also ending so it would be an appropriate time for this council to join the consortium and have a pool of Independent Persons from which to select to consider a complaint.

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Council, including that a recruitment process had been undertaken over summer 2022 with a view to appointing five individuals to form the aforementioned pool. Short profiles for each were attached as Appendix A to the report.

On the motion of Councillor Bull, seconded by Councillor David Roach, it was put to the vote and with the vote being 50 for the motion, none against and two abstentions, it was

Resolved:

That West Suffolk Council joins the consortium of authorities which held a pool of Independent Persons, and the individuals listed in Appendix A to Report number: COU/WS/22/019, be appointed as the Council's Independent Persons pursuant to section 28(7) of the Localism Act 2011 for a term of two years with an option to extend the appointment for a further two years.

247. **Representation on Suffolk County Council's Health Scrutiny Committee**

Council considered a narrative item, which sought approval for the Overview and Scrutiny Committee's nominations to Suffolk County Council's (SCC) Health Scrutiny Committee.

The Overview and Scrutiny Committee, on 16 June 2022, had considered nominations for a representative and a substitute member to sit on behalf of West Suffolk Council on SCC's Health Scrutiny Committee for 2022 to 2023.

The Committee had recommended that Councillor Margaret Marks be appointed as the Council's nominated representative on this body, and for Councillor Mike Chester to be the substitute, as set out in the Council agenda.

Councillor Ian Shipp, Chair of the Overview and Scrutiny Committee, drew relevant issues to the attention of Council, including proposing the Committee's recommendation.

On the motion of Councillor Shipp, seconded by Councillor John Burns it was put to the vote and with the vote being 51 for the motion, 0 against and 1 abstention, it was

Resolved:

That Councillor Margaret Marks be nominated as West Suffolk Council's representative and Councillor Mike Chester as the nominated substitute member on the Suffolk County Council Health Scrutiny Committee 2022 to 2023.

248. Any other urgent business

There were no matters of urgent business considered on this occasion.

249. Exclusion of press and public

As the next item on the agenda was exempt, on the motion of Councillor John Griffiths, seconded by Councillor Cliff Waterman, and duly carried, it was

Resolved:

That the press and public be excluded during the consideration of the following item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

250. Exempt item: Referral of recommendations from the Portfolio Holder for Resources and Property: Investing in our commercial portfolio (paragraph 3) (Exempt Appendix A to Report number: COU/WS/22/017)

**C. Referral from the Portfolio Holder for Resources and Property:
23 September 2022**

1. Investing in our commercial portfolio

Council was advised of an opportunity to invest in a Council-owned site which would help with the delivery of the Council's strategic, place-shaping and medium term financial plans.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, drew relevant issues to the attention of Council, including that if the outline business case was approved at this meeting, the full business case would be presented to Cabinet for consideration and approval in due course.

Following due consideration and debate, the majority of members acknowledged the benefits of the proposal and supported the development of a full business case, as set out in the exempt report and appendices attached.

On the motion of Councillor Broughton, seconded by Councillor Sara Mildmay-White, it was put to the vote and with the vote being 50 for the motion, none against and two abstentions, it was,

Resolved:

That the recommendations, as set out in Exempt Report No: CAB/WS/22/045, be approved.

(This decision and associated papers will be available in the public domain in due course.)

The meeting concluded at 8.14 pm

Signed by:

Chair

Civic communication for council

27 September to 13 December 2022

Chair attended 25 engagements

Vice Chair attended 2 engagements

Past Chair attended 2 engagements

Event	Venue	Date	Time	Attending
West Suffolk Council meeting	West Suffolk House	Tuesday 27 September 2022	7pm	Chair and Vice Chair of Council
Floral tributes video	West Suffolk House	Wednesday 28 September 2022	11am	Chair of Council
Dinner to Celebrate and Commemorate the Battle of Britain	Officers' Mess, Royal Air Force Honington	Thursday 29 September 2022	6.30pm	Chair of Council
40th Annual Joan Mann Special Sports Day	Middleton Hall, RAF Mildenhall	Friday 30 September 2022	9.30am	Chair and Vice Chair of Council
Installation of Reverend Tiffer Robinson	St Mary's Church, Bury St Edmunds	Wednesday 5 October 2022	7pm	Chair of Council
Meeting at Edmunds Restaurant	West Suffolk College	Thursday 6 October 2022	1.30pm	Chair of Council
Ipswich Mayor's Civic Service	St Mary Le Tower Church, Tower St, Ipswich IP1 3BE	Sunday 16 October 2022	3pm	Chair of Council
Chair's Charity Concert meeting	The Apex	Friday 21 October 2022	10am	Chair of Council
West Suffolk Citizens Advice AGM	Quaker House, St John's Street, Bury St Edmunds IP33 1SJ	Friday 4 November 2022	10am	Chair of Council

Brandon Armistice Day Service	Old School House, Market Hill, Brandon IP27 0AA	Friday 11 November 2022	10.30am	Chair of Council
Bury St Edmunds RBL Armistice Day Remembrance Service	War Memorial, Bury St Edmunds	Friday 11 November 2022	10.30am	Past Chair Cllr Margaret Marks
Royal British Legion South African Remembrance Service	South African War Memorial, Cornhill, Bury St Edmunds	Friday 11 November 2022	2pm	Past Chair Cllr Margaret Marks
Festival of Remembrance	The Apex Bury St Edmunds	Friday 11 November 2022	7pm	Chair of Council
Rose Garden Memorials Remembrance Services	Abbey Gardens Rose Garden	Saturday 12 November 2022	2.30pm	Chair of Council
Remembrance Parade and Service	War Memorial Angel Hill / St Mary's Church	Sunday 13 November 2022	10.30am	Chair of Council
Newmarket Remembrance Service	Tattersalls, Terrace House, 125 High Street, Newmarket CB8 9BT	Sunday 13 November 2022	2.30pm	Chair of Council
Civic Mass to celebrate the feast of St. Edmund	St Edmunds Catholic Church, Westgate Street, Bury St Edmunds, IP33 1QG	Saturday 19 November 2022	11am	Chair of Council
Inaugural Edmund Lecture	St Edmundsbury Cathedral	Saturday 19 November 2022	3.30pm	Chair of Council
Abbey 1000 event - The unveiling of Mural in St Andrews Street, Bury St Edmunds	St Andrews Street, Bury St Edmunds	Sunday 20 November	3pm	Chair of Council

RAF Lakenheath and RAF Mildenhall Thanksgiving Eve Service	Ely Cathedral, Ely, Cambridgeshire CB7 4DL	Wednesday 23 November	6.30pm	Chair of Council
Brandon Christmas Lights Switch On	Old School House, Market Hill, Brandon IP27 0AA	Saturday 3 December 2022	5pm	Chair of Council
West Suffolk Civic Carol Service	St Edmundsbury Cathedral	Monday 5 December 2022	7pm	Chair of Council
RAF Honington Veterans Christmas Party	RAF Honington	Wednesday 7 December 2022	12pm	Chair of Council
Haverhill Carol Service	St Mary's Church, Haverhill	Wednesday 7 December 2022	7pm	Chair of Council
Mr Patrick Church Investiture by Lord Lieutenant of Suffolk	Abbeygate Cinema, Bury St Edmunds	Thursday 8 December 2022	6.30pm	Chair of Council
The Bishop's Christmas Drinks Party	The Bishop's House, 4 Park Road, Ipswich, IP1 3ST	Friday 9 December 2022	6.30pm	Chair of Council
Emergency Services Carol Service	St Edmundsbury Cathedral	Monday 12 December 2022	7pm	Chair of Council
West Suffolk Council Meeting	West Suffolk House	Tuesday 13 December 2022	7pm	Chair and Vice Chair of Council

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Leader's statement

Report number:	COU/WS/22/020	
Report to and date:	Council	13 December 2022
Documents attached:	None	

Leader's Statement – December 2022

1. I wanted to start my statement off with a massive thank you to all councillors and staff for what you have done so well during what has again been another very challenging year.
2. Despite these challenges West Suffolk Council has continued to deliver, to attract millions of pounds of Government funding, to drive economic prosperity and tackle climate change. This is while delivering high quality services and protecting the most vulnerable.
3. As these papers go out, I will be joining Councillor Bull at our staff awards to not only pass on our thanks on behalf of all councillors but to hear more of the amazing work they do every day – often well beyond the call of duty.
4. It is this passion for our area, communities, residents and businesses that I see in the chamber and in our staff that makes us one of the best councils in the country.
5. With global challenges, such as from the heat wave to the cost of living, it would be easy to focus just on today's next email or challenge.
6. That is why I have taken the liberty of including a brief summary of what West Suffolk Council has achieved since it came into being in 2019. I will follow this up with a more in-depth brief of our achievements following this Council.
7. But I hope you will agree that what has been delivered in these four years by everyone in this chamber and our staff, has continued to drive the economic prosperity, wellbeing and environmental health of our communities and businesses.

Summary

8. As I have said, I will send you all a more in-depth review of what we have achieved together but below is just a short summary of some of the highlights.

Working across the Suffolk system

9. Part of the success of West Suffolk and embedded in its DNA is the ability to work across the Suffolk system and beyond our geographical and organisational boundaries. This has allowed us to draw down additional millions of pounds of extra or match funding to the benefit of our local residents and businesses.
10. For example, Suffolk Public Sector Leaders which includes West Suffolk, work together to bring funding to tackle national and countywide issues in local ways. This has levered millions of pounds of investment, including the recently announced £913,458 in funding for the next phase of the Suffolk Climate Emergency Plan.
11. This funding is designed to bolster the Suffolk wide ambition to be net-zero by 2030 by helping to fund initiatives to reduce carbon emissions and tackle the effects of climate change.
12. From January 2020 to December 2022 some £11.2 million has been agreed by Suffolk Public Sector Leaders for a range of initiatives including encouraging economic growth and helping the most vulnerable. I will send further details of this in the more in-depth brief.
13. This way of working has also meant we have been able to work in a partnership to negotiate a County Deal with the Government. This should not only bring further investment and local powers to Suffolk and to us, here in the West, but also a louder and stronger voice to lobby Government.
14. The system wide approach we have taken means we are embedded in the health network to support delivery of improvements for our communities. This includes strengthening the bond between good wellbeing outcomes and the services and activities we provide, such as through our leisure centres or the new hub.

Environment

15. Tackling Climate Change has been at the forefront of our agenda since West Suffolk Council's first meeting. A taskforce was set up and challenging targets set to reach net zero by 2030. The taskforce produced a road map of around 50 initiatives, agreed by the Cabinet, to build on the already successful work we had initiated and continue to lead on.
16. Since then, we have been putting our money where our mouth is and in last year's budget allocated a £9 million investment to further help us achieve our goals.
17. There has been a 41 per cent reduction in the carbon emissions we control compared to our 2010 baseline. More recently we have seen emissions cut by 15 per cent compared to 2019-20 levels. Last year's full report can be found here [WSC-Environmental-Statement-2021-2022.pdf \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/media/1234567/WSC-Environmental-Statement-2021-2022.pdf)
18. There has also been a range of initiatives that have helped the public reduce their impact on climate change and save money. This includes initiatives such

as our Solar for Business scheme; our decarbonisation programme (after we secured £1.43 million from the Government) and our work to help people insulate their homes, supporting them in staying warmer for longer while using their heating less.

Economic Growth

19. The growth of the local economy and continued prosperity of all our communities and businesses has been at the heart of West Suffolk Council. This takes many forms including our Growth Investment Fund – allowing us to invest in new and existing premises to bring not only financial returns but also social and wider economic benefits to our local communities.
20. The income generated from the assets we own, from car parks to businesses and properties, total around £15.4m per year. This helps to support the delivery of services to residents and businesses in West Suffolk and strongly supports our strategic priority of growth in West Suffolk's economy for the benefit of all our residents and, indeed, UK plc. Our commercial asset portfolio provides various types of industrial, retail and office accommodation across the district for businesses and supports their growth. We have also helped deliver infrastructure at Suffolk Business Park to help unlock the growth of this vital facility, as well as making a loan available for the EpiCentre in Haverhill.
21. We have supported businesses through COVID in championing their cause, encouraging people back to the high streets and helping traders access millions of pounds in Government grants. We have introduced new markets such as our makers markets and have worked with young traders to help them bring new ideas and grow their own successful businesses here in West Suffolk.
22. In addition, we support mentoring and initiatives to help people, no matter their age, gain new skills, including working with places of education.
23. West Suffolk is the location for business, and we can see this in the recently announced opening of a Primark store in Bury St Edmunds. This represents a major investment and vote of confidence by a popular national chain in the town and West Suffolk as a whole, as an attractive and business friendly area.
24. Economic Growth is not just the responsibility of one team or service but the whole of the Council from making sure our parks and leisure centres are attractive to bring visitors or regenerating a building or delivering on our Local Plan.

Families and Communities

25. Prevention by partnering with others and finding tailored local solutions is what our families and community work is based on. From preventing homelessness, improving health and wellbeing outcomes to councillors working with community groups the remit is broad.
26. In this year's budget (2021/2022) we have earmarked more than £1 million to be invested over the next three years in Leisure Asset Management - including nearly £100,000 in Mildenhall for the replacement of the pump track and

renewal of the St Johns Close Multi Use Games Area. Work on the skatepark, which was designed with the users has now finished. The budget includes £758,000 of investments in renewing play areas and equipment across the whole of West Suffolk. This builds on initiatives such as the Haverhill Splash Pad, developing the new skatepark in Newmarket as well as Yellow Brick Road improvements.

27. Our families and community work has seen hundreds of thousands of pounds invested in Community Chest and Locality Budgets which directly support local projects to achieve the greatest benefit. You have played your part as local councillors in being champions for your communities, promoting these organisations and supporting them with funding from the grants that we have been able to make available.
28. We have a holistic approach to preventing homelessness. Since 2019 we helped 5,044 households who were at risk of homelessness get advice and support. Rough sleeper numbers have reduced from 36 in 2018 to nine as of 1 November this year. Some 370 empty homes were also brought back into use – 181 of those we achieved last year.

Leisure

29. Just before West Suffolk came into being in 2019, the newly refurbished leisure centre at Haverhill was reopened. This was a £1.5 million scheme that brought tailored and upgraded modern facilities. The completely overhauled first floor saw new facilities including new changing rooms, an extended gym, super-sized studio and spaces for an increased range of high demand classes. The ground floor included the addition of a Self-Centre, brand new to Haverhill. Also included was a new café, Energy, the children's soft play area, with dedicated children's party space, the X-Height indoor climbing experience, parkours and two courts.
30. The £1.8 million transformation at Newmarket Leisure Centre was completed during challenging lockdown conditions in July 2020. The project was delivered via the UK Leisure Framework and remodelled the existing space to create new facilities. The new soft play facility has a sensory room for a more inclusive offering, party rooms, new café, gym and exercise facilities, NHS groups room on the first floor, a meeting room on the ground floor as well as new reception.
31. The new Brandon Leisure and Health Hub opened in November 2021, following a £2 million investment by the Council. As well as a reshaping of the existing town leisure centre, it now includes upgraded fitness facilities and community health facilities. The improvements, informed by public engagement, include a new gym and free weights area, Shapemaster suite, new changing rooms, Changing Places toilet, café, reception and the health treatment rooms. It also includes space that is being used by community healthcare professionals such as district nurses and physiotherapists and other community and hospital services. Bringing leisure and health together under one roof is having benefits for patient care.
32. Mildenhall Hub, is a £39 million nationally important and award winning development designed to bring together a number of different services under

one roof and was officially opened to the public in September 2021. The Hub has been named project of the year in the Government Property Awards beating a shortlist that included other major national initiatives. It is an exemplar of the Government's One Public Estate programme, demonstrating how the public estate can be a catalyst for place-shaping and better health, wellbeing and education. In addition, it has seen increased use of leisure and library facilities and an improvement to exam results.

33. In addition, a new £40 million leisure centre is being looked at as part of the first phase of Western Way.

Services

34. Our communities, rightly, depend on our services which continue to be high quality and award winning.
35. For example, our parks have continued to achieve national Green Flag status and played a crucial role in the health and wellbeing of our communities. That is why we are investing £1.3 million in our parks and heritage assets such as Moyse's Hall and West Stow – including maintaining areas such as now award-winning Brandon Country Park which we had taken ownership of from Suffolk County Council and a year later won its first nationally recognised Green Flag in 2019.
36. We introduced civil parking enforcement after public support to help improve safety, reduce pollution and traffic jams, grow the economy and make sure emergency services get through.
37. In this year's budget we have agreed we will be investing more than £1 million on car park improvements across West Suffolk including new electric vehicle (EV) charging points, improvements to an existing multi-storey car park in Bury St Edmunds and car parking in Newmarket as well as Clare.
38. Bins have been emptied more than six million times from local households since West Suffolk was created and their contents sent for processing at the Energy from Waste facility in Great Blakenham. Of course, all helped by our award-winning West Suffolk Operational Hub which was opened in 2019.
39. Our services and statutory duties remain at the centre of what we do and are delivered often despite very challenging conditions.

Keeping people healthy and improving wellbeing

40. As I pointed out previously, in my report about Mildenhall Hub, our work to bring health and leisure together is bearing fruit and better health outcomes. I wanted to share with you the positive news from Abbeycroft Leisure that a series of further programmes are either being introduced or expanded because of their success or to meet local demand. The details on these will be forthcoming as they are finalised.
41. But I can already say that the NHS Pathways has been such a success for the people it has helped that Abbeycroft Leisure are now exceeding the original number of referrals first planned and funded. The scheme links NHS patients

to our leisure facilities to help them on their journey to recovery, reablement and health improvement. This means close working between the two organisations and tailored programmes for each referral. This work is being funded by West Suffolk Foundation Trust through the relationship built with West Suffolk Council.

42. Abbeycroft have also secured funding to put another Sporting Memories session in Mildenhall. Sporting Memories sessions are open to everyone over the age of 50. It uses sports-based reminiscence resources and develops collections from local groups that rekindle those very special sporting memories and events. Sessions also incorporate appropriate promotion of gentle exercise and physical activity within a fun and relaxed environment. It is part of Suffolk's Most Active County partnership.
43. In addition, Abbeycroft has secured £355,000 from the West Suffolk Alliance through West Suffolk Council to deliver place-based activities in Haverhill, Mildenhall and Sudbury.
44. There is more to come which I will ensure you are kept updated on, but it is very clear that this pioneering work of joining leisure and health as well as other public services is paying dividends. Not only improving the wellbeing of our communities but giving better access to services and preventing health issues becoming much worse - which not only adds increased costs but is of course worse for the individuals affected.

Funding and budget

45. West Suffolk Council's Performance and Audit Scrutiny Committee received an update on the challenges faced by the Council in delivering a Sustainable Medium-Term Budget.
46. The forecast pressures for the 2023/2024 budget have grown from £1.16 million to £2.5 million during this year.
47. All authorities across the UK are facing the same difficulties caused by UK and global issues. This includes the ongoing and increasing nationally high increase in fuel, utility and other prices caused by the cost-of-living crisis, inflation, rise in Council service delivery costs, and the war in Ukraine as well as people's spending habits following COVID-19. I must emphasise though that these costs are forecasts and as we have seen already are likely to change.
48. These challenges are not only faced by households and businesses but also all public authorities as demand and the cost of delivering services soar. This includes an addition £1.2 million burden caused by rising fuel costs, inflation and energy prices as well more than £1 million reduced income to the Council which has been an ongoing trend started in COVID-19 and seen nationally.
49. However, the report also highlighted how the Council's robust and prudent financial planning, management and investments has reduced this pressure from more than a £4 million gap. The Council has been able to reduce the challenge due to its sensible investments bringing financial and community benefits as well as owning a solar farm, which has brought in an extra £1.7 million and is helping West Suffolk reach carbon neutral by 2030. The solar

farm is not only powering council buildings, it is also providing additional million income for West Suffolk to help fund council services.

50. The additional demand on services as well as the high cost of delivering them means nationally local authorities are having to stretch their budgets much further than planned. This is also partly due to local communities themselves needing more support and increased demand for our services as well as residents changing their spending behaviours.
51. To sum up, the Council, like all authorities, are facing significant challenges but we are in a stronger position than most to not only face these, but to continue to deliver on our strategic vision.

Local Council Tax Reduction Scheme

52. As I write this Cabinet will be looking at the results of our annual review of the Local Council Tax Reduction Scheme (LCTRS) ahead of it coming to Council for discussion; so I do not yet know the result of Cabinet's debate. But I can say the review is part of West Suffolk Council's work to ease the cost of living for communities by looking at possible options to increase for one year the discount for Council Tax given to people on low incomes.
53. We engaged with the public and stakeholders on options with a consultation. The results of which showed that those members of the public who replied were strongly in favour of helping those who qualify by increasing the discount they get on Council Tax. This included increasing the discount from the current capped 91.5 per cent (where those eligible pay 8.5 per cent of their Council Tax) to look at discount options between 95 and 100 per cent (those eligible would pay five per cent to none of their bill).
54. The proposal is highly targeted to reach those who are already on means-tested benefits and has low administrative costs.
55. If agreed by Cabinet and Council, it would see the average working age recipient of the Local Council Tax Reduction Scheme (LCTRS) receive up to an additional £103 discount on their Council Tax for the single year. This would benefit around 4,700 people - representing a one year only £500,000 investment by organisations that set Council Tax precepts, in supporting those in need that meet the criteria (our share being around 10 per cent).
56. I am pleased to say that although this means additional cost implications, the options for this additional help did receive support from major preceptors such as Suffolk County Council and town and parish councils.

Tackling homelessness

57. Often when people think of homelessness, they picture those sleeping rough on the street. But homelessness or those with the threat of it over their head is something that is not so obviously seen by the public and is very complex.
58. We, with partners, have a holistic approach, to not only help where we can with the immediate issue but also long-term challenges. As I'm sure you can

imagine this is challenging work helping people at their most vulnerable or with issues that are not quickly resolved.

59. More than 800 households who were homeless or facing homelessness, have been helped by West Suffolk Council in the past year.
60. In the year running up to the end of October, the Council has helped prevent 212 households from becoming homeless, while it has helped another 626 through temporary accommodation and back into a more settled and permanent home.
61. Alongside this, the Council is continuing to help people who are homeless and sleeping outdoors – also known as rough sleepers.
62. On 1 November 2022 West Suffolk had nine rough sleepers - compared to 36 when the Council first set up its rough sleeper support service in 2018. And I also want to thank staff who last month were out again in the early hours across West Suffolk carrying out our regular count.
63. The figure fluctuates regularly as people become homeless or are accommodated, as well as when people lose or leave their place of accommodation. Of the nine who were rough sleeping on 1 November, all but one has previously been accommodated and/or refused help. The one that has not been offered accommodation has sufficient income for private rent and we have provided information to him so that he can secure his own accommodation.
64. The rough sleeper support service, which includes specialists in mental health and addiction support, is continuing to engage with all of our rough sleepers to try to assist them. By investing in and providing advice and support as well as accommodation, we have, over recent years, reduced the number of people who are rough sleeping in West Suffolk. This is however, an ongoing issue that we know rises in these winter months but I want to reassure you the Council, which uses a variety of emergency, temporary and specialist support rough sleeper accommodation, has enough bed spaces in place to meet expected demand this winter.
65. Sensibly we are also preparing for a possible increase in demand next year and continue to look to secure more access to accommodation.

Women's Tour

66. In June 2022 West Suffolk welcomed back the Women's Tour with Bury St Edmunds hosting the finish to the first stage of Britain's biggest professional women's cycling race.
67. Bury St Edmunds was involved in the inaugural race back in 2014 and Haverhill hosted the start of the sixth stage in 2021, making the race a key event in the local calendar.
68. Data has now been released on the impact of the race in Suffolk. This year an estimated 3,000 people attended to cheer on the cyclists as they raced

through Bury St Edmunds. Supporters also tuned in across the world - Eurosport viewing figures for stage one was the highest out of all the stages with 349,500 views, additionally the stage one highlights were featured on ITV4 to an audience of 111, 000.

69. Not only did the spectators support the race, but they also supported the local economy too, with the estimated net economic benefit for Suffolk being over £600,000.

West Suffolk's COP27 update

70. Having committed to working towards being carbon net zero by 2030, we used the recent COP27 as a chance to highlight the steps and results we are having as a Council in reaching our goal.
71. As reported to Cabinet in July, these actions have helped reduce our own emissions last year by 41 per cent of our 2010 baseline, putting us on track against our carbon budget. The work is detailed in our Environment and Climate Action Plan and supported by our £9 million decarbonisation fund.
72. I am also pleased to report strong demand for the fully funded solar panel installations we offer local businesses with suitable premises. We have been working on our largest installation to date at Caps Cases in Newmarket and are looking at another large scale project.
73. The Council has completed energy efficiency work worth more than £1.5 million to 150 homes in West Suffolk; are is now aiming to do the same for another 150 homes under the Warm Homes Suffolk scheme before the current funding runs out at the end of March. This helped us win the Energy Efficiency East of England awards 2022 in the council / local authority category for a second year. To ensure that work continues, Suffolk Public Sector Leaders have agreed to fund a Fuel Poverty Retrofit Team to help those most affected by the cost-of-living crisis. The team will identify properties with low energy performance rating and incomes, including those in West Suffolk, so advice on best measures can be given.

Just some of the many things going on at our Council but finally...

74. While there are particularly significant challenges currently, and ahead for the council, and the people and businesses we serve in West Suffolk - and for the nation as a whole - we are in as strong as possible a position to face these issues. This is not just down to the long term thinking, processes and policies we have in place but also the dedication, pride and tireless work everyone here at West Suffolk Council delivers for our communities and businesses.
75. As this is the last Council before Christmas and the New Year, I want to take this opportunity to once again thank everyone for their continued hard work and service..... And importantly, wish everyone a Merry Christmas and Happy New Year.

With best wishes,

Councillor John Griffiths, Leader of West Suffolk Council

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Referrals report of recommendations from Cabinet

Report number:	COU/WS/22/021	
Report to and date:	Council	13 December 2022
Documents attached:	Report number: CAB/WS/22/068 'Western Way Project Review – December 2022'	

A. Referrals from Cabinet: 18 October 2022

There are no referrals emanating from the Cabinet meeting held on 18 October 2022.

B. Referrals from Cabinet: 8 November 2022

1. West Suffolk Statement of Licensing Policy

Portfolio holder: Councillor Andy Drummond

Cabinet Report number: [CAB/WS/22/060](#)

Appendix A: [Statement of Licensing Policy consultation responses](#)

Appendix B: [West Suffolk Statement of Licensing Policy](#)

Recommended:

That the revised West Suffolk Statement of Licensing Policy 2022 to 2027, as contained in Appendix B to Report number: CAB/WS/22/060, be adopted.

1.1 The Licensing Act 2003 established a single integrated scheme for licensing premises in England and Wales which are used for the sale or supply of alcohol, to provide regulated entertainment, or late-night refreshment. The legislation supports public safety through upholding the following four licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

- 1.2 In order to license this activity, section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act. If the licensing authority determines and publishes its policy in this way, a new five-year period commences on the date it is published.
- 1.3 The policy must be kept under review during the five-year period and the licensing authority may make any revisions as it considers appropriate, such as those relating to feedback from the local community on whether the licensing objectives are being met, so it continues to be relevant and fit for purpose throughout the relevant time period.
- 1.4 The proposed substantive changes to the Statement are minimal and they are primarily dictated by changes in guidance and legislation.
- 1.5 The key alterations are:
 - An additional segment has been added on ancillary delivery of alcohol and late-night refreshments. This has been added due to changes in business and customer habits caused by COVID-19. As more premises licensed to sell alcohol are providing a delivery service, which is an ancillary to the main use of the premises, it is important to ensure that this kind of business is captured within the council's policy. Applications for premises that intend to sell alcohol in this way will generally be granted subject to not being contrary to other policies within the Statement of Licensing Policy. It will also need to meet certain criteria, such as:
 - Delivery only takes place within relevant core hours
 - Delivery to residential addresses or workplace will remain ancillary to the main premises use
 - The applicant implements their own age verification procedures and ensures staff are appropriately trained
 - Ensure that delivery adheres to other core objectives of the Statement.
 - The entire opening section setting out the area profile has been redrafted. This is to ensure that the information has been updated and condensed.
- 1.6 Besides the above changes, most other alterations have been made to shorten the document to make it easier to navigate and more accessible. This includes additional appendices which have been added to reduce the substantive policy and avoid repetition.
- 1.7 There is a statutory duty to undertake a consultation to gauge impact and opinion among key stakeholders. This was held between 21 June and 22 July 2022.
- 1.8 The consultation followed best practice by focusing on direct engagement with the key stakeholders. The stakeholders identified were:

- The police constabulary
- Parish and town councils
- Persons/bodies representative of license holders/businesses in the area

- 1.9 In total, three responses were received, from the Suffolk Constabulary, a parish council and a licensee. The council has set out specific responses to each comment, as contained in [Appendix A](#) to Report number: CAB/WS/22/060.
- 1.10 No comments received resulted in necessary changes to the Statement of Licensing Policy. While the response was small, the consultation findings support the changes to the Statement of Licensing Policy at [Appendix B](#) to Report number: CAB/WS/22/060, as proposed.

C. Referrals from Cabinet: 6 December 2022

The following referrals have been compiled before the decisions have been taken by the Cabinet and are based on the recommendations contained within each of the reports listed below. Any amendments made by the Cabinet to the recommendations within these reports will be notified to members in advance of the meeting accordingly.

1. Delivering a Sustainable Medium Term Budget

Portfolio holder: Councillor Sarah Broughton

Cabinet Report number: [CAB/WS/22/066](#)

Performance and Audit Scrutiny Committee Report number:
[PAS/WS/22/021](#)

Recommended:

That the proposals, as detailed in Section 2 and Table 1 at paragraph 3.2 of Report number PAS/WS/22/021, be included in the medium term financial plans to 2027.

- 1.1 At its meeting on 29 September 2022, report number [PAS/WS/22/017](#) outlined the process and approach to setting the council's 2023 to 2024 budget and the principles and challenges faced in achieving this.
- 1.2 The Committee on 17 November 2022, received an update on key budget assumptions proposed in the development of the 2023 to 2024 budget and medium-term plans. The proposed key budget assumptions were set out in Section 2 of the report (and below).

1.3 Extract from Report number PAS/WS/22/021: (Section 2 and Table 1)

1.3.1 2. Proposals within this report – key budget assumptions

2.1 Report number [PAS/WS/22/017](#) set out a number of key budget assumptions proposed in the development of the 2023 to 2024 budget and medium-term plans and the rationale behind those assumptions. These assumptions are constantly under review, in response to further data and intelligence. Since this last report, there have been the following updates as set out below.

Government funding – Spending Review 2022

2.2 The UK Government Autumn Statement and Medium-Term Fiscal Plan is set to be delivered on 17 November 2022. At this point the only measures known to be included are the reversal of increases to National Insurance and the Health and Social Care Levy. What is not known at this time is the methodology, level or distribution of local government funding.

2.3 There is also no confirmation on local government funding reforms relating to the Fairer Funding Review and 75 per cent Business Rates Retention (BRR) scheme. The Government remain committed to these reforms, although have not set out any confirmed timeframe for when they would be completed and implemented. A roll forward of the 2022 to 2023 settlement has not been ruled out at this stage.

2.4 As a result of this current uncertainty about the detail of future Government funding we continue to include the following assumptions in our medium-term financial plans:

- That no Revenue Support Grant or New Homes Bonus allocation (or replacement) will be rolled forward into 2023 to 2024 as it was always the Government's intention to phase out these grant streams.
- The budget estimates assume a continuation of the 10 per cent reductions in the centrally held un-ringfenced grants budget for 2022 to 2023 in line with previous Government funding reductions. This includes grants such as Housing Benefit Administration.
- There will be no Fairer Funding Review and some form of BRR scheme resetting (potentially in 2025) will take place. The current projections already assume a significant loss of BRR scheme growth (accumulated since the scheme was implemented in 2013) from April 2023 and this assumption remains unchanged at this stage.
- That Suffolk authorities will remain in a business rates pool for 2023 to 2024, retaining additional BRR Scheme income for Suffolk than that of individual authorities.

2.5 These Government funding assumptions will be kept under constant review as part of the budget process. This includes following any announcements regarding the detailed funding allocations (expected following the Autumn

Statement on 17 November 2022 but likely to be late December as per previous years) and grant payments and/or consultations from central Government. This collection of assumptions has the biggest financial impact on the council's budget given the sums involved.

Pay Assumptions

- 2.6 Agreement has been reached on pay awards for local government services ('Green Book employees) between the National Joint Council for local government services and Trade unions, Unison and GMB for 2022 to 2023. A pay rise of £1,925 per annum has been agreed across all pay scales. This is effective from April 2022. The impact of this award and future estimates for pay has been included in Table 1 below.
- 2.7 The pay assumptions beyond April 2023 (previously assumed at 2 per cent) are currently under review and economic reports and assumptions expected within the Autumn Statement on 17 November will also help form a view on the final assumptions to be used in the medium-term budgets. Based on discussions with other Suffolk and partners authorities within Anglia Revenues Partnership, we have updated the 2023 to 2024 budget to assume a 4 per cent pay award, with the assumption then returning to 2 per cent from April 2024. The 2023 to 2024 pay assumption change in Table 1 also assumes the removal of the additional 1.25 per cent national insurance health and social levy.
- 2.8 The tri-annual pension report has been received and discussions are taking place regarding the level of contributions required for the pension fund from April 2023. The recent report stated that the West Suffolk pension fund is currently 102 per cent funded which provides for the opportunity to look at a reduction in pension contribution rates from those paid 2020 to 2023. Sensitivity analysis over rates is currently underway. An update on the next three years pension contribution rate will be included in the January 2023 Performance and Audit Scrutiny Committee report.

Other income assumptions

- 2.9 There has been a detailed line by line review of the 2023 to 2024 income budget assumptions across a best, base and worst-case scenario. The material outcomes of this review are included on Table 1 below and in most cases are based on levels currently being experienced during the current 2022 to 2023 financial year (further details are contained in the Quarter 2 Budget Monitoring report number [PAS/WS/22/023](#)). There is expected to be a significant level of volatility in these income assumptions given the relationship between wider economic trends and income generation for the council. This volatility will need to be closely monitored and reflected in the Section 151 report to members on the robustness of estimates and balances as part of the budget process.

Business Rates estimate for 2023 to 2024

- 1.10 The Autumn Statement on 17 November will deliver the Government plans for taxation and local authority funding. Until that date (and receipt of the following detail of allocation of funds) it is difficult to predict the impact that this will have on the financial position of the council. The current

assumption included in this Medium-Term Financial Plan is that Business Rates Retention Scheme will continue under its current guise.

3.2 Table 1

Budget assumption changes pressures/(improvements)	2023 to 2024 £m
Savings requirement – February 2022 budget process	1.16
Pressures:	
Income Assumption reviews (primarily based on 2022 to 2023 forecast levels): - Car Parking (recovery across West Suffolk car parks, however still not to pre-COVID levels for some within Bury St Edmunds), £1.1m impact - Grounds Maintenance, cleansing and tree services – reduced income levels to focus resources towards increase demand for these type of council services £0.18m impact - Other incomes, £0.06m impact	1.34
Review of the council's (and our contribution towards the Anglia Revenue Partnership) establishment and overall cost of employment assumptions as set out in paragraph 2.6 to 2.8.	1.82
Additional utilities energy charges, resulting from worldwide economic pressures. Reduced by both £0.43m to reflect recharges to partners in shared buildings and £0.67m to reflect the use of the Toggam Solar generation in Council buildings (this will ultimately show as an income to the solar cost centre in the final budgets).	0.18
Vehicle fuel costs, increased to reflect current prices	0.27
Land Charges income, element of fee income now payable to HM Land Registry	0.06
Increased bank charges from transactional volumes as a result of customer behavioural changes	0.03
Increased third party contractual payments resulting from inflationary and economic pressures	0.08
Total pressures:	3.78
Improvements:	
Increased solar income as a result of improved rates for 2023 to 2025. Total benefit to the solar cost centre to be £1.75m additional income, allowing for use of solar generation to Council buildings under the new contract from April 2023. Reduced by £0.03m for increased R&M allowance and contractually increase in land lease.	(1.05)
Net overall increase in property rents as a result of improved occupancy and lease reviews	(0.32)
Increased investment interest as a result of rising interest rates on cash balances assumed during 2023 to 2024	(0.67)

Delivery of Solar for Business programme, increased power purchase rates on excess generation contracts. Reduced by £0.01 increase repairs and maintenance costs.	(0.10)
CCTV - net additional contract income, after allowing for increased costs	(0.08)
Budget assumption changes pressures/(improvements)	2023 to 2024 £m
Recycling Performance Payment - higher commodity prices (net impact as garden and multi bank rate/tonnage assumed to reduce creating a budget impact).	(0.04)
Housing Options - provision of two additional properties, amount net of operational costs	(0.09)
West Suffolk Taxi licence fee levels from April 2023 as per Cabinet report CAB/WS/22/052	(0.04)
Other minor budget changes including WSOH and Mildenhall Hub various budget changes to reflect more recent cost profiles - netting off in the main.	(0.02)
Total improvements:	(2.41)
Remaining budget gap	2.53

- 1.5 The Performance and Audit Scrutiny Committee considered the report in detail and asked questions to which comprehensive responses were provided. Discussions were held on the budget gap; pensions and the tri-annual pension report; recruitment freeze; pay award; outsourcing; the ground maintenance service and whether the council was charging commercial rates, for example for grass cutting; car park revenue; the impact of the capital programme on the budget, and the announcement made on 17 November 2022 about a possible Devolution Deal for Suffolk and whether this would have an impact on the Council's budget.
- 1.6 Detailed discussions were also held on street lighting. Some members raised concerns that there was no financial provision made in the budget for the perceived street lighting disparity in some areas of the district and felt there was no definitive move to resolve the issue and were sceptical that Cabinet would look at this further in 2023. They felt that unless financial provision was made for street lighting for the medium-term, then it would slip again. Officers advised that Cabinet on 8 November 2022 received a report on street lighting, ([Report number CAB/WS/22/058](#)) setting out the timescales and the process. In terms of the budget, there was provision for street lighting for those currently in the Council's ownership. The Committee was informed that when Forest Heath and St Edmundsbury councils joined up, street lighting had not been highlighted as a potential issue of budgetary concern, and asked members to bear with Cabinet and officers given the focus over the last few years, since becoming a single council, had been supporting the West Suffolk businesses and communities through a pandemic.
- 1.7 On 6 December 2022, the Cabinet will consider the recommendations of the Performance and Audit Scrutiny Committee, as reproduced above. Pending any amendments made by the Cabinet, these recommendations are referred to Council

for final approval for incorporation into the budget setting process for 2023 to 2024 and the medium term plans to 2027.

- 1.8 The second recommendation put forward to Cabinet by the Performance and Audit Scrutiny Committee is reproduced below for information:

'The concerns raised by some members of the Performance and Audit Scrutiny Committee of the absence of specific funding for street lighting in the former Forest Heath area be noted.'

This will also be considered by Cabinet on 6 December 2022. However, as it is an executive decision and currently only for noting, it has not been referred to Council for final approval.

2. Treasury Management Report (September 2022)

Portfolio holder: Councillor Sarah Broughton

Cabinet Report number: [CAB/WS/22/067](#)

Financial Resilience Sub-Committee Report number: [FRS/WS/22/005](#)

Appendix 1: [Arlingclose Economic and Interest Rate Forecast - September 2022](#)

Recommended:

That the Treasury Management Report (September 2022), as contained in Report number FRS/WS/22/005, be approved.

2.1 Investment Activity 1 April 2021 to 30 September 2022

Following the Financial Resilience Sub-Committee's consideration of Report number: [FRS/WS/22/005](#) on 7 November 2022, the Service Manager (Finance and Procurement) verbally reported on the Sub-Committee's consideration of the report.

- 2.2 The Council held investments of £78,000,000 as at 30 September 2022. Interest earned during the first half of the financial year amounted to £317,734, against a profiled budget for the period of £22,500.
- 2.3 External borrowing as at 30 September 2022 was £13,875,000, a reduction of £125,000 from 1 April 2022, which relates to the repayment plan for the recent Public Works Loan Board (PWLB) £10 million 40-year loan, with the Council's level of internal borrowing increasing slightly to £41,699,661 as at 30 September 2022. Overall borrowing, weighted towards internal borrowing is expected to increase over the full financial year.
- 2.4 Borrowing costs, which included interest payable and Minimum Prudential Indicators (MRP) for the year are forecast to be £1,069,488 against an approved

budget of £2,268,350. However, this could change if more external borrowing is undertaken than is currently forecast.

- 2.5 The 2022-2023 Annual Treasury Management and Investment Strategy sets out the Council's projections for the current financial year. The budget for investment income for 2022 to 2023 was £45,000, which was based on a 0.25 percent target interest rate of return on investments.
- 2.6 The report also included a summary of the borrowing activity during the period; borrowing strategy and sources of borrowing; borrowing and capital costs – affordability; borrowing and income – proportionality; borrowing and asset yields and market information.
- 2.7 The Sub-Committee scrutinised the investment activity for 1 April 2022 to 30 September 2022, and asked questions to which responses were provided. In particular, discussions were held on the current interest rate rises; what happened to the additional interest received on cash balances; the solar farm yield for 2021 to 2022 and the Barclays £4 million loan.
- 2.8 The Performance and Audit Scrutiny Committee on 17 November 2022 scrutinised the report. In particular, discussions were held on what the Council's policy was for lending to other local authorities; gilt yields; capital projects and investment levels.
- 2.9 Discussions were also held on the £4 million Barclays loan and whether the Council has considered paying off the loan early. Officers advised that the Council was looking at options and was in discussions with its advisors regarding this matter.
- 2.10 On 6 December 2022, the Cabinet will consider the recommendation of the Performance and Audit Scrutiny Committee, as reproduced above. Pending any comments made by the Cabinet, this recommendation is referred to Council for final approval.

Continued over.....

3. Western Way Project Review – December 2022

Portfolio holder: Councillor Joanna Rayner

Cabinet Report number: [CAB/WS/22/068](#): Also attached in full to this report

Report number: CAB/WS/22/068 [Main Document](#)

Appendix 4: [Risk Assessment](#)

Recommended, that:

- 1. This review and update of the business case for the Western Way (WW) project, Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre, be approved, so that Cabinet and officers can continue to deliver phase 1 of the project and any interim works to the rest of the site on the revised basis set out in this review and in accordance with the Council's Constitution.**
- 2. The existing authorities, financial provisions, safeguards and financial tests for delivery of the project be updated as follows:**
 - (a) the remainder of the due diligence for the second stage of tendering be carried out in accordance with the two new gateways defined in Section E of this review.**
 - (b) for either facility to be included in the phase 1 construction contract, Suffolk County Council must have entered into a formal pre-let agreement for an archive facility and/or pre-school which meets the One Public Estate principles of full cost recovery.**
 - (c) the previous spending caps and financial tests for the hub and leisure centre be replaced by a new combined and reduced net capital expenditure limit of £65 million for the total phase 1 scheme defined in this report i.e. project costs, market analysis, enabling works, construction of the initial community hub, installation of renewables.**
 - (d) in addition to this cap on expenditure, at the time the main construction contract is signed, the phase 1 scheme must not increase the Council's existing MTFS provision of £724,000 for Bury St Edmunds Leisure Centre and, in relation to other ancillary elements of the new hub, be capable of achieving at least a break-even position over the whole life of the borrowing.**
 - (e) in addition to the phase 1 scheme defined in the review, a further capital allocation of up to £10 million be made in the Council's capital programme for interim works to the remainder of the Western Way site as defined in Appendix 3**

of this report and also on the basis of at least a break-even income position over the life of the borrowing.

- (f) subject to consultation with the relevant portfolio holders, approval be given for interim or enabling works ahead of the main contract for phase 1, to be financed from within the new combined WW capital budget of £75m. But only where these works will increase the commercial value of the site irrespective of whether the WW project proceeds or not.**
- (g) the cash flow risk being managed.**
- (h) the most beneficial and economic funding method for the project is identified, including entering into agreements with third-party investors if required; and**
- (i) any phase 2 scheme for a permanent use of the remainder of the WW site be subject to a new and separate business case to councillors before the conclusion of the phase 1 construction programme.**

- 3.1 The Western Way (WW) project in Bury St Edmunds is part of a network of existing or planned community hub projects across the whole West Suffolk area being delivered by partners in the public, charity and community sectors. These range in scale from a community-led hub project in Clare up to the multi-agency Mildenhall Hub which opened in June 2021.
- 3.2 WW was approved for delivery by Council in late 2019 and achieved planning consent in 2021 on the completion of its Section 106 agreement. After reviewing the impact of the COVID-19 pandemic, Council gave support for a phased delivery of the project in June 2021. In both instances, a set of financial tests were set to safeguard the interests of taxpayers. A final review of these tests by Cabinet is currently required before any contract can be awarded. This would not occur before March 2023.
- 3.3 Given the current economic situation and the changing requirements of partners, Cabinet has asked that an interim review of the status of the project be carried out before the end of 2022 so that Council can consider whether it wishes to continue with the current project. This report provides that review.
- 3.4 Therefore, Members are requested to refer to Report number CAB/WS/22/068 and associated documentation, as attached to this report, which sets out the review in full.

4. West Suffolk Local Council Tax Reduction Scheme (LCTRS) 2023 to 2024

Portfolio holder: Councillor Sarah Broughton

Cabinet Report number: [CAB/WS/22/069](#)

Appendix A [Summary of Consultation Responses](#)

Appendix B [Equalities Impact Assessment](#)

Appendix C [Draft West Suffolk Local Council Tax Reduction Scheme](#)

Recommended, that:

- 1. The Local Council Tax Reduction (LCTRS) Scheme for 2023 to 2024, as outlined in Report number CAB/WS/22/069, be reviewed.**
- 2. The changes to the Scheme outlined in section 2 of Report number CAB/WS/22/069 and that the maximum discount change only relates to 2023 to 2024, be agreed.**

- 4.1 Each year the Council is required to review its Local Council Tax Reduction Scheme (LCTRS). This report provides an annual review of the 2022 to 2023 scheme and proposes to make changes to the scheme for 2023 to 2024.
- 4.2 Councils are required to review their LCTRS schemes annually and consider whether any changes need to be made. Where it is determined to retain the existing scheme, this must be decided by 11 March of the preceding financial year.
- 4.3 Where councils decide that they wish to amend their schemes they need to consult preceptors and stakeholders prior to a wider consultation to inform a final scheme design by 28 February of the preceding financial year.
- 4.4 The current West Suffolk Working Age LCTRS scheme provides a maximum benefit of 91.5 per cent for working age claimants and the scheme also fully protects war pensioners. The aim in designing the scheme was to achieve a balance in charging an amount of Council Tax to encourage customers back into work whilst setting the amount charged at an affordable and recoverable level during the year.
- 4.5 A separate statutory scheme applies to pensioners who can receive up to a maximum 100 per cent reduction of their Council Tax bill.
- 4.6 West Suffolk Council identified potential changes to the LCTRS for 2023 to 2024. This would be for one year only and designed to support low-income working age residents, in light of the current pressures on the cost of living. These proposals are set out in section 2 of this report.

- 4.7 A Portfolio Holder decision was taken on 7 October 2022 to consult on the proposals. The consultation ran from 18 October to 18 November 2022. Major preceptors and stakeholders have responded and the responses received and the key points raised are covered in section 4.1 of Report number CAB/WS/22/069.

Proposals

- 4.8 The proposed change to the West Suffolk Local Council Tax Reduction Scheme where it is proposed should take effect from 1 April 2023 (and last for one year only) is that **the maximum reduction on Council Tax paid should be increased from 91.5 per cent to 100 per cent. This would be a means tested scheme.**

This would reduce the amount that many Council Tax payers have to pay and could result in some working-age residents paying zero Council Tax.

- 4.9 The background to the proposed changes is as follows:
1. This is part of an initiative to help those residents in financial hardship in light of the current cost of living crisis.
 2. Many councils across Cambridgeshire, Suffolk and Norfolk are considering 100 per cent schemes to help mitigate rising costs living costs for customers.
 3. In Suffolk, the proposals would help support Suffolk County Council's Tackling Poverty Action Plan by maximising residents' financial resilience.
 4. The proposal is very well targeted as it will reach those who are already on means tested benefits and has low administrative costs
 5. The impact on household budgets must also be considered, we would expect the impact of higher costs to affect individuals' ability to pay into the 2023 to 2024 financial year.
 6. The aim is that by providing additional support to customers it could help avoid crisis situations, for example, homelessness and lead to fewer applications for Exceptional Hardship Payments from those in receipt of council tax support.
 7. This proposal is a short-term measure for the financial year 2023-2024. After this period West Suffolk Council's LCTRS Scheme would revert to the current 8.5 per cent contribution rate as set out in the recent consultation.
- 4.10 It should be noted that the maximum reduction would not only apply to those already receiving a 91.5 per cent reduction. The increase would effectively 'stretch' the reductions that could be received, thereby benefitting a wider range of customers.
- 4.11 Separate from these proposals, the figures used in the calculation of how much a Council Tax payer needs to live on (known as the applicable amounts) will be automatically increased in 2023-24 in line with Government policy. This will enable a number of new residents to claim Council Tax support for the first time.

5. Council Tax Base for Tax Setting Purposes 2023 to 2024

Portfolio holder: Councillor Sarah Broughton

Cabinet Report number: [CAB/WS/22/070](#)

Appendix 1 [West Suffolk CTB Return made to DLUHC as at 3 October 2022](#)

Appendix 2 [Distribution of West Suffolk Properties and Tax Base across Valuation Bands](#)

Appendix 3 [2023 to 2024 Council Tax Base for each Town and Parish area within West Suffolk](#)

Recommended, that:

- 1. The tax base for 2023 to 2024, for the whole of West Suffolk be 57,987.01 equivalent band D dwellings, as detailed in paragraph 2.3 of Report number CAB/WS/22/070.**
- 2. The tax base for 2023 to 2024 for the different parts of its area, as defined by parish or special expense area boundaries, be as shown in Appendix 3 of Report number CAB/WS/22/070.**

- 5.1 The council tax base is the total taxable value at a point in time of all the domestic properties in the council's area. It is a yearly calculation and represents the estimated number of chargeable dwellings after allowing for exemptions and discounts, projected changes in the property base and after applying an estimated collection rate.
- 5.2 The total taxable value referred to above is arrived at by each dwelling being placed in one of eight valuation bands (A – H) by the Valuation Office, with a statutorily set fraction then being applied in order to convert it to a 'band D equivalent' figure. These band D equivalent numbers are then aggregated at a district wide level and are also sub totalled for parishes. This calculation has to be done by the council responsible for sending the bills out and collecting the council tax ('the billing authority'). In two tier areas, district councils fulfil this function.
- 5.3 The council tax base is used in the calculation of council tax. Each authority divides the total council tax income it needs to meet its budget requirement by the tax base of its area to arrive at its band D council tax. The same fractions referred to in the previous paragraph are then used to work out the council tax for properties in each of the other bands.
- 5.4 The calculation of the tax base for council tax setting purposes consists of three stages:
 1. Calculation of the tax base for central government purposes as at 3 October 2022 (DLUHC return – CTB).
 2. Calculation of the tax base for council tax setting purposes by adjusting the band D equivalents to reflect changes in the tax base as a result of Local

Council Tax Support Scheme changes (considered elsewhere on the Cabinet agenda Report number CAB/WS/22/069), projected changes in the property base and predicted collection rates.

3. Analysis of band D equivalents over each of the parish areas in order to determine individual parish council tax bases.
- 5.5 The tax base return 'CTB' is used by central government for data collection, grant allocations and policy development (see Appendix 1). This return shows the analysis of properties across the eight valuation bands for the following classifications of liability:
 - properties attracting 100 per cent liability
 - properties attracting a premium, such as second homes
 - properties with an entitlement to a discount of 25, 50 or 100 per cent, such as disabled relief
 - properties that are exempt, such as those occupied by United States air force personnel
 - local council tax reduction scheme discounts
- 5.6 The figures used to make the above calculations are derived from the Valuation List as deposited on 12 September 2022, and as amended to reflect any errors or omissions so far detected in reviewing that list. They are based on the data held on the council tax system at a set point in time – 3 October 2022. The tax base for this purpose, which is calculated at a West Suffolk level, is 59,131.5.
- 5.7 The band D properties figure as at 3 October 2022 of 59,131.5, as quoted in line 33 of the CTB form at Appendix 1, has been updated as at 31 October 2022 to allow for:
 1. Any changes to the Local Council Tax Support (LCTS) scheme. Proposals to increase the discount for Council Tax given to people on low incomes, which is being considered elsewhere on this agenda (Report number CAB/WS/22/069), have been incorporated into the calculation of the tax base.
 2. Any technical changes to discounts and exemptions such as empty properties and second homes. There are no plans to change the current scheme for 2022 to 2023.
 3. Potential growth in the property base during 2023 to 2024 taken from an average of the housing delivery numbers for those sites within the local plan and those that have planning permission, adjusted for an assumed level of discounts/exemptions.
 4. An allowance for losses in collection, which assumes that the overall collection rate for 2023 to 2024 will be 98 per cent.
- 5.8 The resulting tax base figure for council tax collection purposes, expressed in terms of the number of band D equivalent properties, is **57,987.01** for 2023 to 2024. This is an increase of 580.67 on the tax base for the current year of 57,406.34.
- 5.9 The table at Appendix 2 shows the actual number of dwellings in each tax band based on the current valuations which are discounted to 1 April 1991 and the percentage in each band. There has been no national revaluation since that date.

It also shows the spread of the tax base across the bands totalling the tax base for central government purposes (CTB) and the tax base for council tax setting purposes after all of the adjustments have been made.

- 5.10 The tax base figure for West Suffolk outlined in paragraph 2.6 of the report, is analysed further across individual town and parish councils to form their tax base figures for the purpose of budget setting and determining the parish band D tax levels in each of those areas. Town and parish tax base figures are set out in Appendix 3. In line with the delegated authority to administer the council's financial affairs as outlined in the constitution, the arrangements for the scheduling of the precept payments for 2023 to 2024, will be determined by the Director (Resources and Property) (Chief Financial Officer). The payments schedule for all parish and town councils in West Suffolk will be full payment of the precepts by 30 April 2023.

Western Way Project Review - December 2022

Report number:	CAB/WS/22/068	
Report to and date(s):	Cabinet	6 December 2022
	Council	13 December 2022
Cabinet member:	Councillor Joanna Rayner Portfolio Holder for Leisure, Culture and Community Hubs Tel: 07872 456836 Email: joanna.rayner@westsuffolk.gov.uk	
Lead officer:	Alex Wilson Strategic Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	

Decisions Plan: The decision made as a result of this report will usually be published within 48 hours. This item will be referred to Council for a final decision and is, therefore, not subject to call-in. This item is included on the Decisions Plan.

Wards impacted: All Wards

Recommendation: Subject to approval by Council, it is recommended that:

1. This review and update of the business case for the Western Way (WW) project, Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre, be approved so that Cabinet and officers

can continue to deliver phase 1 of the project and any interim works to the rest of the site on the revised basis set out in this review and in accordance with the Council's Constitution;

- 2. The existing authorities, financial provisions, safeguards and financial tests for delivery of the project be updated as follows:**
 - (a) the remainder of the due diligence for the second stage of tendering be carried out in accordance with the two new gateways defined in Section E of this review;**
 - (b) for either facility to be included in the phase 1 construction contract, Suffolk County Council must have entered into a formal pre-let agreement for an archive facility and/or pre-school which meets the One Public Estate principles of full cost recovery;**
 - (c) the previous spending caps and financial tests for the hub and leisure centre be replaced by a new combined and reduced net capital expenditure limit of £65 million for the total phase 1 scheme defined in this report i.e. project costs, market analysis, enabling works, construction of the initial community hub, installation of renewables;**
 - (d) in addition to this cap on expenditure, at the time the main construction contract is signed, the phase 1 scheme must not increase the Council's existing MTFS provision of £724,000 for Bury St Edmunds Leisure Centre and, in relation to other ancillary elements of the new hub, be capable of achieving at least a break-even position over the whole life of the borrowing;**
 - (e) in addition to the phase 1 scheme defined in the review, a further capital allocation of up to £10 million be made in the Council's capital programme for interim works to the remainder of the Western Way site as defined in Appendix 3 of this report and also on the basis of at least a break-even income position over the life of the borrowing;**

- (f) subject to consultation with the relevant portfolio holders, approval be given for interim or enabling works ahead of the main contract for phase 1, to be financed from within the new combined WW capital budget of £75m. But only where these works will increase the commercial value of the site irrespective of whether the WW project proceeds or not;**
- (g) the cash flow risk being managed;**
- (h) the most beneficial and economic funding method for the project is identified, including entering into agreements with third-party investors if required; and**
- (i) any phase 2 scheme for a permanent use of the remainder of the WW site be subject to a new and separate business case to councillors before the conclusion of the phase 1 construction programme.**

1. Context to this report

- 1.1 Please see attached review document and appendices.

2. Proposals within this report

- 2.1 Please see recommendations and attached review document and appendices.

3. Alternative options that have been considered

- 3.1 The 2018 Outline Business Case and 2019 Final Business Case provided an analysis of alternative options as part of the process to choose a preferred scheme. That preferred scheme was approved for delivery subject to conditions, and has received planning consent. It also provides significant flexibility going forward, as explained in the attached review.
- 3.2 If, having considered this review, Cabinet and/or Council did not agree that the approved project should continue as originally planned, a further report would need to be prepared examining alternative options to the current scheme in more detail. This is because the purpose of this report is to review the existing scheme, and options for its future delivery.
- 3.4 Within that review, alternative options and future flexibility associated with the current scheme have been identified and are explained in the attached report so that councillors could choose to implement the scheme differently e.g. a different phasing or timing.

4. Consultation and engagement undertaken

- 4.1 The wider project has been and is subject to extensive consultation. In relation to this review, consultation has taken place with the members of the Cabinet, partners and other key stakeholders.

5. Risks associated with the proposals

- 5.1 Please see risk assessment at appendix 4 of attached review. Risks are also explained in the main review report.

6. Implications arising from the proposals

- 6.1 Financial, governance, environmental and partner implications are explained in the review and its appendices.

7. Appendices referenced in this report

7.1 Main document:

Western Way Project Review, December 2022

Appendices

1. The phase 1 community hub: West Suffolk Council's own service specification
2. The phase 1 community hub: Suffolk County Council's potential elements
3. Enabling works to the site/interim works to the remainder of the frame pending phase 2
4. Risk Assessment

8. Background documents associated with this report

- 8.1 Outline Business Case for WWD, October 2018
- 8.2 Final Business Case for WWD, September 2019
- 8.3 External Assurance Review, January 2020
- 8.4 Final Business Case Update and Review, June 2021
- 8.5 All four documents above can be found at www.westsuffolk.gov.uk/wwd

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Western Way Project Review December 2022



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- C. Is this still the right place for the phase 1 scheme?
- D. What can we afford in phase 1?
- E. What changes are needed to the project framework?
- F. Next Steps and Recommendations

Appendices

1. The phase 1 community hub: West Suffolk Council's own service specification
2. The phase 1 community hub: Suffolk County Council's potential elements
3. Enabling works to the site/interim works to the remainder of the frame pending phase 2
4. Risk Assessment

Executive Summary

- 1 The Western Way (WW) project in Bury St Edmunds is part of a network of existing or planned community hub projects across the whole West Suffolk area which offers the opportunity to replace and upgrade the town's aging leisure centre.
- 2 The project was first approved for delivery by Council in 2019 and, since that time, has achieved planning consent and identified a preferred contractor. In 2021 it was agreed by Council to deliver the project in phases to reflect changed economic conditions. This is possible because the scheme involves the repurposing of a large steel-framed industrial building which, as well as saving money and carbon, offers great flexibility.
- 3 Recently, the NHS has confirmed that they are unable to be part of a phase 1 starting in 2023 as they need more time to complete their business case. In view of this, and wider economic pressures, Cabinet has decided to carry out an additional review before proceeding with the second stage of tendering in early 2023. This report provides that review.
- 4 The target phase 1 scheme approved in 2021, which used around two-thirds of the capacity of the planning consent, included a large NHS clinical facility and public sector and commercial offices alongside a new leisure centre. It was estimated to cost £91 million if delivered in 2023. Adjusting for additional inflation since that time, this scheme would now be likely to cost over £100 million.
- 5 With no NHS facility required in phase 1, and with no external support to underwrite the income risk of investing in commercial offices, it is proposed to reduce the size of the initial scheme further, to around 40% of the planning consent. Compared to £100 million, this new proposed hub scheme could potentially cost around £61 million in total, just under £40 million of which relates to the new leisure centre. The additional £21 million would deliver a large renewables investment (around £10 million) and hub facilities for West Suffolk Council (£5.7 million) and, potentially, Suffolk County Council (£5 million to £6 million) on a break-even basis.
- 6 In this context, the income risk of the WW project has reduced considerably since 2021 because the Council is no longer having to borrow significantly on behalf of partners or looking to invest speculatively in commercial property which may take time to let. Instead, this is now mainly about investing in existing assets and important public infrastructure and, as such, the financial safeguards and modelling for the project can be adapted to reflect what is more of a known quantity.
- 7 If approved, the likely cost of a new leisure centre in WW has increased by £9 million since 2021. This is largely due to higher than expected inflation but also reflects a new indoor leisure facilities assessment completed in early 2022. This assessment showed that there was a need to expand leisure facilities in Bury St Edmunds to cope with expected population growth to 2040. The specification has therefore been amended, for instance providing an eight instead of six-lane main pool. Developer funding is likely to be available to meet this cost.

- 8 The Council's decision about the leisure centre remains a simple asset management one. Due to its condition, there is no do-nothing or spend-nothing option for Bury Leisure Centre and, as such, the Council has already made provision of £724,000 per annum in its medium-term financial strategy (MTFS) for tackling this issue irrespective of whether WW goes ahead (and this sum is already factored into budget savings targets). But given the wider financial pressures on councils and communities, Cabinet is of the view that this existing budget provision for the leisure centre cannot increase.
- 9 In the light of the additional inflation on all construction costs since 2021, this makes an even stronger asset management case for the leisure centre element of WW than in 2021. Not only does WW offer the chance to expand and integrate the new leisure centre but it is also considerably cheaper in revenue terms than any option involving the current leisure centre site; immediately and in the long-term, even after the site acquisition costs. This is not only because it avoids future inflation but also because the borrowing cost is offset by the benefits from renewable energy and larger income and savings for the operator. In contrast, whatever is done at the current leisure centre, refurbishing that will only keep the building going for another 20 years, without the same revenue benefits as WW. After which it will then need to be rebuilt on its current constrained site or at a newly acquired site. This asset management case reflecting the wider WW benefits can be summarised as follows (m=million):

	Initial Capital Cost	Total Capital Cost over 40 years	Total revenue cost over 40 years	Immediate revenue impact adjusted for WW benefits*
New Leisure Centre as part of Western Way and refurbish after 20 years. Recommended Option	£39.7m	£50.4m	£58.2m (£1.1m p.a. initially and £1.9m p.a. after 20 years due to refurbishment)	£0.724m p.a.
Major refurbishment of existing leisure centre. Then rebuild after 20 years.	£24.8m	£83.8m	£77.7m (£1.1m p.a. initially and £2.8m p.a. after 20 years due to newbuild)	£1.116m p.a.
Minimum refurbishment of existing leisure centre. Then rebuild after 20 years	£13.0m	£72.0m	£62.8m (£0.8m p.a. initially but £2.3m after 20 years due to newbuild)	£0.806m p.a.

*Current provision in MTFS is £0.724 million

- 10 There are other risks of delaying a replacement of the leisure centre. The WW site is available now and has planning consent and a partially

completed procurement exercise with a preferred contractor engaged. Inflation will also continue to increase in the coming years so the cost of any option will not go down. Interest rates are currently high. But, as a more conventional asset management investment for a council facility, the Council has different options for managing the borrowing cost of the leisure centre over 40 years, compared to borrowing for third parties or commercially. Finally, energy prices are at present very high due to the energy crisis which creates a significant financial and environmental incentive to move to a more modern building powered for large parts of the year entirely by renewable energy.

- 11 In addition to the leisure facilities that could be included in phase 1 of WW, there is also still a strong case to add the extra elements that turn it from a community centre into a community hub. Building on the successes of earlier projects at Brandon, Haverhill and Mildenhall leisure centres/hubs. An indicative £5.7 million is included in the interim cost plan for a small and complementary health facility, as at those other three leisure centres (which could be used by the NHS or other health providers), some essential council stores and a small amount of ancillary offices and flexible meeting spaces that were included in the original business case. This £5.7 million can be funded on a break-even basis, and at current interest rates, using savings/income and also surplus renewables income from the phase 1 scheme.
- 12 A further £5 million to £6 million could potentially be added to the budget to provide a new archive facility and/or a new, enlarged pre-school to the hub for Suffolk County Council (SCC). The former is currently the subject of a review which is examining the benefits of moving to WW compared to a refurbishment of the existing Raingate Street building. The latter has always been included as a SCC-led element of the phase 1 scheme. In both instances, any capital spending would need to be fully underwritten by Suffolk County Council. The County Council will make its final decisions on whether these elements are to be included in early 2023 ahead of any sign-off of the phase 1 scheme.
- 13 A separate business case will now need to be brought to councillors before the end of the phase 1 construction programme in 2025 for phase 2 of the scheme. There are multiple options for this under the current planning consent, and over half of the site is still available.
- 14 In relation to the 60% of the existing building frame that is not needed by phase 1, the report also explains that there is also the opportunity to make an additional interim investment of over £8 million in this part of the building in 2023. The case for doing this is a commercial asset management one as landowner. As it will ensure that all options are open for its future use, whatever the decision on and timing of the phase 2 scheme. These interim works will mainly be to replace its existing roof, which is at end-of-life, and to add solar panels. Both of which would be cheaper to do at the same time as the same works in phase 1. This budget could also cover the remainder of the acquisition cost of the frame in the Council's accounts. As with the community hub elements, the borrowing cost of this additional asset management investment can be covered

through renewable energy income and income after 2025 from either a phase 2 scheme or an interim use under an agreed phasing plan.

- 15 The review also takes the opportunity to simplify the project governance for WW now that there is only one potential external tenant. Existing project gateways can be replaced by two gateways, the first of which will be a Cabinet sign-off of the final budget ahead of the formal part of the second-stage tendering in March 2023. The second gateway will be the final award of contract in August 2023 under normal Constitutional rules, but only provided that the final budget is met.
- 16 Cabinet's authority to sign-off the final budget will be subject to the financial framework put in place by Council under this report. This retains the requirement that the impact of the leisure centre on the Council's budget must not exceed the current MTFS provision and, for all other elements, that they must at least break even for taxpayers over the life of the borrowing. To allow some flexibility in capital and revenue in the final stage of tendering, it is also proposed that the capital expenditure limits be set at £65 million for the phase 1 scheme and £10 million for the interim works to the rest of the site (£75 million in total compared to the original cap of £140 million). Authority will also be provided for carrying out enabling works from within either budget where these will add value to the site irrespective of whether WW goes ahead or not. For instance, essential re-roofing and adding renewables.
- 17 For the above reasons, it is proposed that a smaller phase 1 scheme for Western Way continues through to the second of stage of tendering, to allow a start on site in 2023 and a projected opening of new facilities in autumn 2025.

A. Background information and context for review

1 Purpose of report

- 1.1 The Western Way (WW) project in Bury St Edmunds is part of a network of existing or planned community hub projects across the whole West Suffolk area being delivered by partners in the public, charity and community sectors. These range in scale from a community-led hub project in Clare up to the multi-agency Mildenhall Hub which opened in June 2021.
- 1.2 WW was approved for delivery by Council in late 2019 and achieved planning consent in 2021 on the completion of its Section 106 agreement. After reviewing the impact of the Covid-19 pandemic, Council gave support for a phased delivery of the project in June 2021. In both instances, a set of financial tests were set to safeguard the interests of taxpayers. A final review of these tests by Cabinet is currently required before any contract can be awarded. This would not occur before March 2023.
- 1.3 Given the current economic situation and the changing requirements of partners, Cabinet has asked that an interim review of the status of the project be carried out before the end of 2022 so that Council can consider whether it wishes to continue with the current project. This report provides that review.

2 Why are we still pursuing the Western Way project?

- 2.1 WW has been in development for many years. For that reason, this report will only focus on what has changed since those earlier reports, and not revisit the approved strategic case for the scheme. That case is contained in the previous reports detailed in the background information section of the covering report. Nonetheless, from a strategic point of view, delivery of WW is as important as ever given the positive impact of the programme to create community hubs across the whole of West Suffolk. Specifically, in the case of WW the full scheme is capable of:
 - addressing the internal asset management need to renew the existing leisure centre (for which there is no 'do nothing' option)
 - delivering the agreed masterplan for the site
 - securing the future of local community facilities (health, leisure and skills)
 - creating new employment space and jobs; and
 - increasing partnership working with other organisations under the One Public Estate Programme and, in particular, strengthening integration with NHS partners.

3 Council review of business case - June 2021

3.1 When Council last considered the scheme in June 2021, the following was agreed:

- (a) a phased approach to delivering the full planning consent would be taken; focusing more in the immediate post-covid period on known public sector demand given uncertainty about the demand for commercial office space;
- (b) a target phase 1 scheme of around 14,500m² of operational/lettable space¹ (two thirds of the allowed capacity of the site) estimated to cost up to £95 million at that time; with a leisure centre of around 7,000m², 3,250m² of clinical space for the NHS and 4,500m² of offices (two thirds of which were envisaged for the public sector);
- (c) financial safeguards including a requirement for partners to have signed up to various legal agreements at defined gateways and to meet their share of project costs from 2021 onwards; and
- (d) sign-off by Cabinet before final contract signing to ensure these tests were still being met.

4 Where had we got to by summer 2022?

4.1 As a reminder of information shared in various councillor updates, in summer 2022 the status of the project was as follows:

- (a) a new leisure needs assessment was completed for West Suffolk which, among other things, showed that an eight lane main pool was required to cope with future population growth. This fed into further refinement of the leisure centre specification and also means we have the ability to seek s106 contributions from developers in the catchment;
- (b) Morgan Sindall were selected as the preferred contractor after a competitive first stage tendering process, and engaged to work with us and the design team on the second stage under a Pre-Construction Services Agreement (PCSA). This has been very successful with substantial value engineering savings and inflation mitigation measures identified giving us continued confidence that the financial tests could be met;
- (c) the NHS were fully engaged in the project through the required collaboration agreement and were seeking approval of a business case for around 5,000m² of clinical and office space.

¹ Excluding circulation and ancillary facilities

5 What is the current status of the project?

- 5.1 WW is being progressed in a challenging economic environment. This has obviously affected the project, along with all other construction schemes. The remainder of this report looks at this in detail but as a brief summary:
- (a) We still have to tackle the condition of the existing leisure centre. In asset management terms, there is no 'do nothing' option;
 - (b) as publicly announced in September, the NHS require more time to complete their business case for WW due to new financial rules introduced in 2022 and have indicated that they will not be able to join the project in phase 1;
 - (c) given national and world events, estimates of construction inflation have continued to rise (by a further 10% since the 2021 estimates) and borrowing rates for local authorities have increased significantly (from under 2% in early 2022 to over 4% as at the end of November 2022). A significant cost mitigation plan is in place for the scheme working with the preferred contractor (value engineering, accelerated programme, forward buying, etc). This also vindicates the re-use of the existing steel frame and concrete pad.
 - (d) energy costs affecting the project and the current leisure centre have risen considerably. However, plans for renewable energy in the project have also increased including taking advantage of an opportunity to export surplus energy to the grid;
 - (e) Suffolk County Council are investigating the potential to relocate the West Suffolk branch of the Suffolk Archive to WW as an alternative to refurbishing their current premises;
 - (f) there is an increased community requirement for spaces in the pre-school already in the phase 1 scheme and this could now be more integrated in the hub rather than standalone;
 - (g) the latest market analysis report shows that there continues to be a demand for high quality office in Bury St Edmunds but, in the current economic conditions, this speculative investment would be a higher risk under the financial tests set for WW;
 - (h) users of the skatepark have been kept informed of plans and feedback received at the time of the planning application from track users has been accommodated in the latest designs;
 - (i) the Department for Education has completed its works to upgrade the Beetons Way junction serving the new sixth form and these works have included the required additional capacity for WW to avoid future disruption and offer economies of scale (using a contribution from the Council agreed in the WW business case);

- (j) although a separate project, the links between the WW hub and West Suffolk House have been considered so that the capacity of the latter is fully used by the public sector before any new offices are considered (which links to point (g) above).

6 What do we need to establish in December 2022?

6.1 To help councillors decide whether or not to continue with the project, the remainder of this update is structured around answering the following questions:

- (a) Is it still the right time to start the project? (Section B)
- (b) Is this still the right place for the phase 1 scheme? (Section C)
- (c) What can we afford in phase 1? (Section D)
- (d) Does the leisure centre business case still stack up? (Appendix 1)
- (e) What else other than the leisure centre could be in Phase 1? (Appendices 1 and 2)
- (f) What will happen with the rest of the site? (Appendix 3)
- (g) What changes are needed to the project framework? (Section E)
- (h) What are the next steps? (Section F)
- (i) What is the latest risk assessment? (Appendix 4)

B. Is it still the right time to start the project?

1 One option available to the Council would be to pause or stop the project. So, it is important to examine the reasons why carrying on with the original timetable for a smaller phase 1 scheme is a valid choice. Some of this reasoning is specific to the asset management case for the leisure centre which is covered in more detail later in the report. But, in general terms, the case for continuing is as follows:

- (a) There is no do-nothing option for Bury St Edmunds leisure centre and also still a compelling asset management/operational case for taxpayers (which is explained later in this report). As such, there is already provision in the Council's medium-term financial strategy for this work. In simple terms, the decision about phase 1 of WW is now fundamentally a decision about continuing to provide a leisure centre in Bury St Edmunds (in contrast to the earlier decisions on WW which involved significant third party and commercial investments which are no longer in phase 1).
- (b) As will also be shown later, the financial tests set for the project since 2019 will continue to apply, even with higher interest and inflation rates.
- (c) While inflation is projected to slow in future years, there is no forecast of deflation, so prices will continue to rise. In essence, the cost of tackling the leisure centre is going to be the cost whenever the Council takes it on, and it will not be likely to go down from today's prices. In fact, while deferring the project would postpone further project costs of over £2 million to get to the point of starting

on site, that delay would just add further inflationary pressure. Not only to those project costs themselves but to the overall capital cost of the contract. It could also add avoidable additional costs to the project/Council's budget, as explained below.

- (d) Only stopping altogether would avoid the further project costs. But stopping altogether would crystallise non-recoverable abortive costs for some of the work to date.
 - (e) These abortive costs would include the considerable work undertaken to select and acquire a preferred contractor. Who fully understands the project and is highly motivated to start on site in 2023 by ensuring the project remains affordable (as evidenced by their engagement to date in value engineering and the flexibility shown after the withdrawal of the NHS from phase 1).
 - (f) Following on from (e), the WW contract has performance indicators for the main contractor which seek to maximise the regional benefits of the work (the 'Suffolk Pound' initiative). So, hopefully, the Council continuing to invest in projects will assist the local economy during the current recession.
 - (g) In contrast to inflation, interest rates are expected to peak in 2023, before the Council would first have to borrow for WW. The internal nature of the phase 1 project also creates different opportunities for treasury management, which will be explained in later sections (as opposed to a situation where the Council would be borrowing on behalf of partners).
 - (h) The site is available now, and completely vacant from spring 2023. Seeking tenants for the phase 1 portion of the site would also require significant repairs and refurbishment which could be abortive unless the WW project was delayed for many years. In contrast, there is going to be a need to carry out repairs to the phase 2 portion of the site in the next year in any event (and these are factored into the recommendations in this report).
 - (i) Delaying to allow the NHS process to be completed is risky for all parties. There is no guarantee of how long their business case process will take or what the outcome will be. Similarly, no phase 2 scheme would be available for the NHS to join if phase 1 is not viable and delivered.
 - (j) Finally, starting phase 1 in 2023 potentially unlocks other additional benefits to the Council's budgets which are explained later.
- 2 In conclusion, it is felt that there remains a strong case to maintain the current pace of the project and start on site in 2023 if the financial tests continue to be met.

C. Is this still the right place for the phase 1 scheme?

- 1 In a phased approach, this is the right question to ask. Both in terms of the whole site and in relation to the position of the leisure centre within it. Again, some of these factors are specific to the asset management case for the leisure centre which is covered in more detail later in the report. A detailed site evaluation in terms of accessibility was also carried out for the earlier business cases, and that also still applies. However, in general project terms, the case for sticking with the current site is as follows:
 - (a) If pace is important, the current scheme is the only way now that we could start building a new leisure centre in 2023 (due to the time that would be needed for new re-design, planning and procurement processes).
 - (b) The current scheme offers the scope for expansion of the leisure offer and the creation of an integrated hub in phases 1 and 2. The ability of Suffolk County Council to join the phase 1 hub will also be time-limited given their operational and asset management considerations.
 - (c) Moving to a different location altogether would require the acquisition of a large site and a new planning process (which would also apply if we deferred a relocation for 10-15 years, as the WW site would no longer be available).
 - (d) There is no such site currently allocated in the emerging draft local plan and in planning policy terms it may be sub-optimal (in terms of accessibility and integration). Keeping the leisure centre at WW is therefore likely to be the best spatial option in planning policy terms, as well as operationally and commercially because of the day-time use by nearby educational establishments (particularly the College).
 - (e) Trying to replace the leisure centre on its current site will lead to a two year closure, and constrain expansion and integration opportunities. This has significant revenue implications but also strategic disbenefits because of the number of people denied access to health activities (particularly in relation to swimming and swimming lessons). It would also still require access to overflow parking at peak times on the wider WW site (currently provided by Olding Road car park) which would need to be factored into any alternative use or disposal.
 - (f) The proposed design gives the leisure centre maximum prominence (important commercially but mainly for promoting healthy activities) and overcomes the issue of having to relocate the skatepark (which can also be expanded and fully integrated).
 - (g) It also allows 'docking' of the wet-side extension with the existing frame which is well proportioned for dry-side leisure uses, and easier sharing of plant and renewables. The re-use of the frame and concrete pad also have significant environmental as well as financial benefits.

D. What can we afford in phase 1?

1 What will we know about costs and when?

- 1.1 Since councillors will be kept involved in the design process through briefings and in their separate local planning authority role, the purpose of this report is not to update significantly on design matters.
- 1.2 In general terms, the decision of the NHS not to join the project in phase 1 has required a re-design of some of the existing phase 1 scheme and some of the site infrastructure (although a significant proportion is still carried forward). This work is still underway with the design team and preferred contractor, and will reflect the flexibility of the existing frame and our planning consent, the final requirements of partners and the pursuit of value engineering to keep the cost down. However, this can still be completed to allow a start on site in 2023 and completion in 2025 as originally planned.
- 1.3 Certainty on the cost of the project was always going to come at the end of the second stage of tendering in 2023 when we have agreed with the contractor and partners a final scheme which has been subject to full market-testing and is signed off by the Local Planning Authority. Until then, the imperative is to know that viability is still attainable and that we can continue to justify incurring design and other project costs (over £2 million more before we start to build, given the scale of the project).
- 1.4 In terms of that viability, in keeping with the earlier business case reports, the main thing at this stage is understanding what the Council can still afford to spend. Doing so means that the consultants and contractors are able to work to an updated budget which not only reflects competitive benchmarks for equivalent projects at forecast 2023 prices but the Council's available revenue budget to support borrowing. In that way, there will be a far greater chance of meeting the financial tests set by the Council in 2023 and starting the works on time.

2 What can we still afford?

- 2.1 Cabinet and officers are acutely aware that this decision on WW is coinciding with a period of extreme pressure on public sector, business and household finances. It has been explained in the previous section why carrying on with the project at such a difficult time can still be justified given the risks of delay. But it is equally important that WW does not make the Council's overall budget challenges any harder and, for that reason, that:
 - (a) the original financial tests for WW continue to be met; and specifically
 - (b) the existing provision in the Council's Medium Term Financial Strategy for the asset management cost of the leisure centre is not increased.

- 2.2 In simple terms, therefore, what the Council can still afford is a scheme which is consistent with the provision already in the current MTFS (£724,000). Which has been the case since the final business case in 2019 but may now require an even more risk averse approach.
- 2.3 In respect of risks, what has changed since the last review in 2021 is the scale of the phase 1 project and the challenges associated with the income and borrowing:

	Target Capital Cost in June 2021	Target Capital Cost in December 2022
Phase 1 scheme envisaged in June 2021	£91.2 million (mid-range) ²	£100.4 million (Adjusted for current inflation)
Phase 1 scheme now envisaged	n/a	£61 million ³
Reduction		39%

- 2.4 Alongside that drop in spending, the income risk associated with the total investment has also reduced. In simple terms, phase 1 is still about the Council investing in its own services (the leisure centre). But phase 1 doesn't now involve any significant borrowing on behalf of partners or, at risk, to achieve commercial income. This is because the large health facility and any commercial offices will be part of later phases. So, while risks remain, they are considerably reduced at the current time and the investment is much more of a conventional asset management decision. Part of this reduction also relates to the ability to defer some of the site infrastructure required by the planning consent until phase 2 e.g. some of the on-site parking.
- 2.5 This change in risk also changes the way that the Council can look to borrow for parts of the scheme. So that we can apply the necessary pessimism bias, elements of phase 1 that are ancillary to the leisure centre, or delivered for partners, will continue to need to break even against the current Public Works Loans Board (PWLb) rate (4.20% for 40 year borrowing at the time of writing this report).
- 2.6 However, as explained, funding the leisure centre replacement itself is now simply a direct cost of owning an operational asset. In that context this report maintains the borrowing rates for the leisure centre element of the build as per the June 2021 FBC – this being a rate of 2.50%. The cost of borrowing, at the point funds are required to manage the Council's

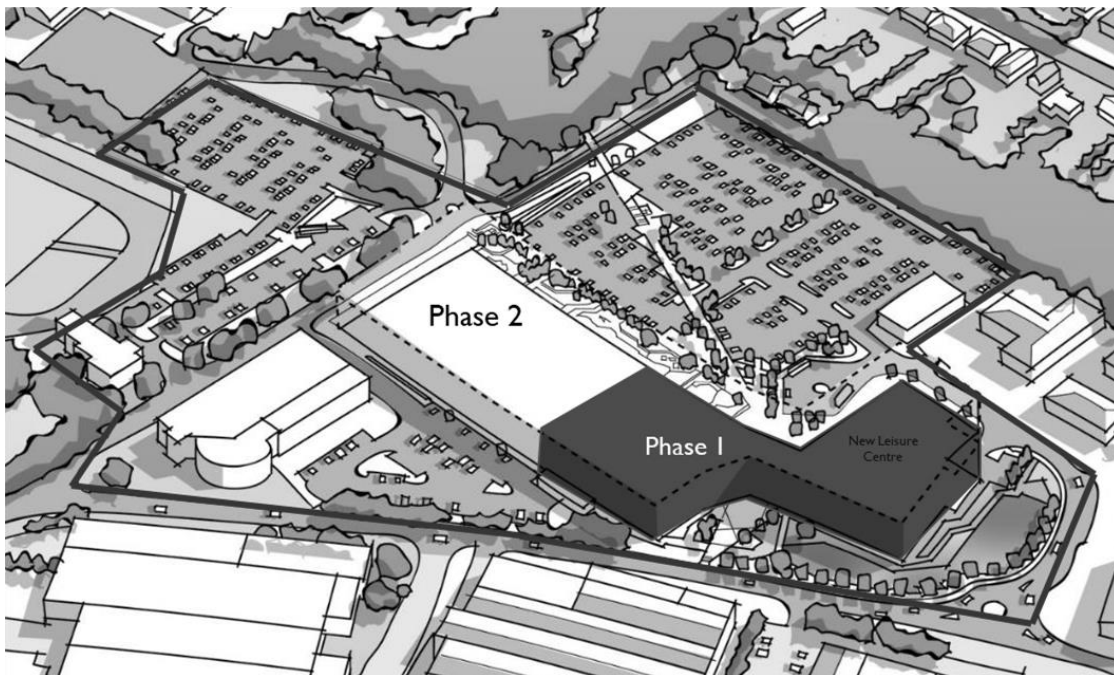
² Capital limit for whole scheme with planning consent was set at £140 million.

³ This is the full cost of phase 1 works including renewables and also the elements of the hub that, if they went ahead, would be funded by Suffolk County Council. See later sections and appendices 1-3

overall treasury management activities, will now be managed within the Council's overall interest payable budgets, this assumption is being factored into the 2023 to 2024 budget setting process.

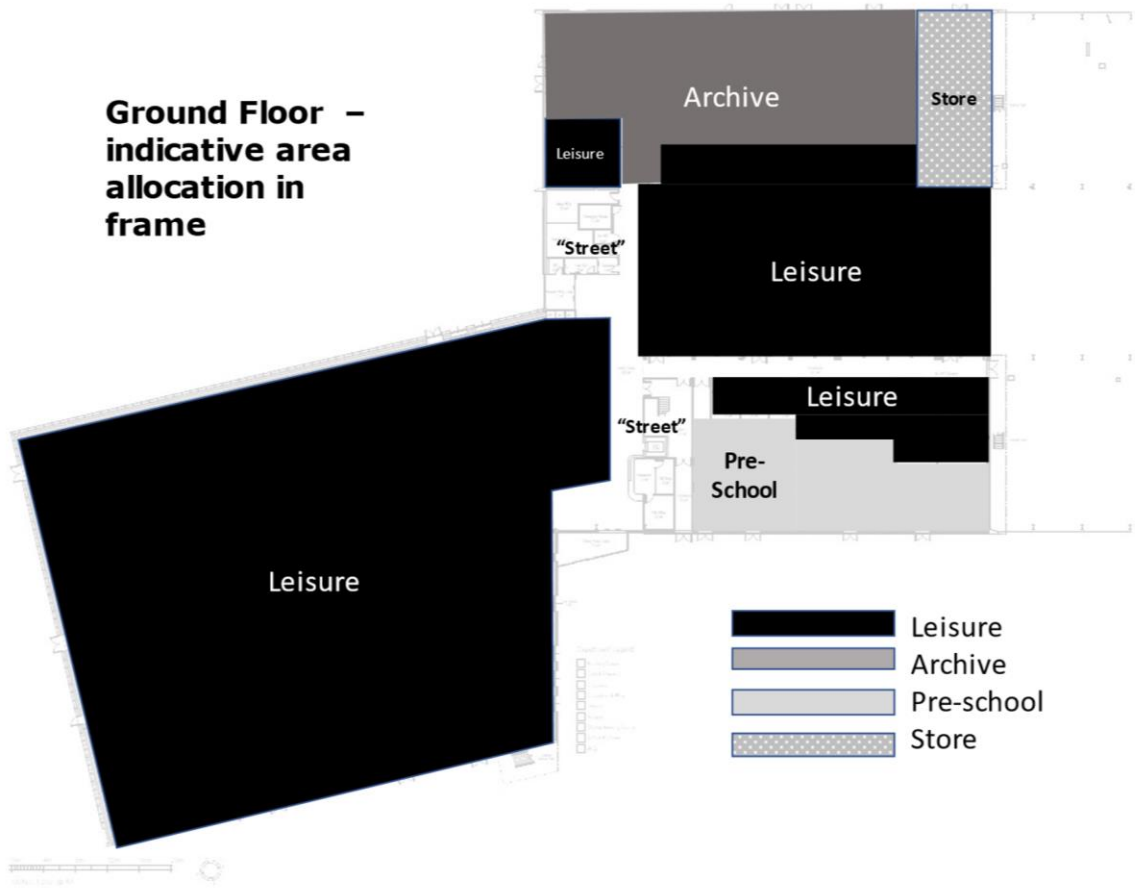
3 Context for understanding the cost of the new phase 1 scheme

- 3.1 Explaining the viability of the scheme is easier if the physical scale of the new phase 1 scheme is understood, as well as the relative cost.
- 3.2 Firstly, to give a visual sense of the scale of what is included, the illustration of the scheme with planning consent below shows approximately the proportion of the frame/site currently required for the phase 1 scheme (shaded black). Around half of the parking capacity with consent (just under 1,400 spaces) is also required (including what is needed for West Suffolk House under the new parking standards). Some of the highways works required for the full scheme are likely to be deferred until phase 2 because phase 1 will not generate much additional traffic and, mainly, be about redistributing existing journeys to and from the leisure centre.

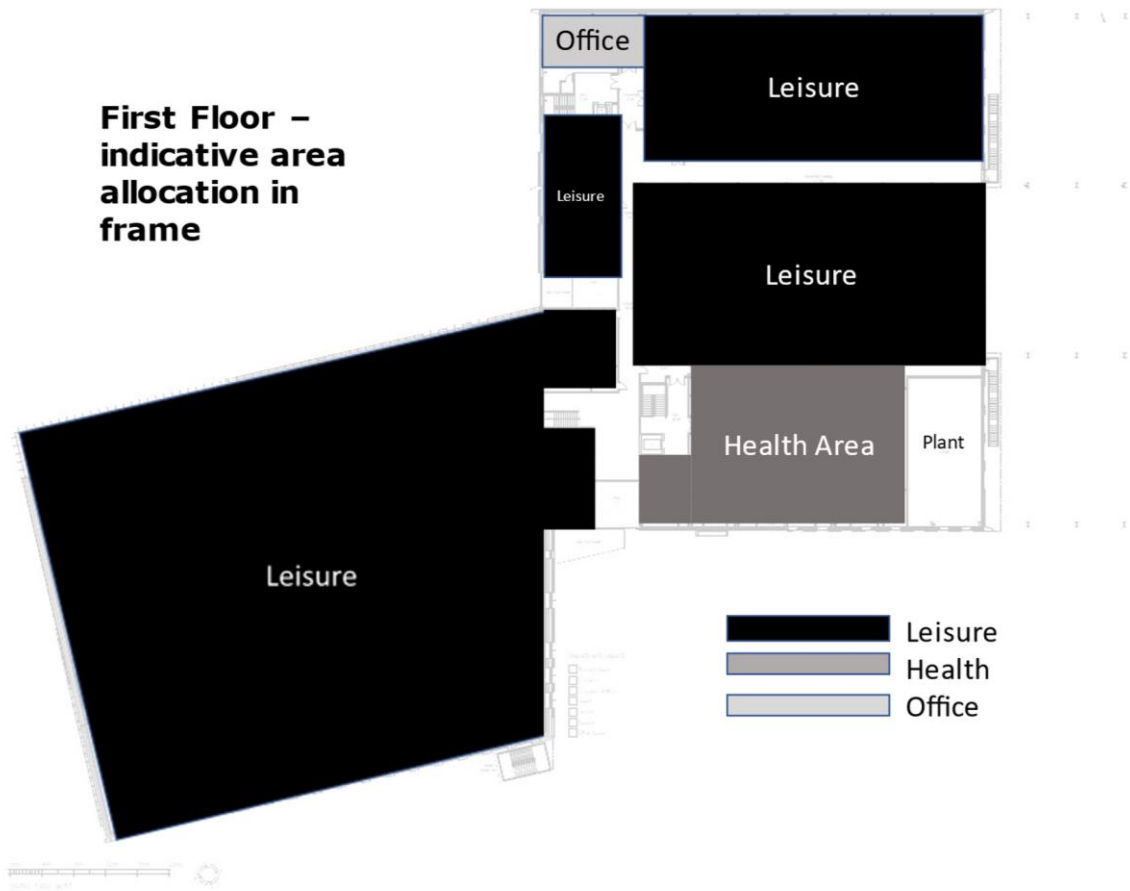


- 3.3 Inside the hub itself, the two diagrams overleaf give an indicative layout for the new phase 1 facilities which are explained later in the report (although this is subject to change in the coming months). As can be seen, the bulk of the accommodation is now a leisure centre complemented by the other small elements that we have seen work well in the Mildenhall, Brandon and Haverhill leisure centres/hubs.

**Ground Floor –
indicative area
allocation in
frame**



**First Floor –
indicative area
allocation in
frame**



- 3.4 The proposed reduction in the amounts of income-earning operational space in the new hub building can be summarised as follows (m2 = square metres):

Space	Available under the full scheme with planning consent (m2)	Envisaged for phase 1 in June 2021 review (m2)	Proposed for phase 1 in Dec 2022 Review (m2)
Leisure centre	6,195	6,695	6,472
Clinical health space	4,239	3,250	568
Other public sector space (incl pre-school)	5,259	2,500	1,631
Commercial office space	5,969	2,000	0
Total	21,662	14,445	8,671
% of what is allowed	100%	67%	40%

- 3.5 As can be seen in the layouts, the phase 1 scheme is highly integrated which drives its efficiency as a building. But in terms of how it is financed, and to provide an interim appraisal of the costs and risks, it can be split into two constituent parts. Namely:
- (a) the hub the Council will build as landlord to meet its own service specification for the new leisure centre, including the new athletics pavilion and the renewable energy for phase 1; and
 - (b) two other elements of the phase 1 community hub potentially required by Suffolk County Council.
- 3.6 As a third element, there is also a need to look at interim asset management costs associated with the remainder of the WW site pending phase 2 (the unshaded area on the site drawing at para 3.2 above).
- 3.7 Each of these three elements need to be viable in their own right, independent of each other and of any further income estimated from phase 2. Any business case for a phase 2 scheme would then be brought separately to councillors at a later date.

- 3.8 Appendices 1-3 of this report provide the current context for each of these three separate elements of the new capital limit proposed in this review. A final and detailed financial appraisal will then be provided in the final sign-off report considered by Cabinet in 2023.

4 Summary of interim financial model

- 4.1 In general terms, and adjusted for inflation and higher interest rates, the expenditure required in the initial capital project for WW is significantly smaller than the one last considered by councillors in 2021. Moreover, this is predominantly now a conventional asset management decision for the Council, with the previous elements of investing in un-let commercial offices or on behalf of the NHS removed. Finally, despite higher inflation and interest rates, the latest due diligence shows that the financial tests continue to be capable of being met, without any need to increase the Council's existing MTFS allocation of £724,000 p.a. for the replacement of the leisure centre (which wouldn't be the case if we attempted to refurbish the current centre as other benefits would not be available to mitigate the cost). More detail behind these conclusions is set out in appendices 1-3.
- 4.2 In summary, and using the latest estimates ahead of confirmation in the second-stage of tendering:
- (a) Building a new and larger leisure centre at WW will now cost around £39.7 million. With a 20 year refurbishment, this option will have a total capital cost of around £50 million over 40 years. That £50.4 million capital will have a revenue cost to the Council over 40 years of £58.2 million (this includes repayment of capital borrowing).
 - (b) In contrast, fully refurbishing the existing but smaller centre now and deferring its replacement for 20 years will cost around £84 million (£24.8 million initially and around £60 million in 20 years allowing for inflation). At a revenue cost over 40 years of £77.7 million. Even a light touch refurbishment would cost more in total than the WW option (see Appendix 1).
 - (c) £32.75 million of this £39.7 million cost can still be supported by the Council's existing MTFS provision of £724,000 for the leisure centre, savings in the management fee and s106 funding.
 - (d) The remaining £7 million can be supported by net income from renewable energy income.
 - (e) If the Council chose instead of WW to stay on the existing leisure centre site and make that fit for purpose it would need to increase its current MTFS provision from £724,000 to at least £806,000 in 2025, increasing to £2.32 million after year 20.
 - (f) Renewable energy income and rents/savings can also support the addition of £5.7 million of ancillary facilities to turn the new leisure centre into a community hub as has already been done in Haverhill, Mildenhall and Brandon (see Appendix 1).

- (g) Suffolk County Council's two potential elements in the phase 1 scheme would be entirely cost neutral to West Suffolk Council if they proceed (see Appendix 2).
 - (h) If SCC are able to join the project, the new phase 1 scheme is currently forecast to require gross expenditure of £61.0 million (over £5 million of which would need to be met by SCC).
 - (i) Accordingly, a suggested new capital limit of £65 million is suggested for phase 1 to allow for flexibility around additional costs and income in the second stage tendering under the existing financial tests agreed by Council.⁴
 - (j) Up to a further £10 million (current estimate £8.25 million) is envisaged for interim works to the remainder of the site (see Appendix 3). These can also be financed from additional renewable energy income and any rent that would be generated from doing them pending phase 2.
 - (k) The combination of the phase 1 works and interim works means the original cap on capital spending on the scheme of £140 million can be reduced to £75 million.
- 4.3 This position can be illustrated in the following table which shows what the Council can afford to borrow, and the current target costs and income estimates behind that. Although they include contingencies and allowances for inflation and design development, these figures will continue to evolve through the second stage of tendering and are, therefore, indicative at this stage. For instance, there is a target of 1% for additional savings from value engineering, economies of scale, project costs and, if needed, scope. The final model will be confirmed in the final report to Cabinet in 2023.

⁴ Under these rules, if £65 million was required, then there would need to be additional third party funding or extra income or savings which could cover the additional £4 million.

	Indicative total capital budget	Estimated revenue contribution	Capital funding/ Borrowing supported by revenue
Phase 1 Hub: WSC Elements (Appendix 1)			
Leisure centre and café (including acquisition costs and expected s106 funding)	£39.7m	£0.724m* (MTFS provision)	£32.75m*
		£0.475m (Benefit from leisure provider)	
Other Hub Elements: Health and well being facility, stores, ACL office, meeting spaces (including acquisition costs)	£5.7m	£0.24m	£4m
Remediation of council depot site	£1.1m	-	£1m
Phase 1 Renewables	£9.6m	£0.98m	£18m
Targeted further savings of 1% in second stage process	(£0.5m)	-	-
WSC Sub-Total	£55.6m	£2.42m Net £1.94m after benefit from leisure provider	£55.75m

Phase 1 Hub: SCC Potential Elements (Appendix 2)			
Potential archive and pre- school (NB final sum subject to specification)	£5.4m	-	£5.4m
SCC Sub-Total	£5.4m	-	£5.4m

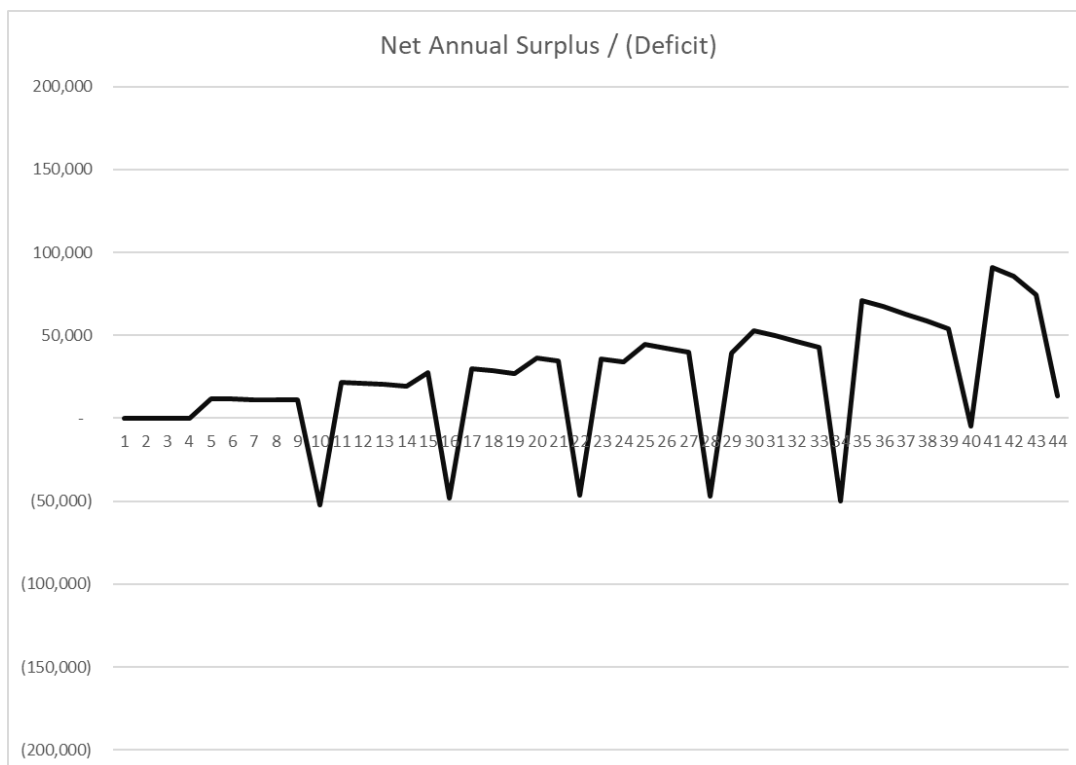
Total for Phase 1 Scheme	£61.0m	£2.42m	£61.15m
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Interim Works to the Remainder of Site (Appendix 3)	£8.25m	£0.47m	£8.5m
Grant Total for Three Separate Elements	£69.25m	£2.89m	£69.65m

£m = £ million

*Retaining existing MTFS provision agreed in 2019 so as
not to increase savings requirement in wider budget

- 4.4 To assess the impact of this scheme on the Council's MTFS and beyond, a more detailed analysis of the revenue expectations has been carried out and put into a cash flow forecast (see below). This cash flow forecast includes assumptions around void and rent-free periods for the small office/meeting room element and inflationary increases in some rental streams.



Assumptions and Notes:

- Minimum Revenue Provision starts in financial year after construction completion for 40 years.
 - Rental income for all elements starts from day 1.
 - Lease term for offices/meeting spaces of 5 years, with 1 year void or rent-free period after completion of each lease.
 - Borrowing costs can be fixed and will stay the same for the life of the loan.
 - Rental income increased by inflation after 5 year rent reviews for each lease.
 - Borrowing costs based on 40 year borrowing, using the annuity method at an interest rate of 2.50% for the leisure centre elements and 4.50% for the other elements.
 - Years 1 – 3 in the graph relate to the construction period, and show a nil effect on cash flow as construction costs will be offset by loan financing.
 - Tenants meet service charges separately at full cost recovery.
- 4.5 The cash flow forecast above shows that, over the course of the whole project, it could potentially generate a total surplus of up to £1.1 million

(on a non-discounted cash flow basis). However, this is obviously a forecast based on the illustrative phase 1 scheme and would need to be kept under review.

5 Project Costs to date/abortive costs

- 5.1 Council last reviewed the project costs for the scheme in June 2021, when the project was about to start the work required for tendering. At that time, it was estimated that, due to the large scale of the phase 1 scheme, it would cost up to £5.7 million to get the project to the point of construction (staff time, design, project management, surveys, cost advice and the PCSA with the preferred contractor). The collaboration agreements with partners ensured the risk of these costs were shared.
- 5.2 Net of the NHS' contribution to their costs since 2021, the Council's own project costs to date since June 2021 have been £930,000. The remaining costs are now estimated at over £2 million, reflecting the smaller scheme.
- 5.3 Although this amount forms part of the overall agreed capital budget allocation for the project, given we are still at the pre-construction stage, this amount will continue to be underwritten by existing revenue reserves (the capital project financing reserve). This approach is designed to manage the revenue impact of potential abortive costs, should the project not proceed.
- 5.4 These sums are included in the latest cost plan set out above, and the likely phasing reflected in the notional cashflow.

6 Other benefits and safeguards

- 6.1 The above summary is for a self-contained project. This is important to ensure the agreed financial tests can be met. However, there are additional potential benefits and safeguards for taxpayers from the new approach being proposed:
 - (a) Even with a significant facility in phase 2, it is unlikely the 200 plus parking spaces that we have consent for in a new staff car park at Anglian Lane (on the site of the former discount warehouse) will now be needed until the very final stage of a phasing plan to deliver the full consent (and its 1390 parking spaces). As such, the Council can continue to rent the building and site in the interim period. It is not suggested that any net income from this site (after acquisition or upgrade costs) is included in the phase 1 WW budget and, therefore, this would contribute to the Council's wider budget.
 - (b) As explained in Appendices 1 and 3, there is also scope to install PV across a large part of the WW site before phase 1 opens in 2025. In relation to the phase 1 site, this early installation will help with the cashflow of the project. In relation to the remainder of the WW site, however, any surplus income from PV after the phase 1 project and running costs have been met, will contribute to the Council's wider budget.

- (c) Surplus renewable energy from the WW site will also increase the Council's options in terms of obtaining price certainty for the power used in other public facilities (as well as assisting the WW business case). Because the Council can determine where this energy is used in its own estate at the agreed unit rates. So, as an example, one potential use for the surplus energy from the WW site is West Suffolk House. This also importantly contributes to the Council's net zero work for carbon.

E. What changes are needed to the project framework?

The final business case, and subsequent reviews of it, provided an extensive project governance framework for WW. That remains largely in place and does not need updating. However, the change in phasing approach, and the need to maintain pace on the project, mean that some adjustment is needed to the way the project will be delivered and how certain decisions will be taken. Which are explained in this section of the report.

1. Safeguards and delegations

- 1.1 Delivery of the project by Cabinet was subject to a series of gateways and financial tests set by Council. These related to earlier versions of the scheme and different forms of partner involvement and associated risks. Provided these tests continue to be met, Cabinet and officers remain authorised to deliver the project described in the final business case, and seek external funding, without reference back to Council.
- 1.2 If Council agrees through this report to continue with the project, it is suggested that the previous financial tests and approvals be replaced with the following framework:
 - (a) A requirement for formal pre-let agreements for the archive and/or pre-school before any construction contract is signed;
 - (b) A lower cap on gross capital spending of up to £65 million for the phase 1 scheme i.e. project costs, enabling works, initial community hub in phase 1 and renewables. This sum is before receipt of third party funding e.g. any capital contribution from s106 or SCC;
 - (c) in addition to this cap, the whole phase 1 scheme must still meet the existing financial tests over the life of the borrowing i.e. that it does not change the current MTFS provision for replacing the Bury leisure centre and, in relation to ancillary elements of the hub, at least breaks even;

- (d) a further allocation of up to £10 million being made in the capital programme for interim works to the remainder of the frame to maintain its value as an asset and generate renewable energy;
- (e) these interim and any phase 1 enabling works will be allowed ahead of the main contract where these works will increase the commercial value of the site irrespective of whether the WW project proceeds or not;
- (f) any phase 2 scheme will be subject to a new and separate business case to councillors before the conclusion of the phase 1 scheme in 2025.

2. Revised target programme

2.1 As an update from the 2021 target programme, the following is now targeted if Council agree to continue the phase 1 scheme:

- (a) Complete RIBA Stage 3 & 4 Design – 14/4/23
- (b) Complete 2nd stage tender / PCSA period – 24/7/23
- (c) Client Approval – 14/08/23
- (d) Start Construction work onsite – 11/09/23
- (e) Complete Section 1 (Leisure, Hub and external works to West of Beetons Way) – 6/6/25
- (f) Allowance for float and commissioning/testing– 3 months
- (g) Potential earliest opening of facility – September 2025
- (h) Completion of Section 2 (work to East of Beetons Way/ Old Leisure Centre) – End 2025/ Early 2026

2.2 This represents a 4-6 month delay on the programme envisaged in 2021 but this programme now includes a longer float/commissioning period for the leisure centre.

3. Project gateways and sign-off linked to new programme

3.1 Five project gateways were incorporated in the due diligence for WW agreed by Council in June 2021. These were primarily designed to assist the project partners manage the practical implications and risks of the larger shared scheme. As such, they are no longer relevant because the initial scheme is now primarily going to be the Council's own project. It is therefore proposed that the remainder of the previous gateways be replaced with the following simpler, and more conventional, route to contract sign-off:

	Design and Procurement	Partner sign-up	Target Date and Governance
Gateway 1	Sign off RIBA 4 "developed design" and final budget prior to full second-stage market testing and procurement of works packages	Heads of terms (SCC)	14 March 2023 Cabinet decision provided tests set by Council on 13 December 2022 are met

Gateway 2	Sign off final Contractor's Proposals and enter into Contract	Pre-let agreement (SCC)	14 August 2023 Implemented by officers in accordance with the Council's Constitution and in consultation with designated portfolio holders provided the 2 nd stage tender figure is within the limit agreed by Cabinet at Gateway 1
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- 3.2 The reasoning for this proposal is that, by 14 March 2023, the decision of SCC on their two elements will be known and all if not the majority of the RIBA Stage 4 technical design for phase 1 will be complete. Furthermore, under the Pre-Construction Services Agreement, there will already be a detailed target cost plan for the scheme developed with the preferred contractor after early soft market-testing with their supply chain. As such, it will be fairly binary from this point onwards whether the Council will be in a position to sign a contract in the summer or not i.e. the formal procurement and contract negotiation will come in within budget or it will not. Which is how large Council capital projects are conventionally managed within the Council's constitution i.e. Council approves a business case and final budget and the project is then implemented within those boundaries by Cabinet and officers. However, if the budget cannot be delivered, the project would simply be referred back to Cabinet/Council as required.

4. Phase 2

- 4.1 As mentioned previously and explained in Appendix 3, the Council has multiple options for the remainder of the site in a phase 2 scheme because of the flexibility of the current consent and frame. And Phase 1 is being designed to be either integrated with a phase 2 use of the rest of the frame, or to operate independently (with an internal wall as there is now between the former council depot and warehouse).
- 4.2 In addition to the phase 1 scheme, there is an asset management/investment case for some future-proofed interim works explained in Appendix 3. Otherwise, there is no need to commit at this point to a phase 2 scheme because the contractor will need to have control of the whole site during the phase 1 construction period (see Appendix 3). Accordingly, it is proposed that a business case for phase 2 is brought to councillors before the end of the phase 1 construction period and when we know the outcome of the NHS' business case process. In parallel to the NHS' own work, the Council will commission from the project budget some new market analysis so that the full potential of the site can be realised irrespective of the NHS' decision. As a target date, this work would be completed by the end of 2024 (9 months ahead of phase 1 finishing). The NHS will therefore be asked to confirm any request to be involved in phase 2 by the end of 2024.

F. Next steps and recommendations

- 1 As at earlier stages, the next steps for the project need to continue to strike the necessary balance between:
 - ensuring a return on the investment in the project to date;
 - maintaining the necessary flexibility and pace to the project to mitigate current risks;
 - allowing the Council to confidently seek partner sign-up and/or external funding; and
 - ensuring that the Council does not expose its taxpayers to unnecessary financial risks.
- 2 For that reason, the recommendations in this report suggest a balanced approach between maintaining pace and protecting the taxpayers' interests. This would be achieved through the proposed top-level approach to delivering the project, namely:
 - (a) continue the Pre-Construction Services Agreement with the preferred contractor to complete the second stage of tendering;
 - (b) maintain the current financial tests for the final sign-off of phase 1 of the project;
 - (c) retain the existing MTFS provision for the leisure centre (£724,000);
 - (d) preserve as much of the current design and planning consent as we can through a revised phased approach, for a start on site in 2023;
 - (e) capitalise on any value engineering available from the different phasing (including deferred scheme overheads and infrastructure); and
 - (f) take interim steps with the remainder of the frame/site to ensure that the full scheme with planning consent is deliverable in a later phase but also that any holding costs are minimised (and immediate benefits are taken).
- 3 Engagement with partners will also need to continue. As well as public sector partners and funders, there will be a need to engage site neighbours, the skatepark users, Sport England and the national governing bodies for specific sports (who will engage local clubs).
- 4 As agreed in January 2020, Cabinet will still carry out the final review of the project before any final appointment of a contractor. This will now take place in March 2023 as part of the new gateway 1. No formal decision by councillors will be needed for gateway 2 in August 2023 if the final contract sum is in keeping with Cabinet's decision for gateway 1; officers will be able to sign the contract in accordance with the Constitution after consultation with the relevant portfolio holders.

However, if the final contract sum is not within budget in August 2023, then the project will be referred back to Cabinet in the first instance and, if required by the Constitution, to Council.

5 It is therefore **recommended** that:

- (1) this review and update of the business case for the Western Way (WW) project, Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre, be approved so that Cabinet and officers can continue to deliver phase 1 of the project and any interim works to the rest of the site on the revised basis set out in this review and in accordance with the Council's Constitution;
- (2) the existing authorities, financial provisions, safeguards and financial tests for delivery of the project be updated as follows:
 - (a) the remainder of the due diligence for the second stage of tendering be carried out in accordance with the two new gateways defined in Section E of this review;
 - (b) for either facility to be included in the phase 1 construction contract, Suffolk County Council must have entered into a formal pre-let agreement for an archive facility and/or pre-school which meets the One Public Estate principles of full cost recovery;
 - (c) the previous spending caps and financial tests for the hub and leisure centre be replaced by a new combined and reduced net capital expenditure limit of £65 million for the total phase 1 scheme defined in this report i.e. project costs, market analysis, enabling works, construction of the initial community hub, installation of renewables;
 - (d) in addition to this cap on expenditure, at the time the main construction contract is signed, the phase 1 scheme must not increase the Council's existing MTFS provision of £724,000 for Bury St Edmunds Leisure Centre and, in relation to other ancillary elements of the new hub, be capable of achieving at least a break-even position over the whole life of the borrowing;
 - (e) in addition to the phase 1 scheme defined in the review, a further capital allocation of up to £10 million be made in the Council's capital programme for interim works to the remainder of the Western Way site as defined in Appendix 3 of this report and also on the basis of at least a break-even income position over the life of the borrowing;
 - (f) subject to consultation with the relevant portfolio holders, approval be given for interim or enabling works ahead of the main contract for phase 1, to be financed from within the new combined WW capital budget of £75 million. But

only where these works will increase the commercial value of the site irrespective of whether the WW project proceeds or not;

- (g) the cash flow risk being managed;
- (h) the most beneficial and economic funding method for the project is identified, including entering into agreements with third-party investors if required; and
- (i) any phase 2 scheme for a permanent use of the remainder of the WW site be subject to a new and separate business case to councillors before the conclusion of the phase 1 construction programme.

The phase 1 community hub: West Suffolk Council's own service specification

There remains a strong strategic and operational case to look at the phase 1 scheme as a community hub rather than just a leisure centre. With two potential exceptions explained in Appendix 2, this hub is now designed primarily around the Council's own service specification, and is intended to replicate successful hub and dual-use schemes at our other leisure centres. This council specification can be split into three elements:

1. the leisure facilities themselves;
2. the ancillary elements that make the leisure centre into a hub and meet other operational needs of the Council; and
3. renewable energy generation and storage.

1 The replacement leisure facilities

- 1.1 The challenges faced in regard to health inequalities and the impact of the Covid Pandemic and cost of living crisis means that opportunities for people to improve their physical and mental wellbeing are ever more important. At the same time, the business case for a proposed development that will meet these needs has been impacted by the challenges of construction costs increases, materials shortages and energy costs. This review provides an update to the Leisure Centre elements of the WW development, from the revised business case considered in June 2021. It sets out the rationale for investment to incorporate a replacement leisure centre as part of WW. It should be read in conjunction with the previous business cases and studies that accompanied those reports.
- 1.2 Previous business cases have set out the strategic, economic, commercial, financial and management cases for a new leisure centre. This update focusses on the economic and financial cases as the other elements hold true. It reflects the smaller scale of this phase 1 development (and resulting lower footfall to the leisure centre until phase 2 takes place) but at the same time recognises the increasing role that district councils are playing in health improvement, and ill-health prevention activities, which is frequently delivered through leisure centres.
- 1.3 How the cost of the leisure centre fits into the wider financial model for the new phase 1 scheme is set out in Section D of the main report. This shows that the leisure centre can be accommodated in a wider phase 1 scheme that breaks even within the existing MTFS provision and which meets the overall financial test for WW. However, it is important, in this appendix, also to show why, within that wider financial model, the

specific asset management case for replacing the leisure centre is as strong as ever i.e. building a new leisure centre as part of the WW Development should cost the Council no more than to refurbish and upgrade (and possibly extend) the existing leisure centre. Indeed it costs less.

- 1.4 The conclusion that this is still the case is based on the latest estimate for the build cost of the leisure centre. Allowing for the increased specification explained below, and higher inflation estimates, this is **£39.7 million**. This is the full project cost, including a pro-rata share of the Council's own costs including site acquisition, demolition of the old centre, the new athletics pavilion and a contribution to skatepark works. The sum has been reduced by section 106 funding already secured or anticipated (see para 1.27 below). This sum is also before any further value engineering savings.
- 1.5 This estimate has increased by around £9 million since 2021 (scope change and inflation). However, it is worth noting that, in the context of the two tests above, the same inflationary pressures apply to the cost of refurbishing the existing centre, as well as the latest appraisal of its condition. So the baseline position has also changed for the purposes of comparison. Before applying the two tests, it also makes sense to explain the revised specification for the facilities themselves.

Facility provision

- 1.6 In 2022, the Council updated its Indoor Sports Facilities Needs Assessment⁵. Consultants concluded the following (cross-referenced with the assessment as indicated):
- (a) Bury St. Edmunds Leisure Centre is due to be re-located to a site on WW and re-providing a sports hall will be important to meet current and future (5.6);
 - (b) re-providing pools with the equivalent of 716.5m² of water space will be important to meet current and future needs. WW offers the opportunity to ensure that the new water space is configured in a way to maximise the efficiency of the operation and increase the opportunities for people to learn to swim, whilst meeting the current and future needs of the community and maximising the use of renewable energy solutions (6.15.2); and
 - (c) re-providing health and fitness facilities with the equivalent of 110 equipment stations and three studios will be important to meet current and future needs. (7.15.2).
- 1.7 The information from the study above has been brought together with an independent market review and, following extensive review of plans, the following facility mix is proposed as shown in Table L1 below. This includes the changes from the business case approved in June 2021.

⁵ [West Suffolk Council Sports Facilities Assessment March 2022](#)

June 2021	Current Target Facility Mix (December 2022)	Rationale for change
6-lane x 25m swimming pool and separate learners' pool with moveable floor.	8-lane x 25m swimming pool and a separate learners' pool with moveable floor. Built to Sport England specification for a Short Course Championship/ County Standard pool.	Increased pool size by 2 lanes to meet growing population and amount of actual swimming (rather than leisure) water
A destination fun pool will include an internal splash park with slides, jets, water cannons, flume and splash pool	A destination fun pool will include an internal splash park with slides, jets, water cannons, flume and splash pool	No change
Spectator seating for 150 people to main pool	Increased to 250 seats as per Sport England guidance for 8 lane pool.	To support galas in larger 8 lane pool
Health and Fitness suite 150 stations	Reduced to 116 stations	To reflect updated needs assessment and reallocation of space
5 x flexible studios	5 x flexible studios remain – location amended to deliver efficiencies	One studio has been designated as a rehabilitation studio to meet increase in health use
3 x Treatment/consultation rooms	3 x Treatment/consultation rooms , remain, located adjacent to proposed health facility	
4 Court sports hall + separate 2 Court hall	5 court sports hall , capable of being separated into 2 separate halls and with future expansion capability built into phase 1 and 2 design.	Smaller overall footprint delivers saving on building size. However the 5 court built to current standards provides an increase in space to existing leisure centre, with scope to extend it again in the future. Capable

		still of holding events.
-	Soft Play facility	Market assessment recommended inclusion of soft play to support wider business case;
A leisure café	A leisure café with a separate café seating area to serve new soft play facility.	Leisure café designed to meet new soft play demand as well as serve the wider centre

Table L1

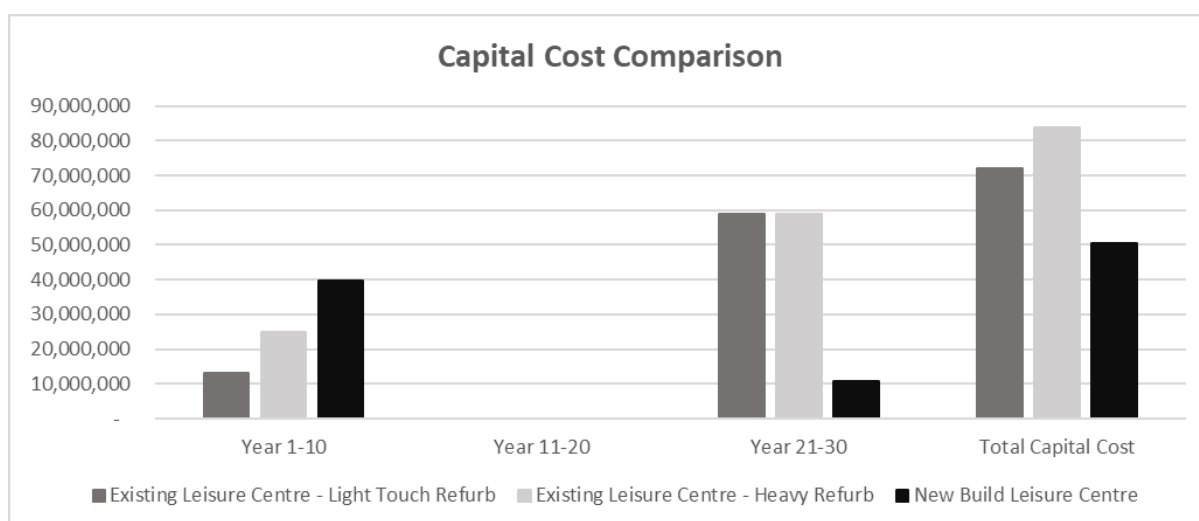
- 1.8 Adequate wet and dry changing and toilet facilities will still be provided to serve the new centre, including a Changing Places facility. Consultation will also continue to take place with the skatepark users over the design and phasing of any changes to the current facility which are linked to the final agreed phasing of any works to Olding Road junction. The athletics community will also be engaged over plans for a new pavilion by the track.

The Asset Management Case

- 1.9 Council agreed in 2018, 2019 and 2021 that there was no “do nothing option” given the Council’s strategic priority of “Resilient families and communities that are healthy and active”. The existing Bury Leisure Centre, one of the Council’s key leisure assets, is now 48 years old and its age and state mean significant investment would be needed there or in a new centre. The original business case showed that over the long term, building new was more cost effective.
- 1.10 This investment also needs to be seen in the context of a normal asset management cycle for leisure centres which is taking place across West Suffolk. Swimming pools have an in-built cycle of maintenance and replacement due to their complex plant, wear and tear on the pool tank and environmental conditions in pool halls. They are also very challenging to extend when a community outgrows them. Changing rooms and dry-side facilities similarly need to keep pace of changing market and community requirements and competition, alongside their own maintenance needs. Eventually, a centre will reach the point where it is no longer economic to maintain and/or it needs to be adapted or expanded to meet the changing needs or size of a community/market. In addition, there is now a proven benefit of making leisure centres into dual-use facilities and community hubs which requires more space.
- 1.11 By their nature, these cyclical works are expensive particularly when swimming pools are involved. But they are essential community infrastructure. Consequently, in 2016, WSC’s predecessors created a Leisure Investment Fund to deliver improved facilities to improve both

the financial performance of its leisure centres and to improve health and wellbeing opportunities for its residents. This £5 million fund delivered improvements at Haverhill, Brandon and Newmarket. In addition, the Councils built the new Mildenhall Hub that includes a new leisure centre (2021) and the Skyliner Sports Centre (2016). To date investment has not been made in Bury St Edmunds Leisure Centre, the oldest of the Council's centres and which had its last significant works in 2015. Improvement works been deferred given the commitment to a new leisure centre as part of WW Development.

- 1.12 The importance of maintaining an asset that is attractive to users, and that has the right facility mix has been highlighted in a Sport England [Moving Communities](#) survey published in October 2022. It stated that swimming is still the most popular activity people participate in, 86% of respondents prefer exercising in a leisure centre than in a more informal setting, and future intentions re exercise have not changed significantly since October 2021. Cleanliness was the most important factor when visiting a centre, something that is far more challenging to maintain in an aging facility. (39,098 respondents from 707 sites across the UK).
- 1.13 In order to evaluate the current condition of the site, independent contractors carried out a full site condition survey of the existing centre in October 2022. This has identified that between £7.2 million and £8.9 million would need to be spent over the next 5 years if the centre was to remain open (£7.2 million used in the figures below). This does not include any upgrades that would make the centre more attractive to users. High level plans have been drawn up to provide for a simple remodel of the existing centre, and a further option that includes an extension to the centre. As in 2019, the long-term capital costs for this have been modelled, recognising that a new facility would reduce operating costs and deliver a return to the Council, but would only be deferring a leisure centre rebuild for 20 years. The advantages and disadvantages as set out in 2021 remain valid.
- 1.14 The graph (Graph 1) below shows the capital costs modelled over 30 years and why building new now is cheaper over that period for taxpayers.



Graph 1

Revenue Model (feeding into overall WW financial model)

- 1.15 In 2019, the recurring budget pressure of or a new leisure centre was identified as £724,000 per annum (a refurbishment and later new build would have been a greater pressure). This figure was included in the Council's MTFs when the WW business case was approved in 2019 and then reviewed in 2021. This is the figure that needs to stay the same if WW isn't to make the Council's wider budget saving target larger. The way this £724,000 was calculated in 2021 was to deduct the net revenue benefit of the new leisure centre to the operator (£476,000) from the estimated annual cost of borrowing for a new facility (£1.2 million). It is important to note that by 2025 the Council will not be paying any management fee to the centre operator so the revenue benefit to the operator would be passed to the Council under the terms of the Collaboration Agreement, meaning that the Council would still have the full £1.2 million to put towards the cost of the leisure centre.
- 1.16 To reach the previous sum of £476,000, the WW business case methodology calculated the benefit that the operator would see from a new centre taking into account location, attraction of new facility mix, reduced running costs. Whereas currently the leisure centre costs money to run, the new centre would deliver a return to the Council through the leisure operator. That return would not just be the operating profit but the saving in the current building operating costs. Table L2 below shows how this was calculated in 2019 and the updated 2022 figures.

	Cost £ / annum		
	June 2021	2022 review	2022 review Notes
Current BLC running costs +	161,000	250,000	Running costs have increased due to increased supply costs and membership reductions due to competition (Does not include utilities pressure - see separate line)
WSC BLC maintenance costs +	125,000	125,000	Note the condition survey indicates that this provision should be increased if existing centre remains
New BLC surplus	219,500	100,000	This surplus does not currently include any renewable benefits. Reduction reflects impact

			of NLW and increased supply costs and reduction in WW footfall
-Excluding catering	- 29,000	-	Catering now included in LC business case
NEW LC benefit	476,500	475,000	

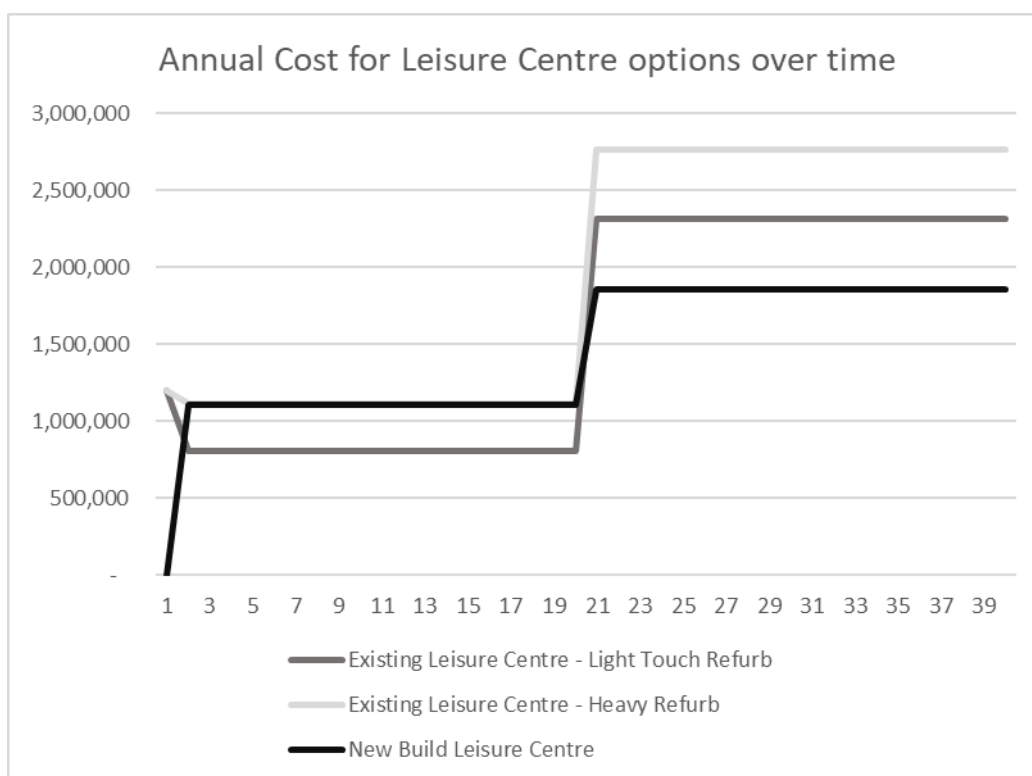
Table L2

- 1.17 The updated figures reflect the fact that a large health facility will no longer be part of phase 1 of the development and forecasts attendance based on population, removing the uplift for a larger site footfall in phase 1. However, it does recognise that the improved leisure pool and soft play combination in particular will provide a half day destination that will attract visitors from outside the usual catchment zone. Further, during the development of these plans there has been an increased collaboration between health and the Council with leisure and fitness activities being embedded into a number of health pathways that are delivered at Council facilities. Also, the partners in the new community hub provides the opportunity for further use of leisure centre assets and all of these together provide a developed income stream for leisure facilities and has been reflected in the business case.
- 1.18 Whilst the operating costs of the existing centre have increased, and the return from a new centre is predicted to decrease due to the smaller footfall on the site in early years, the net effect is still the same. The centre will achieve significant savings due to efficiency of operation and deliver environmental benefits (see later renewables section).
- 1.19 The assumptions and methodology in the revenue modelling in regard to leisure use have been validated by independent market appraisal to ensure there is no optimism or pessimism bias. That report has identified a baseline position for core leisure that is augmented by the wider benefits from the other tenants on the site and the increase in physical activity and rehabilitation work referenced above.
- 1.20 It should be noted that the above does not take into account future years' energy cost pressures. These are estimated to be around £200,000 per annum for Bury Leisure Centre based on 2023 secured price and Cornwall Insight's independent modelling⁶. Energy costs are a key pressure that all leisure operators are facing and threatens the viability of the existing centre. There has been significant press coverage in recent weeks of centres where operators have had to take the decision to close in whole or to just close swimming pools, and the impact this has had on both health and wellbeing. The new centre's energy strategy should remove this pressure and the risk of market

⁶ <https://www.cornwall-insight.com/press/energy-prices-to-remain-significantly-above-average-up-to-2030-and-beyond/>

uncertainty from an operator which will provide more certainty for cost and benefit for the Council. But, as highlighted earlier, this is why continued pace on the project is important.

- 1.21 As in 2021, and on the basis set out in Section D of the main report, the revenue impact of just the leisure facilities in the new centre has been modelled against the revenue impact of schemes to refurbish and remodel/extend the existing centre to delay the rebuild. In summary, modelling all of the costs and income over the borrowing period of 40 years shows that a new centre as part of WW remains the most cost effective option. This is illustrated in Graph 2 below (which includes an indicative cost of the first refurbishment of the new leisure centre after around 20 years).



Graph 2

- 1.22 Totalling those costs over 40 years shows a significant saving to the Council:

Option	Revenue Cost over 40 years £
Existing Leisure Centre - Light Touch Refurb	62,834,000
Existing Leisure Centre - Heavy Refurb	77,654,000
New Build Leisure Centre	58,155,000

Table L3

- 1.23 Showing that this comparative revenue cost is lower over 40 years makes the asset management case for a newbuild over a refurbishment. But it does not show the Council can afford to do it. Specifically, it does

not deal with the fact that the capital cost of the new leisure centre has increased by £9 million since 2021 whilst the revenue benefit of the leisure centre has stayed the same. If the full cost of the centre were to be borrowed, this would mean that the immediate net impact of the phase 1 WW leisure centre on the Council's MTFS (£724,000) would need to increase to £1.1 million (and refurbishment options for the existing leisure centre would also lead to increases too). This is not acceptable in the current financial climate. Therefore, unless the specification is significantly reduced, other funding for the cost of the leisure centre will be needed.

- 1.24 As set out in Section D of the main report, a proposal is set out how this extra income can be found. Mainly because the renewables benefit from phase 1 of WW remains large and can now be applied entirely to the Council's own elements (see part 3 below). But also because the new indoor facilities assessment has made it possible to attract some developer funding (see below). Further value engineering and economies of scale are also projected and are reflected in the overall target model the contractor and Council will need to achieve by March 2023. This is not something that could be applied if we were to do either of the refurbishment options of the current leisure centre.
- 1.25 The crucial thing to note here, in asset management terms, is therefore that, without the wider opportunities of the WW scheme, most notably its renewables, the current MTFS provision for the leisure centre could not be retained at £724,000 and the Council's wider savings target would increase. Whereas this option doesn't exist on the current site. A prudent estimate from the work explained above is that the annual revenue cost of carrying out just the essential works on the current leisure centre site, with minor refurbishment to deliver a smaller non-integrated facility, (and deferring a new build for 20 years) would be initially £806,000 increasing to £2.32 million after year 20. If a major refurbishment is carried out, these figures would be £1.12 million and £2.76 million respectively. This, ultimately, is the asset management argument for carrying on with WW to continue to provide leisure and swimming facilities in Bury St Edmunds. A table summarising this is included in the executive summary.
- 1.26 In summary, the total revenue contribution towards the cost of the leisure element of WW can be maintained at the 2021 figure of around £1.2 million (£475,000 plus £724,000), and the impact of increased specification and inflation mitigated by other sources of funding within the project and expected s106 contributions.

S106 funding

- 1.27 The 2022 indoor facilities assessment has provided a planning policy evidence base that there is a need to provide extra leisure capacity to cater for anticipated population growth coming forward under at least the current local plan.
- 1.28 The design for the leisure facilities at WWD has therefore taken into account future population growth up to 2040 e.g. the larger pool. The

Council will, however, have to forward fund these works as future-proofing and then recover the cost retrospectively using contributions received from applicable new housing developments.

- 1.29 Although always dependent on schemes receiving consent and then being delivered, a prudent estimate of over £500,000 is included in the net capital affordable for the leisure centre of £32.75 million. Sums sought and obtained would reflect the final cost and specification of the scheme.

2 Ancillary elements of the leisure centre

- 2.1 The following ancillary elements build on the shared multi-use approaches taken at the Council's other leisure centres. As with the rest of the scheme, they will continue to evolve until the second stage of tendering is complete.
- 2.2 The existing WW project principles and financial safeguards mean that anything added in this way to the leisure centre in the phase 1 scheme needs to stay within the overall financial test for phase 1. So it must either break-even on its own or, as with the main leisure centre, there must be other available income or capital in the model to cross-subsidise them given their operational benefits e.g. renewable energy income. If not, it won't be included and we will either target a smaller phase 1 scheme or different income-earning uses for the space. It is also important that, as optional items, any borrowing is modelled at current PWLB interest rate assumptions.
- 2.3 In terms of what could currently be included under the Council's own specification, the following is under consideration:

(a) Small and flexible health and well being facilities

This would be fewer than 10 consulting rooms and up to 700m² in size. Which is in keeping with the scale of the health and well being facilities we have included as landlord in other leisure centres (Haverhill has 5 treatment/consulting rooms, Brandon 5 and Mildenhall Hub 7). This space can be used commercially by sub-tenants or partners of Abbeycroft to provide counselling, physiotherapy, other wellness services, etc (as in Haverhill). It could also, in the worst case, be converted to leisure or office space in the future. Which, in addition to the scale of the capital investment (approx £2.5 million), is why it could be built at risk under the already agreed project principles (as was the case for the similar, fully-utilised, facilities in Haverhill, Mildenhall and Brandon).

However, 700m² is also a sensible and very flexible size for a small community health and well being facility built to NHS standards, as in Brandon Leisure Centre and Mildenhall Hub. The Integrated Care Board has indicated in November 2022 that they would potentially be interested in taking this space if it is affordable, and this will therefore be included in ongoing partner engagement as designs progress. However, pending formal confirmation of any NHS

involvement, the base budget for the facility will be for the specification needed for a leisure centre rather than an NHS facility. This will then be adjusted if the NHS sign up to reflect their higher specification and any agreed funding and/or rent.

As there is currently no third-party funding, the base budget for this facility would need to be supported by market rents for similar facilities. These are the equivalent of rents for good quality offices in the local property market (around £20 p.a. per ft²).

(b) Council Stores

The Council must re-locate a small amount of West Suffolk House storage from the former council depot but also find new homes for its election and emergency planning stores. While off-site options exist (e.g. industrial units) they have a direct or opportunity cost and, operationally, having this storage on the WW site has significant advantages (some of which may be cashable in terms of the running costs of elections). It will also serve as useful and flexible future expansion space in the community hub if ever needed. Accordingly, the target scheme includes around 150m² of storage space for the Council. Before taking into account operational efficiencies, this will cost the Council up to £100 per m² p.a. in lost rent if we provide it elsewhere in our estate. So this is broadly the income available to support borrowing in phase 1. The construction cost will be to a very basic specification, albeit there will be some premium (justified by the operational benefits) from taking a share of the costs of a non-industrial/logistics building.

(c) Office and meeting space

Large-scale offices for public sector or commercial tenants are no longer included in the phase 1 scheme. However, a small amount (100m² or so, or around 15 desks) of office space and some flexible meeting spaces (300m² or so) are still retained in the phase 1 business case.

In the case of offices, this is potentially needed by Abbeycroft to replace offices they currently have in the Bury leisure centre, but other public sector uses would be possible to find. It will also offer future expansion space for other elements of the scheme e.g. additional studios.

The meeting room provision was already included in earlier schemes and, with the continuing range of tenants and additional wider community, educational and council uses (including in phase 2), this is still likely to be viable. Again, it also offers flexibility in the future to adapt the hub in the light of actual demand; past experience with hubs suggests a small amount of 'float' space is sensible. The cost of this facility will be underwritten in the model by market rents for middle-of-the-market office accommodation (£15 p.a. per ft²).

3. Renewable Energy Generation and Storage

- 3.1 The WW business case has always been underpinned by the value of renewable energy within the project, and this has been a key part of ensuring cost-neutrality for taxpayers. However, up to now, this benefit was applied to a Hub which contained other public sector elements and commercial offices. So all of these elements benefited.
- 3.2 This underlying business case principle still applies but now there is only the smaller community hub in phase 1. Meaning the net revenue can be used to mitigate the impacts of inflation and interest rate changes on the leisure centre in particular.
- 3.3 The aim of the project has always been to take the new Hub off-grid for a large part of the year (with solar energy this is not possible year-round). In addition to the revenue and environmental benefits of doing this, it reduces capital costs because on-site generation avoids the need for expensive cabling works from the National Grid. There is also a substantial area of roof and car parking on which to put solar (PV) panels.
- 3.4 In the phase 1 portion of the site alone, there remains scope over time to add 13,000m² of PV panels supported by batteries which will complement the battery already installed for West Suffolk House. At an estimated cost of just under £10 million this provision is estimated to generate a return on investment of £0.98 million p.a. using current PWLB interest rates. This is based on a very prudent assumption of a unit price of 14p for the supply of this energy. 14p reflects the price obtained before the current energy crisis so is far lower than the current rate. However, using this rate allows for the price to fall again over the period of the borrowing. Providing the pessimism bias required for assessing such a large investment.
- 3.5 As explained in Appendix 3, there is scope to add a further 4000m² or so of PV panels (and supporting batteries if needed) on the remainder of the site, some of which can be included in the phase 1 contract.

The phase 1 community hub: Suffolk County Council's potential elements

The County Council is currently working on business cases for two of the potential elements of the community hub shown in the indicative layouts above.

1. Suffolk Archive – West Suffolk branch

- 1.1 Councillors will be aware that Suffolk County Council (SCC) is considering plans to invest in the future of its archive service in West Suffolk by either refurbishing the current Raingate Street building in Bury St Edmunds or relocating to a new purpose-built facility in WW. This opportunity was not known in 2021. If WW is chosen the new facility will be set off the main 'Street' of the hub allowing it to operate discretely while, at the same time, taking advantage of the wider shared facilities and integration opportunities.
- 1.2 To mitigate the risk to WSC of the specialist design and costing which SCC will need to inform their business cases, SCC has signed a collaboration agreement for the WW project along the same lines as the NHS did for their earlier involvement in phase 1.
- 1.3 SCC will be reviewing the options at a Cabinet meeting in early 2023. If it chooses to join WW, then formal agreements will be needed before the Council completes the second-stage tendering process in summer 2023.
- 1.4 The final scale and scope of the facility is yet to be decided by SCC, which means it is hard to provide an accurate cost; the non-shared accommodation is likely to be around 600m² and cost over £3.5m subject to final specification. However, this is a moot point for the purposes of this viability appraisal since SCC would be committing to meet the full cost to WSC either through a capital investment of their own or a very long-term year lease (i.e. 40 years or more) under One Public Estate principles. As such, if SCC do not select this option in January then it will not be included in the phase 1 scheme and, therefore, there is no risk to WSC at this moment in time.

2. Pre-school

- 2.1 The current WW planning consent includes outline consent for a pre-school/nursery and, therefore, some provision will always need to be made in any phasing plan for the local planning authority to provide one.
- 2.2 SCC have indicated that there is currently a deficit in provision in the local area and, therefore, strong demand for this still to be included in phase 1, and at a larger scale than previously envisaged (around 60

spaces instead of 40). The re-phasing of NHS involvement means that there is also scope now to integrate the pre-school and its outdoor play area in phase 1 of the scheme as part of the hub. This means the pre-school can benefit from sharing plant rooms, parking, etc and that other facilities, including the café and leisure centre, will be more easily accessible to parents and staff. It also minimises the impact on the area surrounding the athletics track where the pre-school was previously envisaged.

- 2.3 The scale of the facility could be around 400m² plus an outdoor area and cost over £1.5 million to build within the hub. Again, a shell-and-core approach may be sensible until a tenant is signed-up to ensure nothing is over or under-specified. SCC would oversee this element of the phase 1 scheme as the County Council has a duty to secure sufficient childcare places, and they also have available significant s106 pre-school funding from nearby developments. The residual cost would then need to be capable of being covered by a market rent for the pre-school sector if the facility is to be included in the phase 1 scheme (around £10 p.a. per ft²). Therefore it can be seen that the critical issue for viability in this instance will be the amount of s106 that can be made available.
- 2.4 WSC's preferred approach would be for SCC to hold a head-lease and then choose an operator (similar to the model at Mildenhall Hub). However, at this level of investment, and given the likely level of demand and SCC's involvement in securing childcare, this would not be essential if a better tenure model came forward.

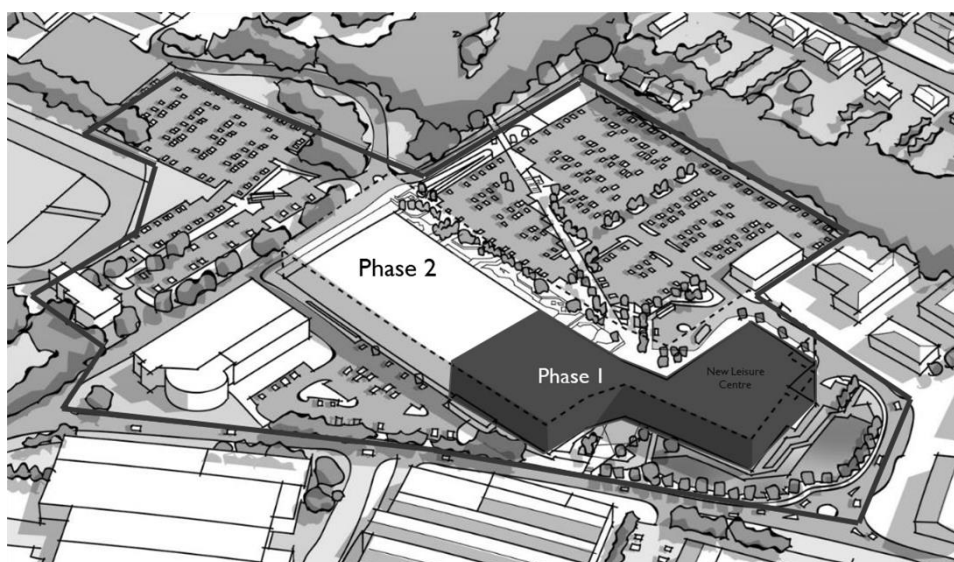
3. Summary for potential SCC facilities

- 3.1 In summary, these additional SCC elements could amount to just over 1000m² of extra operational area to the leisure centre, costing between £5 million and £6 million. Which, if they proceeded, would be underwritten by the County Council. As explained above, there is currently a high expectation that they can be constructed at benchmark prices and, after external funding, any net borrowing required can be supported at current interest rates with income from tenants at market rents. Thereby meeting the existing break-even test. However, if this is not the case, then they will not be included in the phase 1 scheme which is signed off by Cabinet in Spring 2023.
- 3.2 Acquisition costs are not shown against these elements of the project. This is so the Council can be sure that phase 1 will still stack up if either of these elements does not proceed. Furthermore, the County Council's contribution to the land acquisition costs for the scheme would, under the adopted One Public Estate principles, come in any event from its agreement to the retention of the current leisure centre site, and the inclusion of some of the West Suffolk House site, in the WW scheme.

Enabling works to the site/interim works to the remainder of the frame pending phase 2

1. Context

- 1.1 The 2020 planning consent for the scheme requires the full retention of the existing 1960s frame. However, this can be converted in a phased manner, in keeping with the approach first agreed by Council in 2021. As explained in previous sections of this update, a large part of the frame will not be needed by the Council and partners in the phase 1 scheme. As such, this phased approach can definitely be confirmed.
- 1.2 As a reminder of what is left over, the illustration of the scheme with planning consent below shows approximately the proportion of the frame currently required for the phase 1 scheme (shaded black).



- 1.3 The NHS are still working on their business case to use this remaining capacity of the frame in phase 2 but, irrespective of the outcome of that process, the existing planning consent allows for a wide range of commercial and public sector uses of the site (offices, education, community, health and education). The project will therefore develop a phasing plan to agree with the Local Planning Authority which shows how the whole frame will continue to be used at various stages of the scheme, leading up to its full refurbishment and use as a multi-purpose hub.

2. Current condition

- 2.1 The entire roof of the current depot/warehouse structure is at the end of its life and would have required replacing in the coming years even if the WW project had not proceeded. Like with the leisure centre, there is no 'do nothing' option in terms of the existing asset.

- 2.2 Although in need of some updating and refurbishment, the internal accommodation at the eastern (logistics) end is lettable and will remain so after the phase 1 scheme. It will be vacant from the end of 2022, meaning enabling works to the roof and frame could start in 2023 (see below).
- 2.3 In contrast, the former council depot end of the site would, in addition to re-roofing, need extensive internal works for it to be re-lettable if WW did not proceed. And it is currently un-used (other than for a small amount of storage while it is cleared). Enabling works could therefore start in this end of the frame too.

3. Construction phase

- 3.1 For obvious reasons, it would not be possible for any commercial tenant to occupy the eastern (warehouse) end of the frame while construction of phase 1 was taking place as the contractor will need control of the whole site. Taking advantage of this opportunity, the contractor is seeking to use the existing facilities of the warehouse themselves during the build as their site office, staff facilities and secure yard. This will make savings on site costs ('preliminaries') and, crucially, also allow the forward purchasing of materials which will be a key part of mitigating inflation. Accordingly, the Council now has until 2025 before it needs to decide on what happens to the remainder of the frame. As well as a chance to carry out future-proofed works to the eastern end in advance of or alongside the phase 1 scheme.
- 3.2 In addition, it would be possible during the construction of phase 1 to prioritise the installation of solar (PV) panels on a new roof across the whole frame; for use within the site itself or for exporting energy to earn income. Only around 40% of the roof is currently required for phase 1.

4. Post-construction phase

- 4.1 As explained elsewhere a business case for phase 2, and a new capital budget, will need to be brought forward to councillors before the end of the phase 1 construction programme. That would include any request from the NHS to be part of phase 2.
- 4.2 At the present time, therefore, the major risks for the Council to mitigate as landowner are those associated with any gap between phases 1 and 2. These risks include holding costs being incurred, the loss of economies of scale on works that affect the whole frame, the delay to income from renewables and uncertainty over the temporary use of Anglian Lane. However, there is also a risk that deferring too much cost in phase 1 will make it harder to develop the remainder of the site in phase 2 which, as landowner, does not make commercial sense. Therefore, a future-proofed interim investment in the rest of the frame and wider site alongside phase 1 could be justified in asset management terms.

5. Suggested approach

- 5.1 The way to mitigate these risks, and an approach which would make good asset management sense as well as providing further project safeguards,

would be to seek a treatment of the entire steel frame during the phase 1 contract which can both cope with all post-2025 scenarios but also reduce the risk of significant abortive cost later. And, in addition, would still make sense to pursue as a landowner if the WW scheme did not proceed at all. In simple terms, retaining the eastern end of the building in lettable condition and taking up the chance to capture renewable energy income as early as possible.

5.2 More detailed design work and cost-benefit analysis on this matter is needed from the design team and contractor in the coming months as part of the work to re-profile the phasing of the scheme. But, at this point, a logical and minimum set of future-proofed works to commission for the remainder of the frame would include:

- (1) re-roofing;
- (2) installing PV panels (approximately 4000m²) along with any associated energy infrastructure such as batteries; and
- (3) purchasing from UKPN the ability to export 900KW of energy into the local grid (at a cost of up to £140,000).

5.3 A decision on if, how and when to re-clad the sides of the frame ahead of the phase 2 scheme would also be needed. But this is less urgent because the most risk averse approach would be to delay this particular property decision until there was more certainty on phase 2 (and the final design, timing and sign-off of which would be implemented under normal property delegations in the Constitution in consultation with the planning authority). In contrast, items (1)–(3) above could potentially be carried out ahead of the main phase 1 build (see enabling works section below).

5.4 External works to the Olding Road car parks and access road may also be required to enable certain interim uses of the site pending phase 2 of WW. This is because the LPA would apply a test of compatibility with the phase 1 uses (for instance around road safety) when considering any phasing plan.

5.5 For the above reasons, it is proposed that a provisional capital budget of up to £10 million (current estimate of £8.25 million) be built into phase 1 of WW for interim works to the remainder of the site, in order to capture the benefits and mitigate the risks explained above. This budget to include but not be limited to:

- recovery of the acquisition cost of the remainder of the frame;
- the cost of permanently re-roofing this section of the frame;
- additional renewable energy provision including export capacity;
- any temporary or permanent re-cladding required for an interim use (if applicable);
- transitional external works (if applicable).

Off-setting some of this cost would be the economies of scale of carrying out these works as part of a combined contract for phase 1. These economies also benefit the phase 1 scheme without undermining the principle that phase 2 should not subsidise phase 1. They also serve to make any eventual phase 2 scheme more viable.

- 5.6 The borrowing for this expenditure would be under-written, at current interest rates, by the estimated net income from the additional renewable energy and, as fall-back position, the estimated rent from any interim use. A prudent combined estimate is £465,000 p.a. which would support £8.5 million of borrowing at current interest rates. The desired position, however, would be for there never to be an interim use and for this capital spending and renewables income to be incorporated into the later phase 2 business case. However, it is an important safeguard for the Council as landowner to underwrite this asset management approach using the more certain fall-back position.

6. Enabling Works

- 6.1 A further safeguard for the Council, both in terms of the value of its asset and mitigating inflation, is to carry out enabling works on the WW site as early as possible ahead of the main contract.
- 6.2 These works would cover a variety of aspects of maintaining and preparing the site such as site surveys, re-roofing, installation of PV panels and batteries, site clearance, removal of former filling station, maintenance of existing logistics depot, etc. But their defining characteristic is that they will add value to the site whether or not the WW scheme proceeds or not. So, for instance, as explained above, they would enable the eastern end of the frame to continue in its current use or allow the Council to access renewable energy by installing PV panels on the frame use. Similarly, nothing would be done to either end of the frame in terms of demolition which would diminish its value as a commercial asset in its current form.
- 6.3 Competitive quotations for this package of works would be sought before January 2023 so that these can be commissioned at the earliest opportunity from within the WW budget. Given they make good asset management sense, the recommendations in this review include the proposal that officers be authorised, in consultation with relevant portfolio holders, to approve these works to a maximum value of £10 million ahead of any final sign-off of the WW scheme by Cabinet.

7 Alternative options

- 7.1 So that the maximum flexibility can be built into the phase 1 scheme and works to the remainder of the site, the Council will continue to evaluate alternative options for phase 2 alongside the NHS continuing with their own business case. Not least because the existing planning consent allows for far more accommodation than the NHS have previously said they would want. However, this also means the Council will have a better understanding of alternative options if the NHS business case for phase 2 is not successful or significantly reduced.
- 7.2 To support this work, market analysis and further design studies may be commissioned from consultants within the WW budget. Discussions will also continue with the Local Planning Authority.

Client: West Suffolk Council
Project: Western Way Development
Risk Register

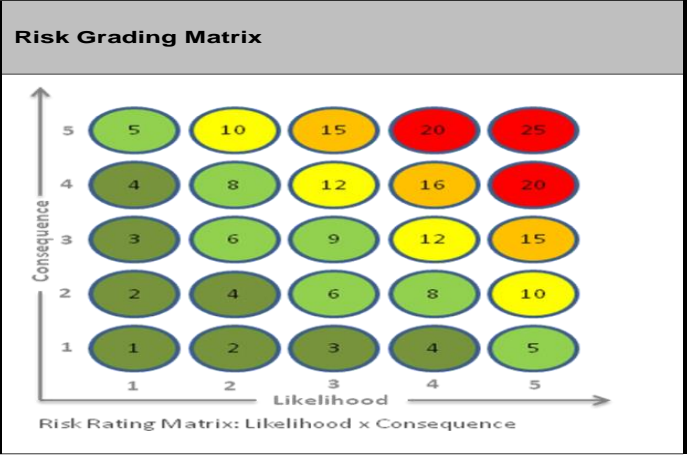
Appendix 4

Introduction

The purpose of the Risk Assessment procedure is to encourage the identification and awareness of potential risks to the project. The risks being identified and treated by this procedure are those that will impact, (usually adversely) on the project.

The project will adopt a scale of 1 to 5 to measure likelihood and consequence; the most significant risks will be identified by multiplying likelihood by consequence:

Definitions	Estimating Risk		
	Likelihood	Consequence	Ratings
<i>Risk = the likelihood of an event occurring in combination with the consequence of that event</i>	1 = very unlikely	1 = insignificant	1 > 4 = very low
<i>Likelihood = how likely is it that a particular event will occur (also known as chance or probability)</i>	2 = unlikely	2 = minor	5 > 9 = low
<i>Consequence = the likely foreseeable impact of event occurring</i>	3 = fairly likely	3 = moderate	10 > 14 = medium
<i>Risk rating = Likelihood (L) x Consequence (C)</i>	4 = likely	4 = major	15 > 19 = high
<i>Residual Risk = is the estimated risk that remains after any Mitigation Actions and controls have been implemented</i>	5 = very likely	5 = very serious	20 > 25 = very high



Key

DT **Design Team**

PM **Project Manager**

WSC **West Suffolk Council**

MS **Morgan Sindall**

RISK IDENTITY AND ASSESSMENT

S/N	When	POTENTIAL RISKS	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Risk Rating		Mitigation action	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Residual Risk Rating (after Mitigation)		Risk Owner / Action
					Value	Severity				Value	Severity	
1	FBC	Service partners do not sign up to project in anticipated timescales or with sufficient commitment.	3	5	15	H	Engage with partners. Project team to ensure a viable secondary scheme is in place to have the ability to react to changing demand / stakeholder leases.	1	4	4	L	PM/ WSC
2	Pre Con	Interest rate rises increase cost of borrowing.	3	5	15	H	Keep under close review. Review borrowing rates to ensure best rates are achieved. Maintain pace on project to lock in current rates.	3	5	15	H	WSC
3	FBC/ Pre Con	Delay to programme causes uplift to inflation costs.	3	5	15	H	Maintain pace of programme. Allow suitable provision for inflation in cost plan and other mitigation measures.	3	5	15	H	WSC/ PM/ DT
4	FBC	Scheme does not contribute to Council's agenda to tackle climate change.	2	5	10	M	Ensure environmental credentials are planned in during design stages and allowances are made in cost plan and travel plan. Seek funding.	1	5	5	L	WSC / DT
5	FBC	Building footprint cannot accommodate all of the identified public sector user requirements.	2	4	8	L	Design team to undertake detailed Stakeholder Briefings (with area requirement schedule) to manage expectations. Retain flexible and future-proofed design.	1	4	4	L	DT
6	Pre Con	Financial viability of development.	5	5	25	H	Continue to generate value engineering opportunities and additional revenue throughout design process. Income / borrowing assumptions to be kept under continual review. Seek funding.	3	4	12	M	PM / DT

RISK IDENTITY AND ASSESSMENT												
S/N	When	POTENTIAL RISKS	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Risk Rating		Mitigation action	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Residual Risk Rating (after Mitigation)		Risk Owner / Action
					Value	Severity				Value	Severity	
7	Pre Con	Potential transport issues put pressure on existing infrastructure.	3	5	15	H	WWD has contributed to 6th Form junction scheme. Detailed transport study was completed as part of planning submission. Robust travel plan.	2	4	8	L	DT
8	Pre Con	Legal constraints including 3rd Party constraints (i.e. rights of way, easements, covenants, land ownerships) on site prevent/delay proposed development.	3	5	15	H	Client Legal and Property team investigating/securing land ownership or right of access. Leases to be reviewed. Neighbouring landowner, SCC & College are being engaged with (with agreement in principle in place) and formal agreements now being sought with relevant land owners. SCC and WSC are core partners.	2	5	10	M	WSC
9	FBC	Car parking demand exceeds supply.	2	3	6	L	Car parking numbers were submitted and approved as part of planning submission. To be reviewed depending on design development. Draft travel plan submitted as part of planning submission. Robust detailed travel plan to be agreed during next stage.	2	3	6	L	DT
10	Con	Programme duration is extended.	3	4	12	M	Early engagement with supply chain. Robust project governance. Flexible procurement approach to allow partners to catch up. Strong client/contractor communications and progress monitoring. Transparent LADs in place.	2	4	8	L	PM
11	FBC/ Pre Con /Con	Cost overrun before and after contract signed.	3	5	15	H	Pre-contract: Break-even requirement part of final business case approval. Regular cost reviews during design stages. Phasing and fall-back options developed. Gateway reviews to test ongoing viability against worst-case funding scenario of WSC borrowing, entire cost to be funded from income/savings before any contract entered into. Post-contract: Sound contract management processes.	3	5	15	H	PM
12	Con	Inability to attract prospective occupiers/ users.	2	3	6	L	Suffolk Archive - dependent on SCC sign off of business case. Pre-school - dependent on being underwritten by SCC through a head lease, and s106 funding. Flexible core design in terms of uses and phasing. Engage with public partners throughout process (with partnership agreements to specify minimum demand). Early marketing if required.	2	3	6	L	WSC
13	Con	Building Constraints including condition of existing frame / slab.	3	4	12	M	Reviews / surveys carried out to date do not raise any significant concerns. Early engagement with contractor has taken place to understand their view on inheriting frame. Sufficient contingency planned into cost plan.	2	4	8	L	MS

RISK IDENTITY AND ASSESSMENT												
S/N	When	POTENTIAL RISKS	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Risk Rating		Mitigation action	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Residual Risk Rating (after Mitigation)		Risk Owner / Action
					Value	Severity				Value	Severity	
14	FBC/ Pre Con /Con	Failure to secure external funding.	4	5	20	H	FBC base case to always show the scheme has potential to be viable without funding. External support achieved for some project development costs prior to December 2021 which assists viability. Potential for some s106 contributions for leisure and health aspects from nearby housing growth sites. Continual monitoring of further funding opportunities particularly re renewables.	3	2	6	L	WSC
15	Pre Con	Infrastructure - availability of UKPN network capacity and dependence on renewables funding.	4	4	16	H	Capacity from UKPN secured. Design team designing scheme which is not reliant on large upgrade to UKPN capacity. This supports case for investing in renewables.	2	4	8	L	DT
16	Pre Con	Failure to obtain value from Pre-construction services agreement (PCSA) as part of two stage tender process.	3	3	9	L	Correct PCSA, KPI and contractor choice. Early engagement of construction team at this stage. Support from framework provider.	2	3	6	L	PM / DT
17	FBC/ Pre Con	Failure to choose a project team / contractor with the correct ethos.	3	5	15	H	Pagabo framework has pre-screened contractors who have been reviewed and chosen on the basis they will approach projects with the correct ethos. Robust selection process during 1st stage tender.	1	5	5	L	PM / DT
18	FBC	Wider market forces (transition from EU, Covid-19, supply-chain pressures) leading to cost impact on items or labour and/or commercial demand for space in WWD.	3	4	12	M	Contractor/supply chain input will be key to ensuring we avoid specifying products where there is a shortage. Keep office demand under review (commercial offices now not planned in phase 1)	3	4	12	M	PM / WSC
19	FBC	Poor communications / collaboration with contractor.	2	3	6	L	Establish good protocols and team ethos to maintain positivity. Project Execution Plan to be agreed by team. Contractor to be engaged directly in joint communications and to agree protocol from start of contract.	1	3	3	L	PM
20	FBC/ Pre Con	Building Information Management (BIM) protocol - info exchange and level of detail agreed by Client.	3	3	9	L	Tender pack to include BIM execution plan and BIM Employers Information requirements document	2	3	6	L	DT
21	Con	Insolvencies within supply chain.	4	3	12	M	Contractor to manage / report during construction. Use of national level contractors to mitigate risk on main project.	3	3	9	L	MS
22	FBC/ Pre Con	Reputational damage.	3	4	12	M	Proper internal and external communication and consultation. Robust FBC focused on financial viability.	2	4	8	L	DT / WSC / PM
23	FBC/ Pre Con	Delays to programme: Poor governance arrangements, decision making process, lack of forward planning.	3	4	12	M	Detailed programme with anticipated dates continually reviewed and communicated to ensure on schedule. Programme reviewed at weekly meetings.	3	4	12	M	PM
24	Con	Delays to programme: Extent of asbestos removal greater than anticipated or Increased demolition cost.	3	4	12	M	Refurbishment and Demolition survey to be carried out by Main Contractor as part of enabling works package.	2	3	6	L	MS
25	Con	Delay to programme: Nesting birds prevent demolition and/or withdrawal of key partners due to missing key dates.	3	4	12	M	Ensure phasing of programme allows for roof removal outside nesting season. Ensure partners understand obligations re new project timetable.	1	3	3	L	MS

RISK IDENTITY AND ASSESSMENT												
S/N	When	POTENTIAL RISKS	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Risk Rating		Mitigation action	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Residual Risk Rating (after Mitigation)		Risk Owner / Action
					Value	Severity				Value	Severity	
26	Con	Impact of the construction process on surrounding neighbours.	4	3	12	M	Working in close proximity to residential areas, the existing leisure centre, West Suffolk House, surrounding businesses and schools/college and the Skate Park, contractor to ensure that any increased traffic, noise and air pollution is reduced and managed as necessary. Considerate Contractor proposals to be assessed at tender.	2	2	4	L	MS
27	Pre Con	Cost Increase: Increase to utility quotes	3	4	12	M	Seek updated quotes and place orders early on to secure price and derisk.	2	3	6	L	DT
28	Con	Delays to Programme: delays in putting in place easement or wayleave agreements for utility orders	4	4	16	H	Start process early on. Join up legal representatives from each Party as early as possible. Hold regular update meetings to track progress. Identified on strategic programme.	2	4	8	L	PM/ Contractor/ WSC
29	Pre Con	Delays to Programme: delay in agreeing S278 legal agreement	4	4		16	H	Get design signed off early on. Join up legal representatives from each Party as early as possible. Hold regular update meetings to track progress. Identified on strategic programme and significant duration built in.	3	4	12	M
30	Pre Con	Early BREEAM credits missed meaning cost increase to recover Very Good rating on other credits	2	4	8	L	Pre Assessment completed early on. RIBA 2 reports commissioned & complete.	2	4	8	L	DT
31	Pre Con	Changes to scope during Tender/ PCSA period leads to programme delay and Contractor claim for additional costs	5	4	20	H	Implement a design freeze to fix the final Stage 2 General Areas based on the revised brief and then apply a change control process to manage the implications of any changes.	5	2	10	M	PM
32	Pre Con	Claim for compensatory payment from neighbouring business when relocating substation	4	3	12	M	Seek early agreement once Contractor's site logistics approach is understood.	4	3	12	M	WSC
33	Pre Con	Renewables scheme does not achieve required revenue improvement over baseline option	4	5	20	H	Further engagement with supply chain will take place in next stage to further de-risk.	2	5	10	M	DT/MS
34	Pre Con	Aspects of brief not 100% acheivable as project design develops	3	4	12	M	Design team to run a derogation schedule and highlight any non conformities as early as possible so they can be reviewed and agreed to manage expectations and mitigate any issues when in occupation.	3	3	9	L	DT
35	Con	Programme delay and cost increase; Discovery of any ground contamination from fuel tanks	3	4	12	M	Undertake site surveys and investigation to assess contamination risk. Carryout tank removal and decontamiation works as enabling works package.	2	4	8	L	MS
36	Pre Con	Planning Authority not agreeing with changes to approved scheme	3	5	15	H	Early engagement with planners (already carried out informally for phased proposals in design pack). Don't submit S73 until after Contractors have bought into changes/ VE savings and statutory consultees consulted	2	5	10	M	DT/PM

RISK IDENTITY AND ASSESSMENT												
S/N	When	POTENTIAL RISKS	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Risk Rating		Mitigation action	LIKELIHOOD (L) Graded 1 to 5	CONSEQUENCE (C) Graded 1 to 5	Residual Risk Rating (after Mitigation)		Risk Owner / Action
					Value	Severity				Value	Severity	
37	Pre Con	Full car parking / junction improvements being required earlier than expected in phasing plan	3	4	12	M	Transport engineer engaged in modelling for phase 1 so that budget can be adapted as needed. Final sign off/ agreement with County Highways	3	4	12	M	DT
38	Pre Con	Capital project design doesn't minimise future running and maintenance costs	2	5	10	M	Design team to develop a design which is economic to run i.e. has low energy costs, doesn't require disproportionate maintenance (including grounds maintenance) and can be run by as few staff as possible in terms of FM. Life cycle costs to be assessed.	1	5	5	L	DT
39	Pre Con	Fire zoning and cause and effect for Fire Alarm system doesn't adequately manage the complexities of different occupiers being located on one site. This results in sub optimal operational procedures.	3	4	12	M	Early engagment with users on 'cause and effect' requirements. Design to be developed with double knock requirement so we mitigate situations where an activation in one zone results in other zones immediately having to evacuate.	1	4	4	L	DT

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Report of the Independent Remuneration Panel: Members' Allowances

Report number:	COU/WS/22/022	
Report to and date:	Council	13 December 2022
Cabinet member:	Councillor Carol Bull Portfolio Holder for Governance Tel: 01953 681513 Email: carol.bull@westsuffolk.gov.uk	
Lead officer:	Teresa Halliday Monitoring Officer Tel: 01284 757144 Email: teresa.halliday@westsuffolk.gov.uk	

Decisions Plan: Not applicable as not an executive matter.

Wards impacted: All wards

Recommendation: That the basic allowance for members is increased by 6.9 percent, being the mean average of the Annual Pay Award for staff, from 1 April 2022.

1. Context to this report

- 1.1 Local authorities are required by the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) to establish and maintain an independent remuneration panel to make recommendations on the level of basic and special responsibility allowances and associated matters that are paid to councillors.
- 1.2 In February 2020 Council approved the Members' Allowances Scheme (the Scheme) which can be found under Part 6 of the Constitution (Appendix 1 to this report).
- 1.3 Paragraph 2.2 of the Scheme provides '*The sum of £6,291.71 shall be uplifted each year by the same rate as the Annual Pay Award provided to the majority of Council staff. Should this be 3% or higher, then the Remuneration Panel should consider the level of increase and make recommendations to the Council accordingly.*'
- 1.4 The Local Government Services Pay Agreement 2022-2023 was reached on 1 November 2022 and implemented from 1 April 2022 resulting in the sum of £1,925 per annum being added to all pay scales. The mean average of this increase across all pay grades is 6.9 percent. Accordingly, the Independent Remuneration Panel (IRP) were required to consider the level of increase to members allowances and make a recommendation to Council.
- 1.5 Paragraph 4.4 of the Scheme provides '*A Councillor may write to the Monitoring Officer to notify of their intention to forego any allowance, or part of any allowance, payable to them under this scheme.*'

2. Rationale

- 2.1 The IRP met on 24 November 2022 and considered the following rationale in reaching its decision:
 - What the cash sum pay rise of £1,925 equated to as percentage increase for West Suffolk staff (approximately 10 percent increase at the lower end of the pay scales and 4 percent at the top end of the pay scales) and the mean average percentage figure for staff;
 - If an increase in the members' basic allowance was uplifted by the mean average, what the budgetary implications would be for the Council;
 - Whether an increase in the basic allowance would affect the Special Responsibility Allowances (SRAs). These are calculated as multiple factors of the basic allowance as set out in Appendix 2 to this report;
 - When calculating an average, whether a mode, median or mean average should be utilised. As a precedent had been set by other Suffolk authorities to calculate a mean average, the IRP

considered this was an appropriate and pragmatic method to use in West Suffolk's case.

- Whether any advice had been issued by the Local Government Association or similar body on what an appropriate percentage increase to the members' basic allowance should be; however, it was noted that no national guidance had been issued and as each authority had its own scheme, it was for them to consider an appropriate increase, if any.

2.2 The IRP considered the following factors in deciding their recommended increase to members' basic allowance:

- that this was a significant increase when compared to uplifts awarded in previous years and there was an impact on the Council's budget. However, the Panel felt that it was not an inexplicable increase when considered against the current national financial climate;
- as with staff, recognition for the work of councillors should be duly recognised and it was therefore important to reflect this in the basic allowance payable;
- a basic allowance which compared favourably with other local councils may be an important factor in attracting people to become councillors and effort should be made to retain them;
- a less than attractive basic allowance may deter prospective candidates from standing for election and this potential barrier should be removed where possible;
- it was considered to be a reasonable increase on the Council's budget; however, it was for the Council to determine whether the additional cost was acceptable and affordable.

3. Recommendation

To recommend that the basic allowance for Members is increased by 6.9 percent from 1 April 2022 being the mean average of the Annual Pay Award for staff.

4. Implications arising from the proposals

6.1 Financial

There will be an additional budget impact of £37,147 if the mean average increase is applied.

6.2 Legal Compliance

The Council must set a Members' Allowances Scheme in accordance with the requirements of the Local Authorities (Members Allowances) (England) Regulations 2003.

6.3 Equalities

No impacts on the protected characteristics have been identified, therefore a full Equality Impact Assessment is not required.

5. Appendices referenced in this report

- 7.1 Appendix 1 – Members Allowances Scheme
- 7.2 Appendix 2 – Calculation of Special Responsibility Allowances



Members' Allowances Scheme

(Revised: February 2020)



The West Suffolk Council Remuneration Scheme

- 1.1. All Councils are required to form a scheme of allowances that:
 - Determines how much individual Councillors receive for being a Councillor (the basic allowance).
 - Determines how much those Councillors who have additional responsibilities should receive (special responsibilities allowances).
 - Determines the circumstances under which Councillors may claim expenses for costs they have incurred because they are a Councillor.
- 1.2. The Council must set the scheme in accordance with the requirements of the Local Authorities (Members Allowances) (England) Regulations 2003. The Scheme has been produced on the recommendation of an Independent Remuneration Panel, a group of individuals who are entirely separate from the Council who have considered how much Councillors should receive. The Council is required to annually publish the level of allowances and expenses claimed by Councillors.
- 1.3. This scheme was approved by West Suffolk Council on 25 February 2020.

2. Basic Allowance

- 2.1. Each Councillor shall receive a payment of £6,291.71 per year for undertaking their work as a Councillor. This payment is intended to include all expenses and costs they incur that fall outside the scope of the expenses scheme (see below), including costs of stationery, phone calls and internet costs, unless they are supplied to Councillors by the Council itself.
- 2.2. The sum of £6,291.71 shall be uplifted each year by the same rate as the Annual Pay Award provided to the majority of Council staff. Should this be 3% or higher, then the Remuneration Panel should consider the level of increase and make recommendations to the Council accordingly.

3. Special Responsibility Allowances

- 3.1. Councillors shall receive a payment in line with Schedule 1 for any special responsibilities posts that they are appointed to by the Council.
- 3.2. A councillor may hold more than one special responsibility post, but may only be paid one special responsibility allowance.

4. Payment and Foregoing of Allowances

- 4.1. Allowances shall be paid in 12 monthly instalments on the 23rd of each month unless that day is a weekend or bank holiday, in which case it shall be paid the previous Friday.
- 4.2. A Councillor shall be paid any allowances from their date of appointment, so that:
 - 4.2.1. In an ordinary election year, basic allowances are payable from 4 days after the date of election.
 - 4.2.2. In the event of a by-election, basic allowances are payable from the date of the by-election.
 - 4.2.3. In the event appointment to a special responsibility post, from the date the appointment was made.
- 4.3. Where a Councillor's entitlement to an allowance begins or ends part of the way through the year, their entitlement shall be the same proportion as the number of days during the term of office to the number of days in that year.
- 4.4. A Councillor may write to the Monitoring Officer to notify of their intention to forego any allowance, or part of any allowance, payable to them under this scheme.
- 4.5. In the event that the Council agrees that a Councillor may be granted a leave of absence of more than 6 months, then the Councillor will not be entitled to receive a basic allowance after they have been absent for more than 6 months. Their allowance payment will be resumed after they have attended a Council meeting.
- 4.6. Where a Councillor has been overpaid, they shall be invoiced for the value of the overpayment and required to repay the allowance. Where they have been underpaid, this shall be paid to them by the Council as part of any subsequent payment.
- 4.7. PAYE arrangements apply to Councillors' allowances, in that they are subject to national insurance and income tax, and deductions shall be made by the Council accordingly. Councillors cannot join the Local Government Pension Scheme.

5. Travel, Subsistence and Dependents / Caring Allowances

- 5.1. Members are allowed to claim travel, subsistence and dependents / caring allowances when carrying out official duties as listed within Schedule 2.

- 5.2. Members must submit claims within 2 months using any approved forms / IT systems. For claims to be processed within the month submitted, they must be submitted in accordance with stated deadlines provided to members.
- 5.3. Councillors living inside the District should claim expenses from their home, or the starting point of their journey. Where a Councillor lives outside the District, the nearest border should be agreed with them by the Monitoring Officer or Chief Executive, which would then become their notional base for travel purposes from which claims from their "home" may be made.
- 5.4. Councillors should, when possible, seek to use alternatives such as walking, cycling, public transport or car sharing instead of personal car journeys to support the Council in reducing the environmental impact of its activities.

Transport Allowances

- 5.5. Where Councillors are undertaking official duties, claims for transport allowances will be paid at the following rates:

Travelling by Car: First 10,000 miles claimed Claims above 10,000 miles	45p per mile 25p per mile
Where also carrying Councillors / Council employees also required to attend the event	Additional 5p per mile
Travelling by Motorbike	24p per mile
Travelling by Bicycle	20p per mile
Public Transport	Standard Fare incurred; Councillors are expected to use any discount / concessionary fare entitlements
Taxis	Actual Fare, as evidenced by receipt; this should normally be pre-approved by the Chief Executive or Monitoring Officer and only in exceptional circumstances.
Car Parking and Toll Fares	Actual Fare incurred, as evidenced by ticket / receipt / statement

- 5.6. Any other forms of transport or arrangements that do not fall within the scope above should be notified to the Chief Executive or Monitoring Officer to agree. Wherever possible, where public transport or alternative transport is being used, then the Councillor or Council (on their behalf) should seek to pre-purchase tickets to ensure best value.

- 5.7. Should HMRC adjust the standard rates for car, motorbike or bicycle travel, then the Council may adjust the rates in 5.4 accordingly, or the council could reconvene the West Suffolk Independent Remuneration to review the rate changes.
- 5.8. Councillors must ensure that they have complied with the relevant tax and MOT requirements for their vehicle and have appropriate insurance in place that covers their councillor activities for their vehicle. Claims may not be paid if these requirements have not been complied with.
- 5.9. Councillors are entitled to use the Council's pool cars when undertaking Council business. The pool cars include use of a fuel card and therefore mileage expenses cannot be claimed when the journey has been undertaken by pool car.

Subsistence Allowances

- 5.10. Any overnight accommodation should be booked and paid by the Council on behalf of the Councillor in advance.
- 5.11. An evening meal allowance will be paid for meals after 7pm where an overnight stay is required outside of the District, for the actual cost of the meal, up to a maximum of £20. In exceptional circumstances for conferences in London, this should be agreed with the Monitoring Officer or Chief Executive.
- 5.12. Any other exceptional circumstances, such as a meal on a train, may be agreed by the Monitoring Officer or Chief Executive.

Dependents / Caring Allowances

- 5.13. Councillors who have caring responsibilities are allowed to claim for the costs they actually incurred, up to a maximum of £8 per hour for childcare, and £20 per hour for professional support care for dependents, from the time they leave home to the time that they return home on duties within schedule 2.
- 5.14. These payments will not be made to an immediate family member and may only be reimbursed on production of receipts or invoices for costs incurred. They should be claimed in respect of those who live with the Councillor, or are dependent on the Councillor for support, and cannot be left unsupervised during the Councillor's absence.
- 5.15. Costs in respect of childcare may only be claimed outside of normal child care provision times – for example, claims may not be made when the child is in school or using entitlement to free childcare hours.

6. Councillors with Additional Needs

- 6.1. If any Councillors have particular needs arising due to a protected characteristic under the equalities act – for example, they have a disability that prevents them using some forms of transport, then the Chief Executive or Monitoring Officer may agree to the payment of any additional claims or support arrangements that fall outside the scope of the scheme, to support their needs.

Schedule 1**Rates of Allowances
(As at 1 April 2021)**

Tier	Responsibility	Value	Value in relation to basic
	Basic Allowance	£6,291.71	1
1	Leader of the Council	£15,729.27	2.5
2	Deputy Leader of the Council	£9,437.56	1.5
3	Cabinet Members Chair of Council	£7,864.63	1.25
4	Chair of Development Control Chair of Overview and Scrutiny	£5,662.54	0.9
5	Chair of Performance and Audit Scrutiny Chair of Licensing Vice-Chair of Council Vice-Chair of Development Control	£4,152.53	0.66
6	Vice-Chair of Overview and Scrutiny	£2,516.68	0.4
7	Vice-Chair of Performance and Audit Scrutiny Vice-Chair of Licensing	£2,202.09	0.35

Rates of Allowances: Minority Group Leaders

7	Group size of 21-32	£2,201.79	0.35
	Group size of 11-20	£1,467.86	2/3 of tier 7
	Group size of 3-10	£733.93	1/3 of tier 7

Approved duties for the purpose of payment of transport, subsistence and carers / dependents allowances

Councillors may claim transport, subsistence and carers / dependents allowances when undertaking the following duties:

1. Attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body
2. Attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority provided that where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
3. The attendance at a meeting of any association of authorities of which the authority is a member
4. The attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements
5. The performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened
6. the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises
7. Meetings arranged by, or on behalf of, or approved by any of the Chief Executive, Directors Assistant Directors or Service Managers to which Councillors have been invited

In addition, Councillors are entitled to claim travelling expenses when acting as a local ward Councillor. Councillors should use their judgement (or seek advice from the Monitoring Officer) to determine whether the meeting or event they are travelling to is genuinely in their local ward work and therefore eligible to be claimed. The following is not exclusive, but acts as guidance on the type of matters that Councillors can, and cannot claim for:

Items Councillors can claim for:	Items Councillors cannot claim for:
Attending meetings of a local Parish / Town Council, or resident / community association	Attending meetings when they are a part of the group who have convened the meeting

Items Councillors can claim for:	Items Councillors cannot claim for:
Attending meetings of community groups when requested to do so by the group	Attending meetings / making visits which have no relation to Council business
Representing the community as a local ward member at events such as parish forums and meetings / events that are making decisions about the community	Attending meetings / making visits which are primarily to deal with personal or political business
Visiting residents or local businesses to respond to enquiries	
Attending meetings where proposals relating to the local ward are being presented	
Attending meetings relevant to expenditure on the Council's locality ward budget scheme	

It is expected that ordinarily claims should be within the local member's ward, except where the Councillor is acting at a community representative. Councillors may also claim where another Councillor has asked them to act as the local ward member on their behalf.

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Calculation of Special Responsibility Allowances

Rates of Allowances (As at 1 April 2021)

Tier	Responsibility	Value	Value in relation to basic
	Basic Allowance	£6,291.71	1
1	Leader of the Council	£15,729.27	2.5
2	Deputy Leader of the Council	£9,437.56	1.5
3	Cabinet Members Chair of Council	£7,864.63	1.25
4	Chair of Development Control Chair of Overview and Scrutiny	£5,662.54	0.9
5	Chair of Performance and Audit Scrutiny Chair of Licensing Vice-Chair of Council Vice-Chair of Development Control	£4,152.53	0.66
6	Vice-Chair of Overview and Scrutiny	£2,516.68	0.4
7	Vice-Chair of Performance and Audit Scrutiny Vice-Chair of Licensing	£2,202.09	0.35

Rates of Allowances: Minority Group Leaders

7	Group size of 21-32	£2,201.79	0.35
	Group size of 11-20	£1,467.86	2/3 of tier 7
	Group size of 3-10	£733.93	1/3 of tier 7

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West Suffolk Council Constitution: non- executive licensing functions

Report number:	COU/WS/22/023	
Report to and date:	Council	13 December 2022
Cabinet member:	Councillor Carol Bull Portfolio Holder for Governance Tel: 01953 681513 Email: carol.bull@westsuffolk.gov.uk	
Lead officer:	Teresa Halliday Monitoring Officer Tel: 01284 757144 Email: teresa.halliday@westsuffolk.gov.uk	

Decisions Plan: **Not applicable as this is not an executive matter**

Wards impacted: **All wards**

Recommendation: **It is recommended that Part 3, Section 2 – Responsibility for Council (Non Executive) Functions - Part B (Licensing) of the Constitution be amended to:**

- 1. align the training requirements for members of the Licensing and Regulatory Committee with those for members of the Development Control Committee such that members of the Licensing**

and Regulatory Committee will be unable to sit on the Committee if they have not completed the compulsory training requirements set out in the West Suffolk Licensing Code of Practice; and

- 2. change the wording under paragraph 3.2 (Delegation of Functions) of the aforementioned section of the Constitution to that set out within the paragraph 2.1 of Report number: COU/WS/22/023.**

1. Context to this report

- 1.1 The Constitution Review Group periodically assesses potential changes to the Constitution and met on the 30 November 2022 to consider two areas recommended for amendment, both being non-executive licensing functions which can be found in Part 3, Section 2 of the Constitution under B - Licensing:

- a. Membership and meeting arrangements
- b. Delegation of functions

1.2 Membership and meeting arrangements

Currently the Constitution provides that members are required to undertake mandatory training (as set out in the Code of Practice on Licensing) on functions and responsibilities of the committee and its sub-committees. If members do not undertake the mandatory training, then they would not be appointed to any sub-committee. The matter would be raised with the Group Leader who would be requested to consider the members' ongoing appointment to the committee.

- 1.3 The West Suffolk Licensing Code of Practice which can be found in Part 5e of the Constitution and via this link ([Part 5 - West Suffolk Licensing Code of Practice April 2021.pdf](#)) expands the training requirement for members of the Licensing and Regulatory Committee and provides:

"Knowledge and Training

To demonstrate their commitment to ensuring sound decision making, Committee Members and named substitutes will undertake at least one training event in each six month period. Any Members sitting on a hearing must have attended a specific training session on hearings within the past 12 months. Training must meet one of the following criteria:

- *A training or briefing session organised by Council Officers, which officers indicate is accredited training.*
- *A training session organised by a relevant organisation, attendance having been approved by Officers.*
- *Online learning approved by Officers.*

If a Councillor has not received requisite training in the previous 12 months in relation to the application in question, they cannot be selected to sit on a licensing hearing."

- 1.4 Although the training is mandatory and there is no scope to raise non-compliance with the Group Leader, there is no requirement for untrained members to step down as a member of the Licensing and Regulatory Committee which has resulted in untrained members remaining on the committee but unable to be appointed to any hearing by a sub-committee.
- 1.5 This arrangement is not aligned with the requirements for members of Development Control Committee, another statutory committee.
- 1.6 The West Suffolk Planning Code of Practice which can be found in Part 5d of the Constitution and via this link ([Part 5 - West Suffolk Planning Code of Practice February 2022.pdf](#)) provides:

"Knowledge and Training

To demonstrate their commitment to ensuring sound decision making, Committee members and named substitutes will undertake compulsory training, to consist of at least one session in each six month period that meets one of the following criteria:

- A training or briefing session organised by Council officers, which officers indicate is accredited training.*
- A training session organised by a relevant organisation (normally Royal Town and Planning Institute, the Planning Advisory Service, the Local Government Association or another Council), attendance having been approved by Officers.*
- Online learning approved by officers.*

If a councillor has not received the requisite training and is thus not considered accredited to sit on the Development Control Committee, they should seek a substitute member for all Committees until they have received training."

1.7 **Delegation of functions**

Currently the Constitution provides:

"Delegation of functions

3.2 In normal circumstances, matters will only be brought before the Committee or a Sub-Committee where there is a difficulty or an appeal against an Officer's decision. In such cases, the Director (HR, Governance and Regulatory) shall consult with the Chair and Vice-Chair on whether they consider it appropriate to refer the matter to the Committee or Sub-Committee, or whether the matter should be delegated for Officers to determine. The Chair and Vice-Chair should be informed of any representations received in respect of the matter, including any local Members views received."

(The entire section can be viewed under Part B – Licensing [\(onwards via this link Part 3 - Section 2 - Responsibility for Council Non Executive Functions September 2022.pdf\)](#))

- 1.8 Difficulties have arisen when either the Chair or Vice-Chair have not been available for consultation and there is currently no scope for the Director to consult with another member of the Committee in the absence of the Chair and/or Vice-Chair.

2. Proposals within this report

- 2.1 It is proposed that Part 3 – Section 2 – Responsibility for Council Non Executive Functions – Part B – Licensing of the Constitution is amended:

- to provide that members of the Licensing and Regulatory Committee will be unable to sit on the Committee if they have not received the mandatory training requirements as set out in the Constitution at Part 5 - West Suffolk Licensing Code of Practice April 2021
- that the wording of paragraph 3.2 (Delegation of Functions) be amended to:

"In normal circumstances matters will only be brought before the Committee or a Sub-Committee where it is deemed appropriate or it is an appeal against an Officer's decision. In such cases, the Director (HR, Governance and Regulatory) shall consult with the Chair and Vice-Chair, or a trained member of the Licensing and Regulatory Committee where the Chair or Vice-Chair are unavailable, on whether they consider it appropriate to refer the matter to the Committee or Sub-Committee, or whether the matter should be delegated for Officers to determine. The Chair and Vice-Chair (or trained member of the Committee if required) should be informed of any representations received in respect of the matter, including any local Members views received."

3. Alternative options that have been considered

- 3.1 Consideration has been given to retain the current wording within the Constitution but this is not recommended because this can cause difficulty when there are limited members of the committee sufficiently trained to sit on a sub-committee and there are occasions where consultation with the Chair and Vice-Chair has failed because one or the other is unavailable.

4. Consultation and engagement undertaken

- 4.1 The Constitution Review Group met on the 30 November 2022 to consider the proposals.

5. Risks associated with the proposals

- 5.1 There are no risks involved with making this decision.

6. Implications arising from the proposals

- 6.1 None

7. Appendices referenced in this report

- 7.1 None

8. Background documents associated with this report

- 8.1 None

Interim polling places review 2022

Report number:	COU/WS/22/024	
Report to and date:	Council	13 December 2022
Cabinet member:	Councillor Carol Bull Portfolio Holder for Governance Tel: 01953 681513 Email: carol.bull@westsuffolk.gov.uk	
Lead officer:	Jen Eves Director for HR, Governance and Regulatory Tel: 01284 757015 Email: jennifer.eves@westsuffolk.gov.uk	

Decisions Plan: **Not applicable as this is not an executive matter**

Wards impacted: **All wards**

Recommendations: **It is recommended that the Council:**

- 1. Agrees to the commencement of an interim review of polling places, as set out in section 2 of Report number: COU/WS/22/024.**
- 2. The Chief Executive, as Returning Officer, be authorised to approve the amended scheme of polling places, following consultation on proposals with electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.**

1. Context to this report

- 1.1 The Elections Act 2022 introduces changes which impact the voting process at polling stations and as a result the Electoral Services Team has undertaken an audit of polling station facilities to make sure they comply.
- 1.2 The feedback gathered has identified some polling stations which are not available on 4 May 2023 and some polling stations which do not provide electors with reasonable facilities for voting or are not accessible to electors who are disabled. The list of polling stations is included at Appendix A.
- 1.3 As a result, an interim polling places review is required and will be focussed only on changes to the polling scheme where venues are no longer available or suitable. The aims of this tailored review will be to:
- Seek to ensure that all electors have reasonable facilities for voting as are practicable in the circumstances; and
 - Ensure that so far as is reasonable and practicable, every polling place is accessible to electors who have a disability.
- 1.4 This is not a statutory review and therefore will not look at all polling places or polling district boundaries as they will be subject to a full review, as required by law, to be completed between 1 October 2023 and 31 January 2025.
- 1.5 Glossary of terms used in this report:
- Polling District - a geographical subdivision of an electoral area, for example a District/Parish Ward, within which a polling place is designated.
 - Polling Place – an area or building in which polling stations are located, and which can be as wide as a whole polling district.
 - Polling Station – the actual building in which voting takes place.

2. Proposals within this report

- 2.1 Council approval is requested to commence an interim review of those polling places that are not available or suitable for continued use as a polling station. The timetable for the review is set out below:
- 13 December 2022: Council approval to undertake an interim review
 - 16 December 2022: Publication of notice of review and recommendations for consultation

- 16 December 2022 – 27 January 2023: Review consultation period
- 10 February 2023: Approval and publication of revised polling places by the Returning Officer

- 2.2 Given the timescales involved with preparing for the May 2023 elections, Council is requested to authorise the Returning Officer to approve the amended scheme of polling places. The scheme will be considered by the Returning Officer following consultation on proposals with electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.
- 2.3 As Returning Officer, the Chief Executive has a statutory duty to ensure free and fair elections. In discharging these duties, the Returning Officer will take account of the consultation responses but will retain the right to make changes if a polling station is deemed unsuitable for accessibility reasons. The Returning Officer will seek to consult the relevant ward members regarding any such changes.

3. Alternative options that have been considered

- 3.1 Some venues are no longer available or have been deemed unsuitable therefore there is no alternative option to undertaking an interim polling place review.

4. Consultation and engagement undertaken

- 4.1 Consultation on proposals will be undertaken with electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people. The consultation period will be from 16 December 2022 – 27 January 2023.
- 4.2 The Council will publish all consultation response received alongside the new scheme of polling places.

5. Risks associated with the proposals

- 5.1 If suitable venues are not secured for use as polling stations, then voters may be disenfranchised and there is a risk of an election petition.
- 5.2 If polling station venues are not accessible to disabled electors, then this may be a breach relating to accessibility under the Equalities Act 2010 and the Election Act 2022.

6. Appendices referenced in this report

- 6.1 Appendix A – list of polling places to be included as part of the interim review

7. Background documents associated with this report

- 7.1 [Polling place reviews | Electoral Commission guidance](#)

Appendix A – Interim Review of Polling Places

Below is the list of polling places to be included as part of the review.

Polling district/ Polling place	Current polling station	Comments	Options to be considered as part of the review
B-BSC Bradfield St Clare	Bradfield St Clare Village Hall	The building is not accessible as the entrance door is narrow and a person in a wheelchair may not be able to access the building.	Explore alternative facilities in the polling district. If an alternative is not available, combine with a polling station in a neighbouring polling district.
W-STR Stradishall	St Margaret's Church	The footpath to the church is not accessible due to the steep incline on mud/stone. It would be very difficult for a person in a wheelchair or with limited mobility to be able to get to the church door from the parking area at the church gate. In addition, there is poor external lighting and no running water or toilet facilities on site.	Explore alternative facilities in the polling district. If an alternative is not available, combine with a polling station in a neighbouring polling district.
S-POS Poslingford	St Mary's Church	The footpath to the church is not accessible due to the steep incline on mud/stone. It would be very difficult for a person in a wheelchair or with limited mobility to be able to get to the church door from the parking area at the church gate. In addition, there is poor external lighting and no running water or toilet facilities on site.	Alternative facility not available. Combine with a polling station in a neighbouring polling district (Clare).
W-WES Westley	Westley Club	There are 2 large steps at the front so a person in a wheelchair would not be able to access the building. It may also be difficult for someone with limited mobility.	Explore alternative facilities in the polling district. If not available, combine with polling station in a neighbouring polling district.
B-AMP Ampton	Ampton Social Club	Village social club which is not used regularly and therefore neglected. Not accessible due to the condition of the pathway to the building and external and internal steps. The building clerk advised that there are no plans to make the building accessible.	Alternative facility not available. Combine with polling station in a neighbouring polling district.

Polling district/ Polling place	Current polling station	Comments	Options to be considered as part of the review
W-FMA Fakenham Magna	St Peter's Church	Potential obstructions and steps identified by survey return. Site visit arranged for 7 December.	
W-LK-SF Lakenheath (Sedge Fen)	Baptist Church Hall	Polling station not available on 4 May 2023 due to building works.	Alternative facility not available. Combine with polling station in a neighbouring polling district (Lakenheath).
W-BEC2 Beck Row Part 2	Holywell Row Village Hall	Polling station not available on 4 May 2023 due to building works.	Alternative facility not available. Combine with polling station in neighbouring polling district (Beck Row).
W-GWR and W-LRW Great Wratting and Little Wratting	Portacabin at Hall Fam, Great Wratting	Portacabin polling station which has caused significant logistical issues at previous elections and supply of an accessible portacabin cannot be guaranteed.	Explore alternative facilities in Great and Little Wratting. If not available, combine with a polling station in neighbouring polling district.