

Council



Title	Agenda
Date	Tuesday 16 July 2024
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 8 July 2024
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable 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.
Quorum	One third of the Council (22 members)
Committee administrator	Claire Skoyles Democratic Services Officer Telephone 01284 757176 Email democratic.services@westsuffolk.gov.uk

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	<p>The agenda and reports will be available to view at least five clear days before the meeting on our website.</p> <p>It is intended that the meeting will be livestreamed. The link to join the livestream broadcast will be made available on the Council's website prior to the meeting.</p>
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 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 (subject to the Chair's discretion). 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 no later than midday on the Friday before the meeting is scheduled to take place.</p> <p>This can be done online by sending the request together with their statement or question in full and confirmation of their address or workplace to</p>

	<p>democratic.services@westsuffolk.gov.uk or telephoning 01284 757176 / 01638 719363.</p> <p>See section 6.8 of the Council Procedure Rules of the Constitution regarding the scope of questions/statements that may be asked/made.</p>
Accessibility	<p>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.</p>
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: 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 - 20
To confirm the minutes of the meetings held on 26 March 2024 and 14 May 2024 (Annual Meeting of Council) (copies attached).	
2. Chair's announcements	21 - 24
To receive announcements (if any) from the Chair.	
A list of civic events/engagements attended by the Chair and Vice-Chair since their election on 14 May 2024 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 disclosable pecuniary interest, other registerable or non-registerable 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. Public participation

Council Procedure Rules Section 6. Members of the public who live or work in the district may put questions 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**. The Chair may use their discretion to extend or reduce the time allowed if they feel it appropriate. 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** (subject to the Chair's discretion).

The member to whom the question is directed may refer it to another member or may choose to give a written response. 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 **by no later than midday on Friday 12 July 2024**. This can be done online by sending the request together with their statement or question in full and confirmation of their address or workplace to democratic.services@westsuffolk.gov.uk or telephoning 01284 757176 / 01638 719363.

See section 6.8 of the [Council Procedure Rules](#) of the Constitution regarding the scope of questions/statements that may be asked/made.

6. Leader's statement

25 - 30

Paper number: **COU/WS/24/009**

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.

The Leader will introduce the statement and members may ask the Leader questions:

- a. On the Leader's statement
- b. On any Council matter

A total of 30 minutes will be allowed for all 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.

The Chair may use their discretion to extend or reduce the time allowed if they feel it appropriate.

7. Referrals report of recommendations from Cabinet

31 - 32

Report number: **COU/WS/24/010**

A. Referrals from Cabinet: 21 May 2024

There are no referrals emanating from the meeting of Cabinet held on 21 May 2024.

B. Referrals from Cabinet: 9 July 2024

This referral has been compiled before the decision has been taken by the Cabinet and is based on the recommendation contained within the report listed below. Any amendments made by the Cabinet to the recommendation within the report will be notified to members in advance of the meeting accordingly.

1. Local Code of Corporate Governance

Portfolio holder: Councillor Diane Hind

Additional note: This Council agenda has been published prior to the Cabinet meeting being convened on 9 July 2024. It has been proposed by the Leader of the Council, that on 9 July 2024, Cabinet will be recommended to agree the referral of the matters listed at items 8. to 10. below, without debate, to Council, as set out in Report number: CAB/WS/24/028.

- | | |
|--|------------------|
| 8. Housing Related Support (HRS) | 33 - 42 |
| Report number: COU/WS/24/011 | |
| 9. Bury St Edmunds Leisure Centre Maintenance and Refurbishment Project: Business Case | 43 - 72 |
| Report number: COU/WS/24/012 | |
| 10. Olding Road, Bury St Edmunds: Options Appraisal | 73 - 102 |
| Report number: COU/WS/24/013 | |
| 11. Annual Scrutiny Report 2023 to 2024 | 103 - 114 |
| Paragraph 7.5.1 of Article 7 of the Council's Constitution requires that: | |
| 'The Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate'. | |
| Report number: COU/WS/24/014 | |
| 12. West Suffolk Council Constitution: proposed amendments | 115 - 122 |
| Report number: COU/WS/24/015 | |

13. Use of Chief Executive urgency powers: issuing of Section 91 Notice

Under Part 3, Section 5, Scheme of Delegation to Officers, paragraph 14 of the Council's Constitution, it states:

'Where, in the opinion of the Chief Executive, by reason of limitation of time or urgency, a decision is required on any matter, after such consultation as they consider necessary (or as is required by the Council's Budget and Policy Framework Procedure Rules in Part 4 of the Constitution), they shall have power to make a decision provided that any such decision shall be reported to the next meeting of the Cabinet, appropriate Committee or Council.....'

On 15 and 22 April 2024, the Chief Executive exercised his urgency powers and made decisions to temporarily appoint Councillors David Taylor and Roger Dicker respectively to Tuddenham Parish Council to enable business to be transacted in accordance with section 91 of the Local Government Act 1972. Before doing so, consultation was undertaken with the Clerk to Tuddenham Parish Council and Councillors David Taylor and Roger Dicker.

The urgent decisions were made because following the resignation of a councillor, Tuddenham Parish Council was inquorate and therefore unable to transact any business to include the appointment of co-opted members to the Parish Council.

For further details, see Officer Decision Records published [here](#) and [here](#)

Recommendation:

In accordance with the Constitution, Council is requested to **note** the use of the Chief Executive's urgency powers in respect of making the decisions outlined above.

14. Motions on notice

123 - 126

The following motions on notice have been submitted for consideration by Council:

1. Debate not Hate (paper number: **COU/WS/24/016**)
2. Introduction of family friendly schemes to support elected members (paper number: **COU/WS/24/017**)

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.'

15. 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.

16. Exclusion of press and public

To consider whether the press and public should 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 each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part 2 – exempt

**17. Exempt appendix: Bury St Edmunds Leisure Centre
Maintenance and Refurbishment Project: Business Case
(paragraph 3)**

127 - 184

Exempt Appendix 3 (Independent Feasibility Report) contained within Appendix A (Business Case) to Report number:
COU/WS/24/012

Council



Minutes of a meeting of the **Council** held on **Tuesday 26 March 2024** at **7.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Chair Roger Dicker

Vice Chair Pat Hanlon

Richard Alecock	Ian Houlder	Marion Rushbrook
Michael Anderson	Janne Jarvis	Jools Savage
Peter Armitage	Gerald Kelly	Ian Shipp
John Augustine	Rowena Lindberg	Andrew Smith
Mick Bradshaw	Jon London	David Smith
Sarah Broughton	Aaron Luccarini	Liz Smith
Tony Brown	Victor Lukaniuk	Karen Soons
Carol Bull	Charlie Lynch	Sarah Stamp
Mike Chester	Birgitte Mager	Frank Stennett
Patrick Chung	Margaret Marks	David Taylor
Nick Clarke	Joe Mason	Don Waldron
Dawn Dicker	Sara Mildmay-White	Cliff Waterman
Paul Firman	Andy Neal	Tracy Whitehand
Susan Glossop	Richard O'Driscoll	Phil Wittam
John Griffiths	Sue Perry	Kevin Yarrow
Donna Higgins	Sarah Pugh	
Diane Hind	Karen Richardson	
Beccy Hopfensperger	Richard Rout	

343. Remembrance

Before commencing business, all members were asked to stand and observe a minute's silence in remembrance of former Forest Heath District Councillor Terry Waters who had sadly died recently. The Chair made a statement of condolence, reflecting on the late councillor's contributions during his time on Forest Heath District Council.

344. Minutes

Councillor Nick Clarke commented that as well as the responses, it would be helpful if the minutes recorded a summary of the questions asked of the Leader during consideration of the 'Leader's Statement'. This would be considered when producing minutes of this and future meetings.

Councillor Sarah Broughton commented that in respect of minute 337. 'Budget and Council Tax setting 2024 to 2025 and Medium Term Financial

Strategy 2024 to 2028', where discussion was held in private session on the Anglian Lane, Bury St Edmunds business case, the 'presentation error' referred to in the minutes was considered to be a material omission.

The minutes of the meeting held on 20 February 2024 were then confirmed as a correct record and signed by the Chair.

345. **Chair's announcements**

The Chair reported on the civic engagements and charity activities which he and the Vice-Chair had attended since the last ordinary meeting of Council on 20 February 2024.

The Chair then announced the following forthcoming events and encouraged members to attend:

- Monday 8 April 2024 at St Edmundsbury Cathedral at 11am: Memorial service to celebrate the life of the late former Councillor Mary Evans.
- Friday 10 May 2024 at The Athenaeum, Bury St Edmunds at 7pm: The Chair's Civic Dinner.

346. **Apologies for absence**

Apologies for absence were received from Councillors Andy Drummond, Luke Halpin, Rachel Hood, Andrew Martin, Lora-Jane Miller-Jones, Joanna Rayner, Marilyn Sayer, Andrew Speed, Jim Thorndyke, Julia Wakelam and Indy Wijenayaka.

347. **Declarations of interests**

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

348. **Public participation**

There were no members of the public in attendance on this occasion.

349. **Leader's statement (Paper number: COU/WS/24/007)**

Councillor Cliff Waterman, Leader of the Council, presented his Leader's Statement as outlined in paper number: COU/WS/24/007.

In his introductory remarks, Councillor Waterman:

- a. **CPR:** reported on a situation where two members of staff were working on a West Suffolk site when a resident collapsed. Whilst waiting for an ambulance, the two staff members had carried out CPR (cardiopulmonary resuscitation), resuscitating the person more than once, until medics arrived. Councillor Waterman paid tribute to the staff members praising the courageous, decisive, selfless act of human kindness and outstanding, compassionate care. The Council was running CPR courses for staff which had been well attended.

- b. **Elections:** explained that the pre-election period for the Police and Crime Commissioner of Suffolk had begun. Councillor Waterman conveyed his regards to all candidates, thanked those involved in managing the election process, which on this occasion was being led for the whole of Suffolk by West Suffolk Council, and urged members of the public to vote.
- c. **Acting in the best interests of the community:** placed his thanks on record to Councillor Andrew Speed for his recent intervention and compassion shown towards a resident regarding a planning matter within his ward; to Councillor Donna Higgins for setting up the Bury St Edmunds version of Teen Chill; and to Councillors Richard Alecock and Diane Hind for highlighting significantly pot holed roads in Mildenhall and Bury St Edmunds – an issue that many members had been seeking to resolve as well as adverse impacts caused by flooding.
- d. **Newmarket cinema:** was pleased to report that a cinema was now operating in Newmarket following successful partnership working between several organisations, namely the Newmarket Charitable Foundation, Abbeygate Cinema, the local theatre group NOMADS and West Suffolk Council utilising part of its allocation provided by the Rural England Prosperity Fund (REPF). Recognition was given to Councillors Michael Anderson, Andy Drummond, Rachel Hood, Janne Jarvis, Charlie Lynch, Sue Perry and Kevin Yarrow, local ward members that had also been championing the cause and providing contributions from their locality budgets.
- e. **Horseracing:** reported that he was delighted to chair the first meeting of a new partnership between the Newmarket Thoroughbred Racing and Breeding Industry Forum and members of the Cabinet. The meeting brought together senior industry representatives from across the Equine cluster to explore issues ranging from housing to transport to innovation and supporting tourism and business more widely in the town. A series of actions have been agreed to be explored together.
- f. **Streetlights:** stated that Mildenhall High Town Council was the first of many town and parish councils to receive payment following a successful application for a grant from the Council's Decarbonisation Initiatives Fund to convert their streetlights to more energy efficient light-emitting diode (LED) lanterns. Councillor Waterman placed his thanks on record to Councillor Andy Neal regarding his close interest in this subject.
- Grant agreements were now in the process of being completed for the other eligible town and parish councils with the aim for all council-owned streetlights in West Suffolk being upgraded to LED by 2025.
- g. **Reverse vending machines:** urged members to see the newly trialled recycling reverse vending machines (RVM) in Bury St Edmunds and Newmarket for themselves and the associated rewards received for disposing of applicable recyclables.

This initiative was one of many ideas and initiatives being discussed by the Environment and Sustainability Reference Group. Specific thanks were given to Councillor Janne Jarvis for his role in bringing the RVM idea forward.

- h. **£7.3 million electric vehicle (EV) investment:** reported that Suffolk County Council (SCC) had secured £7.3 million funding to help develop EV charging across the county. Local members and the public were being asked to nominate streets that may benefit from this. Further details were available on SCC's website.
- i. **Grass cutting:** stated that the grass cutting season was now underway; however, the recent spell of wet weather had impacted on the start date. Councillor Waterman gave thanks to members that had worked with Councillor Ian Shipp, Portfolio Holder for Leisure, to look at (amongst other issues) the topic of grass cutting last year. As a result of the review, this had meant the season had commenced with additional staffing capacity.
- j. **West Suffolk Local Plan:** announced that the last of three public consultations on the West Suffolk Local Plan was closed on 12 March 2024. A total of 187 individual participants responded to this round of consultation which generated approximately 1,000 additional representations to the plan and supporting documents.

Examination of the Local Plan by the Planning Inspectorate would be forthcoming later in 2024 where the Inspector would make modifications to make the plan sound. Modifications would be subject to public consultation, which was anticipated to be around spring 2025, following which the Inspector would publish their final report. This would then enable the Local Plan to be considered by Council for adoption.

- k. **Cambridge sub-region:** reiterated West Suffolk's importance and prominence in the Cambridge sub-region. The communities and economy of West Suffolk were linked to the wider area beyond the district. Recognising this, the Cabinet was looking at plans for the district's towns, particularly Haverhill's links to the Cambridge area.

The Cabinet was forging stronger links with colleagues from the Cambridge sub-region as well as Government agencies to further develop West Suffolk's working relationship with Cambridge and the surrounding area.

Part A – Questions on the Leader's statement

A range of questions were asked and responded to, as follows:

- a. **Councillor Nick Clarke**, Leader of the Conservative Group, referred to the £7.3 million allocation of Government funding to Suffolk County Council to develop electric vehicle (EV) charging points across the county. Councillor Clarke asked whether West Suffolk Council was able to influence the pricing structure for using public stations to charge

EVs. He quoted that it could cost as little as 7.5 pence per kWh to charge an EV at home whereas some public charging points charged between 45p-75p per kWh.

In response, Councillor Waterman stated that West Suffolk Council had little control over pricing structures and this would need representing back to Government. He would raise the matter when he next met with the local MPs.

- b. **Councillor Nick Clarke** commended the opening of the new cinema in Newmarket and acknowledged the positive local involvement of partners to bring the project to fruition. He recognised that West Suffolk Council had allocated a proportion of its REPF funding into the project; however, he asked whether the Council could support the Newmarket Charitable Foundation, who in partnership with Abbeygate Cinema, were running the cinema, with a one-off grant from its own budgets to refurbish the toilet facilities, for example. Councillor Clarke was pleased that several local members were recognised by Councillor Waterman in his opening remarks as supporting the project; however, he felt that former West Suffolk Councillor, James Lay should also be acknowledged for the work he had committed to the scheme.

In response, Councillor Waterman reiterated his support for the project and was delighted that the cinema was now operating. He could not however, commit to providing an additional one-off grant from the Council at this time but he assured Councillor Clarke that Councillor Ian Shipp, Portfolio Holder for Leisure, who was present at the meeting, would have taken his comments on board.

- c. **Councillor Nick Clarke** commented on paragraphs 14. to 18. of the Leader's Statement where a number of companies investing in West Suffolk were listed. He felt that whilst it was commendable to recognise successful companies in West Suffolk, there were also companies that had decided to leave the district as they felt they could operate better elsewhere. He made specific reference to Sofina Foods in Little Wratting, who were looking to expand its workforce by 64 percent as part of a multi-million pound investment in the site, and asked what the Council had done to enable this, and other investments in the district, to happen.

In response, Councillor Waterman was unable to comment specifically on Sofina Foods' investment but acknowledged Councillor Clarke's point regarding net gain investment in the district. The Council's and partners investment in new incubation units to support locally the growth of the Advanced Manufacturing and Engineering (AME) sector at Suffolk Business Park in Bury St Edmunds was an example of how the Council was encouraging investment in the district.

(At this point, Councillor Clarke asked questions relating to Part B, 'Questions on any Council matter' and these, together with Councillor Waterman's responses, are listed under the relevant heading below.)

- d. **Councillor Joe Mason** asked what measures and initiatives were being put in place for local residents, businesses and market traders that would encourage greater footfall in Haverhill High Street.

As part of this, Councillor Mason referred to some car parking charges being simplified or being abolished in Bury St Edmunds and other smaller towns in the district; however there had been no changes made to car parking charges in Haverhill. He asked whether ideas such as a 'free for the first hour' initiative throughout the week could be introduced to encourage shoppers into the town. Councillor Mason felt that the 'free from three' on a Friday initiative was no longer an incentive.

In response, Councillor Waterman acknowledged the challenges currently presented in Haverhill and shared Councillor Mason's ambition for a thriving high street. Further detail to respond to Councillor Mason's question would be provided in a written response.

- e. **Councillor Birgitte Mager** referred to the Government's future plans to encourage greater recycling by individuals as part of the 'Simpler Recycling' measures and clarification was sought on whether the Council's Operations team had been consulted by the private company principally responsible for the installation and operation of the two new reverse vending machines in Bury St Edmunds.

In response, Councillor Waterman confirmed that the Operations team had been involved to a limited level with this relatively small trial for introducing reverse vending machines in Bury St Edmunds and Newmarket. These machines were understood to be relatively commonplace in mainland Europe and Councillor Waterman supported this initiative if it encouraged more recycling, where possible (as summarised in his introductory remarks above). The measures to be introduced under the Government's 'Simpler Recycling' regime were separate to this.

Part B: Questions on any Council matter

- a. **Councillor Nick Clarke** asked whether the Leader was in a position to update on the costs, timescales and proposition for the Bury St Edmunds Leisure Centre.

In response, Councillor Waterman stated that a written reply would be provided.

- b. **Councillor Nick Clarke** asked whether he could provide an update on the security of Bury St Edmunds bus station; the costs involved and what the final outcome was envisaged to be.

In response, Councillor Waterman stated that a meeting was due to be held shortly regarding the challenges associated with the bus station. Costs to the Council regarding the security measures in place were not presently available. The anti-social behaviour issues appeared to have presently abated in this location.

- c. **Councillor Sarah Pugh** asked whether smaller 'pots' of funding could be made available by West Suffolk Council to support the survival of small, independent businesses.

In response, Councillor Waterman stated that a written reply would be provided.

- d. **Councillor Carol Bull** referred to the Cabinet's recent tours of the district's towns and asked whether the Cabinet would be visiting the rural wards and if so, when.

In response, Councillor Waterman stated that the rural wards would be visited to gain a better understanding of the strengths, issues and challenges within the villages and their communities; however, a schedule detailing the visits had yet to be finalised.

- e. **Councillor Susan Glossop** sought the Leader's support for the staff involved with the arts, heritage and culture service provided by the Council. She commended the tireless efforts and positivity of the staff working for this outstanding service, specifically mentioning those working at The Apex, Bury St Edmunds and at West Stow Country Park.

Following a round of applause from all members, thus reinforcing Councillor Glossop's comments, Councillor Waterman also expressed his wholehearted support for the staff involved with the arts, heritage and culture service.

- f. **Councillor Andrew Smith** referred to the forthcoming national 'Simpler Recycling' arrangements with particular reference to the anticipated termination of glass bottle banks in rural areas (and within other communities). Under the new arrangements, it was expected that glass would be collected by the kerbside.

Councillor Smith expressed concern that for many parishes, the loss of bottle banks would have a relatively significant impact on the finances of those that managed them, namely village halls and similar organisations. In addition, village halls and similar premises were usually required to pay for a commercial waste collection service and therefore, these organisations would be required to have their own glass bottles (and those that may have been littered in the area) collected at a cost.

Councillor Smith sought support from the Leader and Cabinet to ascertain whether there was any flexibility around whether the provision of glass bottle banks, particularly in rural areas, could be retained under the national 'Simpler Recycling' regime.

Councillor Waterman deferred to Councillor David Taylor, Portfolio Holder for Operations to respond. Councillor Taylor acknowledged the significance of this issue and he was having discussions with the Director for Operations regarding potential options moving forward.

Councillor Taylor would share further information with Councillor Smith and other members when it was forthcoming.

- g. **Councillor Margaret Marks** asked whether support could be given to lobby Government regarding the provision of low cost housing, particularly as a means to support young people that could not afford to get on the housing ladder.

Councillor Marks referred to enabling greater provision of sectional housing which was offered more commonly in other countries rather than building new traditional brick-based homes that were often unaffordable to young people. She urged the Council to lobby Government to analyse other countries' housing developmental programmes to see what could be achieved in the UK.

In addition, Councillor Marks expressed concern regarding the cost of servicing residential air source heat pumps and that there were insufficient numbers of professionals able to undertake such a service.

Councillor Waterman deferred to Councillors Gerald Kelly and Richard O'Driscoll, Portfolio Holders for Governance and Regulatory, and Housing respectively, to respond.

Councillor Kelly explained that presently there were insufficient numbers of professionals to undertake services on residential air source heat pumps; however, Octopus Energy, a leading energy provider, was looking to establish a training school to mitigate to an extent, the shortfall and to retrain existing heating engineers to cover servicing of air source heat pumps. West Suffolk College was potentially looking to work with Octopus regarding this.

In response to Councillor Marks' question on low cost housing provision, Councillor O'Driscoll stated that consultation had begun on the Council's new West Suffolk Housing, Homelessness Reduction and Rough Sleeping Strategy 2024 to 2029 and the sectional housing option would potentially be built into the strategy. He thanked members for their contributions to the consultation thus far.

Councillor O'Driscoll supported Councillor Marks' comments and felt that councils should work together to do what they could to address the national housing crisis, which included lobbying Government on options such as those suggested by Councillor Marks.

With regard to the written responses referred to above, in accordance with the Council Procedure Rules, these would be circulated to all members and published on the Council's website in due course.

(Councillor Birgitte Mager arrived during the consideration of this item at 7.18pm)

350. **Referrals report of recommendations from Cabinet**

Council noted that there were no referrals emanating from the Cabinet meeting held on 12 March 2024.

351. **Pay Policy Statement 2024 to 2025 (Report number: COU/WS/24/007)**

Council considered this report, which sought approval for the Pay Policy Statement 2024 to 2025.

The Localism Act 2011 and supporting guidance provided details of matters that must be included in this statutory pay policy, but also, emphasised that each local authority had the autonomy to take its own decisions on pay and pay policies. The Pay Policy Statement must be approved formally by Council each year. The statement could be amended in year, must be published on the Council's website and must be complied with when setting the terms and conditions of Chief Officers.

Set out in paragraph 1.2 of the report, were details of what was included in the Pay Policy Statement 2024 to 2025, which was attached at Appendix A.

Councillor Gerald Kelly, Portfolio Holder for Governance and Regulatory, drew relevant issues to the attention of Council.

On the motion of Councillor Kelly, seconded by Councillor Cliff Waterman, it was put to the vote and with the vote being unanimous, it was

Resolved:

That the Pay Policy Statement for 2024 to 2025, as contained in Appendix A to Report number COU/WS/24/007, be approved.

(Councillor Tracy Whitehand left the meeting during the consideration of this item at 7.57pm.)

352. **West Suffolk Council Constitution: proposed amendments (Report number: COU/WS/24/008)**

Council considered this report which sought approval for several amendments to the Council's Constitution.

The Constitution Review Group (CRG) periodically met to review the effectiveness of the Constitution, identifying any areas that could be developed further to improve the way the Council made decisions, ensuring that processes were efficient and transparent.

The CRG had met on three recent occasions to consider areas within the Constitution to recommend for amendment. These were detailed in section 2 of the report together with the rationale for making the proposed amendment.

Councillor Gerald Kelly, Portfolio Holder for Governance and Regulatory, drew relevant issues to the attention of Council.

Councillor Mike Chester suggested whether the proposed two non-voting non-elected independent co-optees to the Performance and Audit Scrutiny Committee, as detailed in paragraphs 2.20 to 2.22 of the report, should be residents of Suffolk. Councillor Chester stated that he was appointed to the Police and Crime Panel by this council and that the Panel had a co-opted member who was required to be a Suffolk resident. He felt this appeared to work well and considered a similar approach should be taken in this instance.

In response, Councillor Kelly agreed this was reasonable request for the Performance and Audit Scrutiny Committee to consider as part of the recruitment process.

On the motion of Councillor Kelly, seconded by Councillor David Smith, it was put to the vote and with the vote being 51 for the motion, none against and one abstention, it was

Resolved:

That, as referenced in Report number: COU/WS/24/008:

1. The revised role order and wording for the Member Role Descriptions in Part 3; Section 6 of the Constitution, as set out in paragraph 2.3 and Appendix 1, be approved.
2. The amendments to the appointment of substitutes in Part 4a and Part 4b of the Constitution, as set out in paragraph 2.6 and Appendix 2, be approved.
3. The amendment to Staff Consultative Panel: Terms of Reference in Part 3; Section 2: Responsibility for Council (Non- Executive) Functions of the Constitution, as set out in paragraph 2.9, be approved.
4. The amendment to Council Procedure Rules regarding the recording of meetings in Part 4 of the Constitution, as set out in paragraph 2.12, be approved.
5. The amendments to Council Procedure Rules on Motions on Notice in Part 4 of the Constitution, as set out in paragraph 2.15, be approved.
6. Amendments to the granting of dispensations in Part 3; Section 2; Responsibility for Council (Non-Executive Functions) of the Constitution, as set out in paragraph 2.19, be approved.
7. Amendments to the Scrutiny Procedure Rules in Part 4; Section B. Performance and Audit Scrutiny Committee of the Constitution, as set out in paragraph 2.22, be approved.
8. The disbandment of the Health and Safety Sub-Committee, as set out in paragraph 2.25, be agreed.

353. **Any other urgent business**

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

The meeting concluded at 8.03 pm

Signed by:

Chair

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Annual Council

Minutes of the **Annual Meeting** of the **Council** held on **Tuesday 14 May 2024** at **7.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Roger Dicker

Vice Chair Pat Hanlon

Richard Alecock	Ian Houlder	Karen Richardson
Michael Anderson	Janne Jarvis	Marion Rushbrook
Peter Armitage	Gerald Kelly	Jools Savage
John Augustine	Rowena Lindberg	Marilyn Sayer
Sarah Broughton	Jon London	Ian Shipp
Tony Brown	Aaron Luccarini	Andrew Smith
Mike Chester	Victor Lukaniuk	David Smith
Patrick Chung	Charlie Lynch	Liz Smith
Nick Clarke	Birgitte Mager	Karen Soons
Dawn Dicker	Margaret Marks	Sarah Stamp
Andy Drummond	Andrew Martin	Frank Stennett
Paul Firman	Joe Mason	David Taylor
Susan Glossop	Sara Mildmay-White	Jim Thorndyke
John Griffiths	Lora-Jane Miller-	Julia Wakelam
Luke Halpin	Jones	Don Waldron
Donna Higgins	Andy Neal	Cliff Waterman
Diane Hind	Richard O'Driscoll	Indy Wijenayaka
Rachel Hood	Sue Perry	Phil Wittam
Beccy Hopfensperger	Joanna Rayner	Kevin Yarrow

354. Election of Chair of the Council for 2024 to 2025

The outgoing Chair called for nominations for the election of Chair of the Council for the 2024 to 2025 civic year.

Councillor Victor Lukaniuk, Deputy Leader of the Council, nominated Councillor Pat Hanlon.

There being no other nominations, the nomination was put to the vote and with the vote being 57 for, none against and one abstention, the outgoing Chair

Declared:

That Councillor Pat Hanlon be elected Chair of West Suffolk Council for the 2024 to 2025 civic year.

The retiring Chair acknowledged his year in office which included paying tribute to fellow councillors and officers for their support during the year. Special recognition was given to Councillor Rachel Hood and Councillor Michael Anderson for the prizes donated for awarding at the Chair's Civic Dinner held on 10 May 2024.

Before inviting Councillor Hanlon to take the chair, Councillor Dicker removed the Chain of Office and placed it on Councillor Hanlon. Councillor Hanlon then presented Councillor Dicker with his Past Chair's Badge.

The incoming Chair returned to the dais and signed his Declaration of Acceptance of Office before passing to the Monitoring Officer for her signature.

355. Chair's announcements

The Chair acknowledged his forthcoming year in office, which included thanking fellow councillors for his appointment and very much welcomed the opportunity to represent West Suffolk at events in the ensuing year.

Councillor Hanlon then recognised the work of the retiring Chair, Councillor Roger Dicker, for his outstanding contribution and dedicated service to the Council during his term of office in 2023 to 2024.

The Chair announced the organisations he wished to support during the ensuing year, namely:

- REACH Community Projects in Haverhill, who specialised in helping people in financial crisis and hardship related issues.
- The Accessible Learning Foundation, who encouraged better and early identification of neurodivergent conditions and provided support to those living with such conditions.

356. Apologies for absence

Apologies for absence were received from Councillors Mick Bradshaw, Carol Bull, Sarah Pugh, Richard Rout, Andrew Speed and Tracy Whitehand.

357. Election of Vice Chair of the Council for 2024 to 2025

The Chair called for nominations for the election of Vice Chair for the ensuing year.

Councillor Cliff Waterman, Leader of the Council, nominated Councillor Phil Wittam.

There being no further nominations, the nomination was put to the vote and with the vote being unanimous, the Chair

Declared:

That Councillor Phil Wittam be elected Vice Chair of West Suffolk Council for the 2024 to 2025 civic year.

The Chair invited Councillor Wittam to come forward to the front of the dais where he placed the Chain of Office on Councillor Wittam. The incoming Vice Chair then took his seat on the dais and signed his Declaration of Acceptance of Office before passing to the Monitoring Officer for her signature.

358. Appointment of Cabinet members

The Chair called upon Councillor Cliff Waterman, Leader of the Council to make his announcements, which included the opportunity to announce his Deputy Leader, Cabinet and their respective portfolios.

Councillor Waterman duly announced that he would not be making any changes to his Cabinet and therefore the following appointments remained current:

Portfolio

Deputy Leader (no portfolio)
Families and Communities
Governance and Regulatory
Growth
Housing
Leisure
Operations
Planning
Resources

Member

Councillor Victor Lukaniuk
Councillor Donna Higgins
Councillor Gerald Kelly
Councillor Indy Wijenayaka
Councillor Richard O'Driscoll
Councillor Ian Shipp
Councillor David Taylor
Councillor Jim Thorndyke
Councillor Diane Hind

The Leader placed on record his thanks to his Cabinet for their time, work and commitment to their respective roles in the last year. He then thanked all councillors for their work within their wards and on behalf of the residents they represented.

359. Review of political balance and appointment to committees 2024 to 2025 (Report number: AGM/WS/24/001)

Council considered this report, which sought approval for the political balance and the allocation of seats to committees for 2024 to 2025.

Councillor Cliff Waterman, Leader of the Council, drew relevant issues to the attention of Council, including that the Constitution required that at each Annual Meeting, Council would decide which committees to establish for the municipal year; the size and terms of reference for those committees; the allocation of seats and substitutes to political groups in accordance with the political balance rules; and to receive or arrange the delegation of nominations and appointment of councillors to serve on each committee.

Committees and the terms of reference for those committees were included in Part 3, section 2 of the Council's Constitution. A link to this could be found within paragraph 2.1 of the report.

Following careful consideration of the rules on calculating political balance, Council was requested to approve the number of seats and terms of reference for the committees.

The Group Leaders had reviewed the members of their group appointed to each committee and the proposed allocation of seats and substitutes to committees was attached at Appendix A to the report. The Group Leaders had also been asked to nominate which members from their group would be nominated to the seats and substitute places on the committees and the proposed appointments were attached at Appendix B.

Changes to committee appointments and substitute appointments may be required during the year and delegation to Group Leaders would allow them to notify the Monitoring Officer of any changes.

On the motion of Councillor Waterman, duly seconded by Councillor Victor Lukaniuk, it was put to the vote and with the vote being unanimous, it was

Resolved: That

1. The committees for the 2024 to 2025 municipal year and the terms of reference for those committees as per the West Suffolk Council Constitution, Part 3b, section 2: "Responsibility for Council (non-executive) Functions", be approved.
2. The political balance and allocation of seats and substitutes on committees as per Appendix A to Report number: AGM/WS/24/001, be approved.
3. The appointment of members and substitutes on committees as per Appendix B to Report number: AGM/WS/24/001, be approved.
4. Delegation be given to Group Leaders to amend the appointed members to seats and substitutes and to notify the Monitoring Officer of any changes.

360. **Appointment of Chair and Vice Chair of scrutiny committees 2024 to 2025**

The next item of business was the appointment of the Chair and Vice-Chairs of the Overview and Scrutiny and Performance and Audit Scrutiny Committees for the 2024 to 2025 municipal year.

a. Appointment of Chair of the Overview and Scrutiny Committee

Councillor Cliff Waterman nominated Councillor Sarah Broughton as Chair of the Overview and Scrutiny Committee.

There being no other nominations, the nomination was put to the vote and with the vote being unanimous, the Chair

Declared:

That Councillor Sarah Broughton be elected Chair of the Overview and Scrutiny Committee for 2024 to 2025.

b. Appointment of Vice Chair of the Overview and Scrutiny Committee

Councillor Cliff Waterman nominated Councillor Marion Rushbrook as Vice Chair of the Overview and Scrutiny Committee.

There being no other nominations, the nomination was put to the vote and with the vote being unanimous, the Chair

Declared:

That Councillor Marion Rushbrook be elected Vice Chair of the Overview and Scrutiny Committee for 2024 to 2025.

c. Appointment of Chair of the Performance and Audit Scrutiny Committee

Councillor Cliff Waterman nominated Councillor Peter Armitage as Chair of the Performance and Audit Scrutiny Committee.

There being no other nominations, the nomination was put to the vote and with the vote being unanimous, the Chair

Declared:

That Councillor Peter Armitage be elected Chair of the Performance and Audit Scrutiny Committee for 2024 to 2025.

d. Appointment of Vice Chair of the Performance and Audit Scrutiny Committee

Councillor Cliff Waterman nominated Councillor Frank Stennett as Vice Chair of the Performance and Audit Scrutiny Committee.

There being no other nominations, the nomination was put to the vote and with the vote being unanimous, the Chair

Declared:

That Councillor Frank Stennett be elected Vice Chair of the Performance and Audit Scrutiny Committee for 2024 to 2025.

361. Proposed remuneration for co-opted, non-elected, non-voting independent members of the Performance and Audit Scrutiny Committee (Re[port number: AGM/WS/24/002)

Council considered this report, which sought approval for proposed remuneration for co-opted, non-elected, non-voting independent members of the Performance and Audit Scrutiny Committee.

On 25 January 2024, the Performance and Audit Scrutiny Committee (PASC) agreed that subject to Council approval, amendments should be made to the Constitution to enable the co-option of two non-voting non-elected independent members to be appointed to PASC as recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) (Report number: PAS/WS/24/004 refers.) On 26 March 2024, the proposed changes were approved by Council following consideration by the Constitution Review Group (Report number COU/WS/24/008 refers.)

Also on 25 January 2024, and subject to Council's approval of the changes to the Constitution, PASC agreed that the Independent Remuneration Panel should be requested to consider and recommend to Council a proposed allowance payable to each co-opted independent member of PASC to cover attendance at meetings, training, conferences, seminars or other events as part of their role on the Committee.

The Independent Remuneration Panel (IRP) met on 30 April 2024 for this purpose.

Having been provided with various documentation to support its deliberations, and in accordance with the co-optees' provisions prescribed in the Local Authorities (Members' Allowances) (England) Regulations 2003, the IRP recommended the following to Council as an appropriate level of remuneration for a co-opted, non-elected, non-voting, independent member of the Performance and Audit Scrutiny Committee (as set out in paragraph 2.3 of the report):

- An allowance of £300 per annum plus an additional £100 'attendance' fee.
- Payment of travel expenses in accordance with section 5.3 of the current Members' Allowances Scheme.

The 'attendance' fee would cover attendance at meetings, training, conferences, seminars or other events as part of the co-optee's role on the Committee. Where such events were held in person, travel expenses may be claimed.

The rationale for the above recommendation was set out in section 2.5 of the report.

Councillor Gerald Kelly, Portfolio Holder for Governance and Regulatory, drew relevant issues to the attention of Council. This included giving apologies on behalf of Sue Putters, Chair of the Independent Remuneration Panel, as she was unable to attend the meeting on this occasion.

On the motion of Councillor Kelly, duly seconded by Councillor Diane Hind, it was put to the vote and with the vote being unanimous, it was

Resolved: That

1. The level of remuneration proposed by the Independent Remuneration Panel for co-opted, non-elected, non-voting

independent members of the Performance and Audit Scrutiny Committee, as detailed in section 2.3 of Report number: AGM/WS/24/002, be approved.

2. The proposed allowance referred to in (1) above be written into the Council's current Members' Allowances Scheme with immediate effect.
3. The proposed allowance referred to in (1) above be subject to review as part of the annual review of the Members' Allowances Scheme undertaken by the Independent Remuneration Panel.

362. **Suffolk Police and Crime Panel**

Council considered a narrative item, which sought approval for a proposed amendment to the terms of reference for the Suffolk Police and Crime Panel.

At its meeting on 26 January 2024, the Suffolk Police and Crime Panel recommended to the Suffolk Public Sector Leaders Group that a requirement be added at Section 5 b) of its Panel Arrangements that independent co-opted members of the Panel must live or work in Suffolk.

Suffolk authorities had subsequently been asked to approve this proposed amendment.

Councillor Cliff Waterman, Leader of the Council, drew relevant issues to the attention of Council.

On the motion of Councillor Waterman, duly seconded by Councillor Victor Lukaniuk, it was put to the vote and with the vote being unanimous, it was

Resolved:

That the proposed amendment to the Panel Arrangements for the Suffolk Police and Crime Panel to reflect that independent co-opted members of the Panel must live or work in Suffolk, be approved.

The meeting concluded at 7.25 pm

Signed by:

Chair

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Civic communication for Council

14 May to 16 July 2024

Event	Venue	Date	Time	Attending
West Suffolk Council Meeting	Council Chamber, West Suffolk House	Tuesday 14 May 2024	7pm to 9pm	Chair and Vice Chair
Charity Cheque Presentation	Nowton Park Bury St Edmunds	Sunday 2 June 2024	3pm to 5pm	Former Chair of Council
D Day 80 Commemoration flag raising	Market Square, Haverhill	Thursday 6 June 2024	11am to 11:30am	Chair of Council
D-Day 80 County Service of Commemoration	St Edmundsbury Cathedral	Thursday 6 June 2024	5.30pm 6.30pm	Chair of Council
D-Day 80 Beacon Lighting event	Abbey Gardens	Thursday 6 June 2024	8pm to 10pm	Chair of Council
Thetford Mayor's Civic Reception	The Carnegie, Cage Lane, Thetford	Friday 7 June 2024	6.30pm to 10pm	Chair of Council
New Normandy Bench Dedication Service	Abbey Gardens Rose Garden Bury St Edmunds	Saturday 8 June 2024	11am to 12pm	Chair of Council
Newmarket Cinema Opening	Newmarket Cinema, Kings Theatre 16 Fitzroy Street Newmarket	Thursday 13 June 2024	7pm to 10pm	Chair of Council
Felixstowe Civic Service	St John's Church 65 Orwell Road Felixstowe	Sunday 16 June 2024	3pm to 5pm	Chair of Council

Official opening of the new GreenMinds therapy garden	Wedgewood House West Suffolk Hospital, Bury St Edmunds	Tuesday 18 June 2024	3pm to 5pm	Chair of Council
RAF Honington Annual Formal Reception and Sunset Parade	Officers' Mess, Royal Air Force Honington	Thursday 20 June 2024	6pm to 8pm	Chair of Council
Suffolk Day Proclamation	Haverhill Market Square	Friday 21 June 2024	7.30am to 11am	Chair of Council
RAF Lakenheath 48 Fighter Wing Change of Command	RAF Lakenheath	Friday 21 June 2024	10am 12pm	Vice Chair of Council
Armed Forces Day flag raising	Abbey Gate Bury St Edmunds	Monday 24 June 2024	10.30am to 11am	Chair of Council
Funeral service for Veteran Michael Franklin	St Edmunds Catholic Church Bury St Edmunds	Monday 24 June 2024	6.30pm to 8.30pm	Chair of Council
Armed Forces Day Flag Raising Ceremony	Market Square Haverhill	Monday 24 June 2024	2pm to 2.30pm	Chair of Council
Visit to the New Education Facility in Haverhill	Clements Community Centre Leiston Road Haverhill	Tuesday 25 June 2024	10am to 2pm	Chair of Council
Jankyn Smyth Commemoration Service	St Mary's Church, Bury St Edmunds and afterwards at The Guildhall	Thursday 27 June 2024	11am to 1pm	Vice Chair of Council
Suffolk Armed Forces Day	Haverhill Market Square	Saturday 29 June 2024	11am to 3pm	Chair of Council
Haverhill Singers concert 'Into the Light'	West End Congregational Church Hall, Haverhill	Saturday 29 June 2024	6pm to 8pm	Chair of Council

BBQ for new Mayors and Chairs	The Galaxy Club, RAF Mildenhall	Tuesday 2 July 2024	3.30pm to 6pm	Vice Chair of Council
The New Croft Foundation – Invite to Comets	The New Croft, Chalkstone Way, Haverhill	Tuesday 2 July 2024	5pm to 6pm	Chair of Council
352d Special Operations Wing Change of Command	Hangar 814, RAF Mildenhall	Tuesday 9 July 2024	10am to 1pm	Vice Chair of Council
Felixstowe Mayor's Civic Reception	Landguard Fort Viewpoint Rd Felixstowe	Thursday 11 July 2024	6pm to 8pm	Chair of Council
Mayor of Ipswich's Guided Walk and Curry Dinner	Start at Ipswich Town Hall, King Street, Ipswich	Sunday 14 July 2024	5.30pm to 8.30pm	Chair of Council
West Suffolk Council Meeting	Council Chamber, West Suffolk House	Tuesday 16 July 2024	7pm to 9pm	Chair and Vice Chair of Council

Chair attended 19 civic engagements.
Vice Chair attended 4 civic engagements.
Former Chair attended 1 engagement.

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Leader’s statement

Report number:	COU/WS/24/009	
Report to and date:	Council	16 July 2024
Documents attached:	None	

Leader’s Statement

1. As I write this the country is about to hold a General Election but as you read it we will know the results. Whatever the outcome I recognise that every councillor, no matter their allegiance, will remain rightly focused on delivering the best services and getting the right outcomes for our West Suffolk communities and businesses.
2. Whoever sits in Number 10 or parliament we will strengthening our relationship with the local MPs and continue to champion the needs, opportunities and successes that we have here in West Suffolk with Government.
3. I also want to thank our staff and volunteers who had delivered a successful Police and Crime Commissioner election for the whole of Suffolk. Also, by the time you read this, they would have also delivered the General Election for our two local constituencies. This involves weeks of hard work, long hours and attention to detail and understanding the latest laws and guidance – while maintaining a swan like ability of appearing calm while working hard behind the scenes.
4. I also know many of you will have been on the campaign trail and I would applaud your efforts and that of all the candidates in being at the sharp end of local democracy. No matter who you are or what you represent it takes courage to have that debate in public and put yourself forward.
5. It is worth noting that in May was the first year anniversary of the last election for West Suffolk Council. This month we will see the annual report published and I would urge everyone when this is published to see and feel proud of the investment and successes being delivered across the whole of West Suffolk that you all have had a hand in. Equally we are moving forward on our initiatives such as the Brandon Commission, improving our markets and delivering a new housing strategy while looking at how we fund community groups to benefit the whole of the district. At the same time, we have launched our strategic priorities, agreed by the Council, and set a robust budget which has enabled us to invest heavily in services, such as grass cutting, waste collecting and our parks and open spaces. We have led a UK trial by installing a reverse vending machine and set up a £1million

decarbonisation fund as part of our wider work on a sustainable environment. Engagement continues to be the key and Cabinet continues to visit the whole of West Suffolk as well as partners to gain a wider and more in-depth perspective. For example, the Cabinet Member has been able to draw upon the expertise of the local ward members for Clare in relation to car parking in the town.

Peer Review

6. This month, as I have spoken about previously, the authority will be undergoing its first Local Government Association Peer Review as West Suffolk Council. This is a useful process to look at what we do, what we have achieved and crucially what we can improve upon. This is something that many councils, who are members of LGA, go through.
7. We have a great story to tell about the achievements of this authority since its formation in 2019 and I want to thank the Leaders from across the authority coming together to back this process.

Meeting outside pressures

8. Cabinet and councillors continue to be asked their views and make decisions on a range of important initiatives that have been impacted on by UK and global events, Some of those decisions we will be looking at tonight have been affected by factors such as the invasion of Ukraine, cost of living crisis, inflation and increased costs of utilities as well as underfunding for public services. The effects of these are beyond the control of our council but have a massive impact on what we do.
9. These challenges will continue but I am pleased to see us continue to invest in initiatives that will have a positive impact on helping create jobs, opportunities and sustainable growth as well as thriving communities, affordable, available and decent homes and environmental resilience.

Affordable, available and decent homes

10. As this Leader's Statement is published, I expect the Council to be asked to look at options for investment up to £200,000 to help meet the need following Suffolk County Council's decision to reduce Housing Related Support. I am pleased to say we have continued to work with Suffolk County Council, which has significant budget pressures, and our colleagues in District and Borough Councils as well as partners in the housing sector, who of course also have significant budget pressures.

Supported housing currently helps more than half a million people in England to live independently in their communities. It provides a vital service to the people in our society who need the most support, from survivors of domestic abuse to young people leaving care.

11. This is to include sourcing additional temporary accommodation and undertake a system review of the current Supported Housing Options available to homeless people in West Suffolk.

12. This is part of our work on making sure people have affordable, available and decent homes. I am pleased to say the work on our Housing Strategy work is going well and strengthening partnerships as well as the way we will help people get that most basic need of a home. Thank you to those who have attended the three workshops for members and I know your feedback has been vital and, with the other engagement we have had, is shaping the strategy we will publish later this year. Overview and Scrutiny will be looking at progress on the engagement in a few days' time.

Local Plan

13. The final draft of the West Suffolk Local Plan has now been submitted to the Secretary of State and I want to thank everyone who has been involved in this complex and vital process.
14. Once adopted, the local plan will guide where new homes may and may not be built up to the year 2040. It includes policy designed to increase the delivery of affordable housing, improve the energy efficiency of homes and make them more adaptable to people's changing health needs, particularly as people get older.
15. It also allocates land for employment growth to help meet future need.
16. Having been shaped by thousands of public comments, it has now been sent to the Secretary for State who has appointed a planning inspector to hold an independent examination in public.
17. Following that examination, the revised local plan will come back to West Suffolk Council to formally adopt.

Thriving Communities

18. To meet those challenges I outlined earlier we took the financially prudent decision not to carry on with the Western Way plans. However, we were also clear in our support for the Overview and Scrutiny Committee's work, on our desire to deliver leisure improvements in Bury St Edmunds, as had been done in the rest of West Suffolk, while meeting the financial challenges we face.
19. The investment being outlined for the Leisure Centre in Bury St Edmunds at Council will achieve that. We have worked closely with our partners at Abbeycroft Leisure on this additional package of improvements alongside the much needed maintenance.
20. It will help shape the future of sport and physical activity in Bury St Edmunds so that it can continue to ensure access to sport and leisure services to support people's health and wellbeing in line with our strategic priority for Thriving Communities.
21. In addition, it will enhance and modernise Bury Leisure Centre to improve the customer offer, listening to what Overview and Scrutiny and our residents said was needed. Importantly it will continue to encourage people of all ages and abilities from the surrounding area to get and stay active including programmes tailored to individual health needs.

22. This project delivers exactly what we said we would do for maintenance but over that it delivers the enhancement that our Overview and Scrutiny Committee (and our residents) said was needed.

Olding Road

23. Hand in hand with the Leisure Centre investment are proposals for the Council owned Olding Road site.
24. A range of options have been considered for the site to meet the council's strategic priorities while balanced against a range of factors, including:
- Retaining ownership of the site for longer term opportunities in the delivery of the council's strategic priorities.
 - Providing short term flexibility to meet a challenging and changing economic market.
 - Need for financial certainty, lower capital investment options, income certainty and reduce ongoing costs.
 - Remediation of the site due to the age of the structure and materials and addressing any contamination caused by previous historic uses.
 - Planning regulations and guidance.
25. The option being put forward achieves this by creating, subject to market demand, a recreational and community area in the former depot that, together with the skatepark and surrounding college and neighbouring leisure centre, supports thriving communities – especially targeted for young people. While the warehouse section (former NHS supplies building), will be marketed in line with the site's emerging local plan allocation meaning it can be operated under current planning regulations, in support of the local economy and sustainable growth.
26. This project brings the site back into use, it delivers in the medium term a net return to the council following an initial breakeven position when assessed over 10 years. but it also addresses the £300,000 a year holding costs for the site. Additionally, it provides continued flexibility in the site for uses while supporting our communities, especially the young people that live across West Suffolk. This and the investment in the Leisure Centre are prudent and practical steps that deliver benefits for the wellbeing of residents but also means the Council does not risk funding that can be used to support all communities in the district.

Sustainable Growth

27. You have seen that as part of the Olding Road site proposals is a mixed blend of benefits including sustainable growth and employment.
28. I wanted to also highlight an initiative you may have missed with the start of the election. I am pleased that we with other Suffolk councils have launched Thrive: Suffolk Skills and Employment Service. This is a new initiative designed to provide targeted support and opportunities for NEET (not in education, employment, or training) young people and adults across Suffolk who would benefit from support.

29. This innovative programme is funded by the district councils who have combined their grant allocations from the UK Government through the UK Shared Prosperity Fund to deliver this bespoke service. The fund aims to improve pride in place and increase life chances across the UK investing in communities and place, supporting local business, and people and skills.
30. The Thrive programme is a partnership led by Suffolk New College, with our own West Suffolk College, East Coast College, Inspire Suffolk, Lofty Heights, Anglia Care Trust and Access Community Trust.
31. The programme aims to deliver a high-quality support service that addresses the complex needs of Suffolk's residents. By offering a highly localised and responsive approach, Thrive is dedicated to helping individuals navigate their unique challenges and access the full spectrum of education, training, and employment opportunities available within the county.
32. I also want to take a moment to say well done to all those who took part in the local heats of the National Market Traders Federation (NMTF) Young Trader Competition.
33. The NMTF Young Trader competition is a terrific opportunity for entrepreneurs to showcase their creativity, skills and talents whilst growing their businesses and networking with likeminded individuals. It is also part of the wider work we are carrying out to support and grow our local markets. By the time we meet the Newmarket heat will just have been held.

Provincial House – Haverhill

34. By the time you read this, adult learners should have been given a first glimpse of a new skills and education centre that will open in Haverhill High Street later this month.
35. West Suffolk College, part of the Eastern Education Group, is to open its Personal and Professional Learning Centre at Provincial House under a phased opening.
36. It follows major investment by West Suffolk Council in a scheme designed to boost adult education and skills, bring extra footfall to Haverhill town centre to support existing and new businesses, and further generate income to help toward the cost of council services across the district.

Newmarket Cinema

37. The official opening of the new Newmarket Cinema was held in June and the Chair was able to attend The Kings Theatre for the Council.
38. Newmarket Charitable Foundation, working with partners such as West Suffolk Council, Abbeygate Cinema and local theatre group NOMADS made having a cinema a reality.
39. This community led initiative is an excellent example of what can be achieved when working together. Our £35,000 grant, part of the Council's allocation from the Rural England Prosperity Fund, is to help run the latest releases and

create a fund supporting reduced price entry for those who would normally be prevented from going due to cost of living pressures.

Environmental Resilience

40. The £1 million decarbonisation initiatives fund approved by Council last September is being well spent, turning ambition around improving the environment into reality. The bulk of this fund will be spent on upgrading parish and town council-owned streetlights to LED technology, reducing carbon emissions and the cost to tax payers. However, a significant residual sum will be available for decarbonising further community assets. As I write this Cabinet is set to receive a proposal on 9 July on how we can engage with all West Suffolk councillors in the coming months to identify the best potential uses of this money.

Finally

41. Being a councillor is an incredibly hard but rewarding job. We have two motions to help people step forward and take up that challenge which I hope you will also support. Debate Not Hate aims to support councillors in saying no and appropriately dealing with the abuse that members can get which, unfortunately, can lead to tragic consequences. The second motion looks to introduce family friendly schemes to support elected members – recognising the barriers of childcare and leave for parents can be for people to become councillors. The more people we can encourage to come forward the better represented our communities will be.

Councillor Cliff Waterman
Leader of West Suffolk Council

Referrals report of recommendations from Cabinet

Report number:	COU/WS/24/010	
Report to and date:	Council	16 July 2024
Documents attached:	None	

A. Referrals from Cabinet: 21 May 2024

There are no referrals emanating from the meeting of Cabinet held on 21 May 2024.

B. Referrals from Cabinet: 9 July 2024

This referral has been compiled before the decision has been taken by the Cabinet and is based on the recommendation contained within the report listed below. Any amendments made by the Cabinet to the recommendation within the report will be notified to members in advance of the meeting accordingly.

1. Local Code of Corporate Governance

<p>Portfolio holder: Councillor Diane Hind</p> <p>Cabinet Report number: CAB/WS/24/030</p> <p>Performance and Audit Scrutiny Committee Report number: PAS/WS/24/012</p> <p>Appendix 1 Local Code of Corporate Governance</p>
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<p>Recommended:</p> <p>That the Local Code of Corporate Governance, as contained in Appendix 1 to Report number: PAS/WS/24/012, be approved.</p>
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- 1.1 The Local Code of Corporate Governance was last produced jointly by Forest Heath and St Edmundsbury Councils in 2017 and readopted by West Suffolk Council in 2019. Following the updating of the Chartered Institute of Public Finance Accountants (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) guidance, it is now time for West Suffolk Council to review that Code, making sure it is effective, transparent and relevant.

- 1.2 Each year, the Council produces an Annual Governance Statement. This is a statutory requirement and is a reflection of how we have complied with our own Code and worked to strengthen our governance arrangements over the previous year.
- 1.3 In order to produce the proposed draft Code of Corporate Governance, attached at Appendix 1, an officer group, including representatives from key services (audit, legal, policy, finance and performance) has reviewed the Council's existing governance arrangements at a detailed level, and then evaluated how the arrangements should be demonstrated within the local code. The Code has also been assessed by Leadership Team.
- 1.4 The Council's previous Code closely adhered to the principles, and sub-principles contained within the CIPFA framework. Recognising the emphasis within the framework on local arrangements, the revised Local Code has a greater emphasis on how West Suffolk Council applies the principles and comply with good practice. The Code reiterates our firm commitment to continually review our compliance with good practice, and openly report the outcomes of this work.
- 1.5 On 30 May 2024, the Performance and Audit Scrutiny Committee was requested to review the Code, and, where necessary, identify those areas where it believes that the document can be strengthened, prior to adoption by Council. No issues were raised by the Committee.
- 1.6 On 9 July 2024, the Cabinet will consider the recommendation of the Performance and Audit Scrutiny Committee, as reproduced above and this is also referred to Council for final approval.

Additional note: This Council agenda has been published prior to the Cabinet meeting being convened on 9 July 2024. It has been proposed by the Leader of the Council, that on 9 July 2024, Cabinet will be recommended to agree the referral of the matters listed at items 8. to 10. of this Council agenda, without debate, to Council, as set out in Report number: CAB/WS/24/028.

Housing Related Support (HRS)

Report number:	COU/WS/24/011	
Report to and date:	Council	16 July 2024
Cabinet member:	Councillor Richard O’Driscoll Portfolio Holder for Housing Email: richard.o’driscoll@westsuffolk.gov.uk	
Lead officer:	Sara Lomax Service Manager (Housing Options) Tel: 01284 757151 Email: democratic.services@westsuffolk.gov.uk	

Decisions Plan: This item has been published on the Decisions Plan; however, subject to the decision taken by Cabinet on 9 July 2024, as set out in Report number: [CAB/WS/24/028](#), this item has been referred to Council for decision without debate by Cabinet and, will therefore, not be subject to call-in. No exempt appendices are attached to this report as previously published on the Decisions Plan.

Wards impacted: All wards

Recommendations: It is recommended that Council:

1. Notes the current situation and implications of Suffolk County Council’s decision to decommission the Housing Related Support service.
2. Agrees West Suffolk Council’s position for the future commissioning and delivery of the Housing Pathway and allocate a budget

of up to £200,000 per annum funded from the Housing reserve for 2025 to 2027 and include as an indicative cost in the base budget in the longer term as part of the 2025 to 2026 budget setting process.

- 3. Supports the recommendation set out in paragraph 2.3 to source additional temporary accommodation.**
- 4. Supports the recommendation set out in paragraph 2.4 to undertake a system review of the current Supported Housing Options available to homeless people in West Suffolk.**

1. Context to this report

Background

- 1.1 Suffolk County Council (SCC) has made the decision to substantially reduce Housing Related Support (HRS) services and will only be commissioning services for those to whom it owes a duty to provide support; that is care leavers until the age of 25 and those who have been assessed as having eligible care and support needs by adult services. SCC need to secure a £3 million budget reduction in the financial year 2024-2025, this being split as £1 million in 2024-2025 and the remainder in 2025-2026.
- 1.2 SCC has indicated that it wishes to continue to work in partnership with district and borough councils and providers in Suffolk to find a solution. It was noted in the independent Campbell Tickel report '*Preventing Homelessness in Suffolk: Examples of best practice in homelessness and housing related support*' (October 2023) that there is a perception that joint commissioning or working is not prioritised at a system level, with the majority of current partnerships being locally-based. The localised basis of funding means that available pots of money are not utilised strategically. West Suffolk has continued its dialogue with SCC and been part of the Housing Board discussions on this important topic.
- 1.3 Supported housing provides invaluable housing and support for disabled people, homeless people, people with mental health problems, people who have experienced domestic abuse and many others. Supported housing helps ease the pressure on the NHS and care services and saves the public purse around £940 per resident per year¹. West Suffolk Council has committed to focussing on the delivery of affordable, available and decent homes as one of its strategic priorities, and this is being developed through the emerging Housing, Homelessness Reduction and Rough Sleeping Strategy. The impact of the cessation of the county wide support will be further considered through that.

The current situation

- 1.4 The current value of SCC's contract in West Suffolk is £963,191 per annum which provides support for **173 bedspaces**.
- 1.5 Services will be affected at the following accommodation settings in West Suffolk:
- Lucy Adams House (formerly Tayfen House), Bury St Edmunds
 - YMCA, Bury St Edmunds

¹ Source: [National Housing Federation - Supported housing](#)

- Acorn House, Bury St Edmunds
- Coupals Court, Haverhill
- Cangle Junction, Haverhill
- Heazeworth House, Haverhill
- The Limes, Haverhill
- Properties in Springfield Rd and Grove Road, Bury St Edmunds

- 1.6 The above list includes 23 units for young families that are all currently occupied. All the young families currently housed were cases referred by the council's Housing Options Teams and all will be owed a statutory homelessness duty should they lose the accommodation currently in use. **Therefore, should the HRS service end, it is likely all 23 families will need temporary accommodation.** Around 20 percent of these families have children on child protection registers.
- 1.7 Through working with SCC we understand that of the remaining 147 bedspaces only **25** were referred by Suffolk Housing Options Teams during 2023-2024. The remaining 122 beds are occupied by people who have been referred by partner organisations or they are self-referrals and at this stage it is not possible to determine how many the Council may owe a statutory duty to house. There is a risk that, should the service provider decide to exit the market, the Council could face needing to accommodate people currently supported and accommodated through the HRS service and this could result in an increase in rough sleeping.
- 1.8 West Suffolk has a duty to accommodate 16/17-year-olds if they approach the council as homeless. Following the approach, a multi-agency safeguarding hub (MASH) referral is made to request that a statutory assessment is carried out to determine the young person's needs. This is an agreed protocol across Suffolk.
- 1.9 **The importance of housing related support provision**
Supported housing currently helps more than half a million people in England to live independently in their communities. It provides a vital service to the people in our society who need the most support, from survivors of domestic abuse to young people leaving care. New research commissioned by the National Housing Federation (NHF) and completed by [Altair Ltd.](#)², shows that the country is not on track to provide a supported home to everyone who needs one by 2040.
- 1.10 The NHF commissioned research to better understand how supported

² [National Housing Federation - How much supported housing will we need by 2040?](#)

housing specifically impacts homelessness, health and wellbeing³. They wanted to further understand the challenges that it faces and the ways in which it supports and interacts with the NHS, social care, the justice system and other public services. Amongst others, it made the following conclusions:

- Good quality supported housing has a significant positive impact on its residents' health, wellbeing and sense of social connection.
- Supported housing plays a critical role in reducing homelessness and relieving pressures on the social care, health, criminal justice and housing sectors - ultimately lessening demands on the public purse.
- Short-term and transitional supported housing is playing a key role in reducing and/or preventing higher-risk forms of homelessness, such as rough sleeping.
- Supported housing residents have complex needs: 9 out of 10 have at least one health condition or disability (including substance misuse, mental ill-health, learning disability/autistic spectrum disorder and physical conditions), and half of them are experiencing more than one of these conditions.

2. Proposals within this report

2.1 The figures at 1.4 to 1.7 indicate that West Suffolk does have some requirements for accommodation with support. With current providers considering withdrawing from the market there is an opportunity to work with them to provide the services we need for the future. We also need to consider that accommodation for 16/17-year-olds is required to be Ofsted registered (currently only two providers offer this service).

2.2 **Recommendation:**

Provision for those with medium and high support needs.

Allow the Council to explore in more detail with providers the additional capacity needed to enable the team to commission services in West Suffolk to cater for those with medium and high support needs. The team would need to talk to the market and understand their positions in respect of whether they will continue to be working in West Suffolk or planning to sell properties they currently own. The service provider could look to claim housing benefit to cover its housing management costs and there would be a need for contract management resource. By increasing the budget envelope to a maximum of £200,000 per annum the Council could take the time needed to develop a more nuanced and local response that meets local demand and supports need and will be informed by the emerging Housing Strategy.

³ [imogen-blood-research-into-the-supported-housing-sectors-impact-on-homelessness-prevention-health-and-wellbeing.pdf](#)

We make no proposals around the commissioning of any young parents supported bedspaces. Should a family require support this can be delivered within their own homes by Suffolk County Council's Early Help service or social care professionals.

The £200,000 per annum cost will be funded from Housing Options reserve for the first two years to March 2027 and then included as an indicative pressure in the base budget in the longer term as part of the 2025 to 2026 budget setting process. Demand and performance will be reviewed quarterly with a formal review in September 2026 to inform budget and resource planning for future years.

- 2.3 There are two further actions recommended which do not have an ongoing resource commitment. To retain the much-needed social housing in the area, we should work with providers to explore the opportunity to have rights to use on additional temporary accommodation, ideally with staff onsite 24/7. The full costs of these units can be covered through Housing Benefit. By having a site with staff available 24/7 we could consider taking higher risk applicants in emergency situations, which would meet a need we currently have. We would also no longer need to have staff on call out of hours and would therefore save the cost of on call payments. This would be for around 15 bedspaces. Providers have not yet advised what their plans are however given that all in West Suffolk are larger providers we hope to see some stock converted to general needs accommodation. We have already spoken with existing HRS providers working in West Suffolk and indicated our desire to work with them to on both actions.
- 2.4 This approach should be supported by a system review of the current Supported Housing Options available to homeless people in West Suffolk. This includes those in Rough Sleeping and Next Steps accommodation provisions. Current annual funding of Rough Sleeping Initiative (£336,852) and Next Steps Accommodation Provision Funding (£131,220) are both currently funded until 31 March 2025.
- 2.5 Commissioning services directly will create the opportunity to shape those services for the benefit of need in West Suffolk and to control nomination rights to ensure that the best use is made of the accommodation. The Campbell Tickell report (undertaken before the decision was made to decommission the Housing Related Support (HRS) contract) recommended a higher level of support provision than that provided by the existing HRS contract. Working independently will provide West Suffolk Council with an opportunity to deliver support at a medium and high level.

3. **Alternative options that have been considered**

- 3.1 As a result of SCC's decision there will be an impact on West Suffolk Council (WSC) in some way. If we do not respond proactively to the decision, and let the services close, it is likely providers will withdraw their provision as it will be unfunded. This would likely have a significant impact on the Council's housing register and homelessness services as well as people's lives and wellbeing, as those currently accommodated and supported through the HRS service would approach the Council for accommodation.

We have explored the option of procuring a fixed number of bedspaces that offer up to five hours of support per week, in line with the SCC current contract. On current hourly rates estimated service cost would be £115,245 per annum. The provider would claim housing benefits to cover its housing management costs. In addition, there would be a cost of contract managing this service; this could be a part time post at circa. £30,000 per annum. Total cost would therefore be approx. **£145,000 per annum** (SCC current budget £963,191 which is the current value and allowing for 8 percent annual inflation increase).

- 3.2 As an additional alternative, consideration was given to entering into an arrangement with SCC to co-commission services. This would mean that we decide how much budget we would set aside for the purpose of providing support with the considerations above and, SCC could novate, or replace with a new contract, and amend existing contracts with providers. This is likely to be on a reduced number of support hours and/or bed spaces. The risk with this approach is that we are not in control of the services we are commissioning for our population and could be later impacted by further changes that SCC may make.
- 3.3 Meet the service gap resulting from the SCC budget reduction in its entirety. That would cost WSC in excess of £900,000 and is difficult to justify on the basis of the available data.

4. **Consultation and engagement undertaken**

- 4.1 Local providers have been met with individually. All have indicated a willingness to work with West Suffolk. They have expressed concern about the approach taken by SCC.
- 4.2 Staff have met with SCC and been part of workshops to consider what a combined service may look like.

- 4.3 Liaison with other district and borough councils in Suffolk has been undertaken at the Suffolk Housing Board.

5. Risks associated with the proposals

- 5.1 Providers do not want to continue to provide the service or work with West Suffolk Council resulting in an inability to meet the local demand (likelihood low following engagement).
- 5.2 Providers continue the service with other local authorities that can offer more competitive rates resulting in an inability to meet the local demand (mitigation: working with other Local Authorities to understand likely rates).
- 5.3 Costs or demand increase putting additional pressure on Council budget. This will be monitored through the in-year and annual budget monitoring processes.
- 5.4 The use of the Housing reserve for the first two years will put pressure on the availability of that reserve to fund the service should the specific grant received from central government be removed without sufficient notice. This will need to be closely monitored as future local government funding announcements are made.

6. Implications arising from the proposals

- 6.1 Financial – As set out in the main body of the report.
- 6.2 Legal compliance: West Suffolk Council has no legal duty to provide support.
- 6.3 Personal data processing – not applicable
- 6.4 Equalities – We will complete an Equality Impact Assessment as part of the new service project.
- 6.5 Crime and disorder – no plans to change location of provision so potentially no change to levels of associated anti-social behaviour
- 6.6 Safeguarding – existing protections would be in place through existing providers.
- 6.7 Environment or sustainability – not applicable
- 6.8 HR or staffing – new Contracts Manager employed by West Suffolk Council that has been budgeted for. There are no other staffing implications.
- 6.9 Changes to existing policies – we will need to develop an allocations scheme but are looking to utilise the existing Home-Link system for this purpose – subject to further discussion.
- 6.10 External organisations (such as businesses, community groups) – Multiple affected organisations whether we work with SCC or alone.

These include services currently able to refer into services, for example, probation and prisons.

7. Appendices referenced in this report

7.1 None

8. Background documents associated with this report

8.1 None

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Bury St Edmunds Leisure Centre Maintenance and Refurbishment Project: Business Case

Report number:	COU/WS/24/012	
Report to and date:	Council	16 July 2024
Cabinet member:	Councillor Ian Shipp Portfolio Holder for Leisure Email: ian.shipp@westsuffolk.gov.uk	
Lead officer:	Jill Korwin Strategic Director Tel: 01284 757252 Email: democratic.services@westsuffolk.gov.uk	

Decisions Plan: This item has been published on the Decisions Plan; however, subject to the decision taken by Cabinet on 9 July 2024, as set out in Report number: [CAB/WS/24/028](#), this item has been referred to Council for decision without debate by Cabinet and, will therefore, not be subject to call-in.

Wards impacted: All wards

Recommendations: It is recommended that Council approves:

1. the Business Case attached at Appendix A to Report number: COU/WS/24/012 for the maintenance and refurbishment of the Bury St Edmunds Leisure Centre, to include:
 - a. provision of up to £2.16 million, financed by borrowing on an invest to earn/save basis, funded from financial returns from the uplift in centre performance. This is further to the

£6.2 million capital budget approved as part of the 2024 to 2025 Budget and Council Tax setting report [CAB/WS/24/010](#) (paragraph 6.3);

- b. support the cost certainty work set out in paragraph 2.2, to be funded by the capital project budget as detailed in paragraph 2.3;**
 - c. the findings of the cost certainty work is reported to and is approved by Cabinet before any procurement contract for the refurbishment works on the centre are entered into.**
- 2. The Council's Section 151 Officer make the necessary changes to the Council's prudential indicators to reflect the direct cost to the Council of funding the project budgets set out in (1) above.**

1. Context to this report

- 1.1 Bury St Edmunds Leisure Centre is one of six council owned leisure centres within West Suffolk Council's portfolio, and serves a population of over 86,000 residents within a 20 minute drive offering swimming, a five court sports hall and health and fitness facilities.
- 1.2 The centre is now 49 years old. The building has been refurbished twice in its lifetime due to two fires and therefore the fabric of building itself is generally in good condition, although facilities are becoming dated. Plans had been produced to rebuild the centre as part of the Western Way project, but in 2023 that project was withdrawn, Council report [CAB/WS/23/041](#) refers and provision subsequently made in the Council's budget to address a maintenance legacy at the existing site.
- 1.3 The maintenance requirements have been reviewed and a proposal developed to address maintenance and at the same time enhance some of the facilities at the centre to enhance the customer offer and provide greater opportunities for residents to improve their physical and mental health and wellbeing through sport and physical activity, an ambition set out in the Council's Strategic Priorities.
- 1.4 In 2023, the Council's Overview and Scrutiny Committee set up a task force that reviewed leisure and the Council's collaboration with Abbeycroft Leisure. The Cabinet accepted the recommendations of that report including that Cabinet ask officers to explore further capital investment in the leisure offer and facility mix across the leisure centres sites through business cases where appropriate to provide outcomes and financial benefits through invest to save/earn initiatives with Abbeycroft. The report made specific reference for need to look at Bury St Edmunds Leisure Centre.

2. Proposals within this report

- 2.1 The attached Business Case (BC) at Appendix A sets out:
- a. the strategic case for the project
 - b. the preferred option to address essential maintenance issues and deliver a centre refurbishment
 - c. the economic, commercial and financial case for the project
 - d. the associated risks and implications and assumptions (the management case)

- 2.2 Working with specialist leisure consultants the plans have been developed and costed that address the high and medium risk maintenance issues at the centre that will ensure that it has at least another 10 years of use once the works are completed. Further, it proposes a range of refurbishments at the centre which, if this total £8.36 million investment is approved, will be further tested with users and the public before the final plans are agreed by Cabinet. This paper is initially seeking approval to spend up to £290,000 on surveys and design work to enable a fully costed project with “cost certainty” to be approved by Cabinet before entering into the works contract. This cost certainty approach follows that taken on previous leisure centre improvements projects (2.4 below refers) and this £290,000 will be funded from the Bury Leisure Centre capital project budget. If any cost certainty works can’t be capitalised for whatever reason (evolution of design of the final scheme for example) then this financial risk will be underwritten from the council’s capital financing reserve.
- 2.3 In order that this is seen in the context of the project, this paper also recommends that provision is agreed of a maximum budget facility of £8.36 million for the delivery of the maintenance and refurbishment project. That’s an additional £2.16 million, financed by borrowing on an invest to earn/save basis, funded from financial returns from the uplift in centre performance. This is further to the £6.2 million capital budget approved as part of the 2024 to 2025 Budget and Council Tax setting report [CAB/WS/24/010](#) (paragraph 6.3).
- 2.4 This project needs to be understood in the context of the Council’s leisure estate. In November 2016, the former Forest Heath and St Edmundsbury councils approved the creation of a £5 million Leisure Investment Fund with the aim to provide capital, to invest on an invest to earn/save basis in leisure facilities delivering significant improvements at Brandon, Haverhill and Newmarket Leisure Centres. Skyliner Sports Centre opened in February 2017, and Mildenhall Hub in 2021. Bury St Edmunds is the only centre not to have received significant investment over the last 15 years.

3. Alternative options that have been considered

- 3.1 The most basic option for the leisure centre would be a scheme which addresses maintenance but provides no other upgrades to the centre. Whilst this would be the cheapest option in terms of capital cost it would not provide any enhancements to improve customer experience and wellbeing opportunities and would also risk that the centre’s performance would deteriorate further, particularly having regard to competition in the area.
- 3.2 Alternatively, a simpler project was explored that would deliver some basic upgrades, within the approved capital budget envelope of £6.2

million. This would mean that the opportunity to upgrade the offer for families through inclusion of soft/adventure play and upgrade of the remaining leisure water and the inclusion of treatment rooms to further integrate health and physical activity pathways would be lost. It would also mean replacing the moveable floor in the Activity Pool with a fixed floor. This would not only impact on the centre's financial performance but would also reduce the potential positive impact on health and wellbeing, a strategic priority for the Council. However, if having completed the cost certainty exercise the project did not meet the budget threshold set out in recommendation 1, then the project could be reworked to remove some key elements and reconsidered at the next review stage, anticipated in October 2024.

4. Consultation and engagement undertaken

4.1 The proposals reflect the findings from the November 2023 Overview and Scrutiny Review Report of the Council's Strategic Partnership with Abbeycroft Leisure. The views of centre users were captured in an engagement exercise for Western Way and users will again be consulted if this BC is approved to get secure feedback for the final design and proposals.

4.2 An independent leisure management consultancy has reviewed a range of options for the centre and provided an independent evaluation of the market, demands and potential revenue performance. Also, the BC reflects the findings of the 2022 Sports Facilities Assessment study which was produced following engagement with local sports clubs.

5. Risks associated with the proposals

5.1 Please see risk assessment included in Section F of attached BC. The significant risks relate to cost overrun which is managed through the procurement process, failure to address maintenance needs which will be managed through the design specification and risk of the centre not meeting its forecast performance which will be managed through marketing and engagement and delivery of a high quality product that meets customer and health partners' needs.

6. Implications arising from the proposals

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

7. **Appendices referenced in this report**

- 7.1 Main document:
Appendix A: Business Case: Bury St Edmunds Leisure Centre Maintenance and Refurbishment Project - July 2024
Appendices to the business case
Appendix 1: Maintenance Item
Appendix 2: Refurbishment Plan
EXEMPT Appendix 3: Market and Viability Review (see agenda item 17.)

8. **Background documents associated with this report**

- 8.1 [West Suffolk Leisure Investment Fund](#): reports detailing investment into Brandon, Haverhill and Newmarket Leisure Centres
[West Suffolk sports facilities assessment](#)

Appendix A to Report number: COU/WS/24/012

**Business Case: July 2024
Bury St Edmunds Leisure Investment**

Contents

- A. Executive Summary**
- B. Strategic Case**
- C. Economic Case**
- D. Commercial Case**
- E. Financial Case**
- F. Management Case**

Appendices

One: Maintenance Items

Two: Refurbishment Plan

Three: EXEMPT Market and Viability Review

A. Executive Summary

- A.1** West Suffolk Council has been clear on its commitment to promoting sport and physical activity. In 2016 its predecessor Councils Forest Heath District Council and St Edmundsbury Borough Council created a £5m Leisure Investment Fund, which delivered improvements to Newmarket, Haverhill and Brandon Leisure centres. 2017 saw the opening of the new Skyliner Sports Centre and in 2021 Mildenhall Hub opened, including a new leisure centre with a range of facilities.
- A.2** The other centre in the Council's leisure portfolio, Bury St Edmunds Leisure Centre, is now 49 years old and in need of significant maintenance. Having previously been identified as being replaced through the Western Way project, it had not benefited from the Leisure Investment Fund or much beyond reactive maintenance. The building has been refurbished twice in its lifetime due to two fires and therefore the fabric of building itself is generally in good condition, although facilities are becoming dated. The plan to deliver a new leisure centre as part of the Western Way development was withdrawn last year due to national uncertainty over public and household finances, and the risk this would have placed on the Council's short-term finances. Following that decision, the Council made provision in its budget to address maintenance issues (current and anticipated) at the centre, recognising that given the previous plan to replace the centre there was a maintenance backlog. Further, following an Overview and Scrutiny review in 2023, Cabinet asked officers to explore opportunities to enhance the offer and customer experience at the centre, through an invest to save approach, at the same time as making the most of any financial savings on cost that could be achieved by improving the asset at the same time as maintaining it.
- A.3** The total anticipated cost of the proposed works (refurbishment and maintenance) set out in this business case are **£8.36m**. Provision already exists for £6.2m of maintenance and improvement works in the Council's capital programme. It is proposed that the additional £2.15m can be funded through a mixture of S106 contributions and prudential borrowing, with the borrowing being repaid annually by the return from the improvement in Abbeycroft's performance.

Total costs of works	£8,358,000
Existing Budget provision	-£6,200,000
Maintenance contribution from Abbeycroft and Section 106 funding for sports hall provision	-£670,000
Balance to be borrowed externally	£1,488,000

The estimated net improvement in Bury Leisure Centre's financial performance would be £228,000 per annum as a result of this overall investment which would be returned to the Council from Abbeycroft. This level of annual return can fund up to £1.8 million of borrowing up front, at current PWLB rates over 10 years. This is sufficient to cover the expected £1.5 million borrowing requirement and can provide a net return to council

of £39,000 per annum (gross return of 10.57 percent and net return of 1.81 percent on the additional £2.16 million investment).

This business case provides the estimated opportunity, benefit and cost information for maintenance and improvement works at Bury St Edmunds Leisure Centre. The centre condition has been reviewed and this outline business case sets out a proposed plan for addressing the significant maintenance items and deliver some key improvements at the centre which should improve the centre's financial operation and customer offer.

A.4 West Suffolk's Strategic Plan includes a priority of "Thriving Communities" and seeks to "enable West Suffolk residents to improve their physical and mental health and wellbeing through sport, physical and cultural services". The Council is committed to using its assets to support this as further detailed in the [West Suffolk Physical Activity Framework](#). This business case shows how this development can deliver benefits which will meet the objectives in the Framework including:

- Social and community
- Economic
- Personal experience
- Health and wellbeing

A.5 Whilst this business case focuses on addressing the maintenance issues at the centre, through careful planning it creates an opportunity to improve a number of areas of the centre to improve customer experience and the number of people engaging in physical activity and improving health and wellbeing activity. This proposal seeks to improve the financial performance of the centre creating a revenue benefit against which further investment can be made, based on extending the lifespan of the centre by a minimum of 10 years.

A.6 The full summary of maintenance issues that are planned to be addressed is included at Appendix One, and key items in that plan include:

- Main pool plant
- Boiler upgrades
- Lighting upgrades
- Control upgrades

A.7 The enhancements to the leisure centre that are proposed, subject to overall affordability within the cost envelope, include:

- Remodelling the **main entrance area**, removing the existing reception desk and replace it with a modern concierge type approach.
- A **new café and soft/adventure play** through the conversion of half of the leisure pool space.
- The creation of a **splash pad with some water play features** in half the leisure pool space and **retention of the flumes**.
- The current **village change** will see a light touch refurbishment of the cubicle area with a more intrusive refurbishment of the poolside shower and WC accommodation.

- **Pool halls** will be refurbished, replacing the moveable pool floor/boom in the Activity Pool alongside the replacement of the pool edge tiles, replacement of pool balustrades and a deep clean of the area.
- The creation of a **health and wellbeing area** similar to Haverhill with the addition of eight treatment rooms along with the refurbishment of an existing studio
- The **refurbishment of the gym and inclusion of E-gym** and the creation of a **dedicated spin studio** and retention of the college gym space
- The **refurbishment and enhancement of the health suite** area
- Refurbishment of **the sports hall** including a new sprung timber floor and painting of high-level areas

A.8 The proposal for the leisure centre has been developed to an available budget on the basis of providing the optimum capacity and potential for a facility mix, having regard to the leisure market and catchment area and activities to encourage physical activity and facilities in the wider area as well as consultation feedback. It has also been designed to create a flexible space that can be used differently in the future in response to changing leisure trends. The outline plans are included in Appendix Two.

A.9 The Council's commitment to its leisure provision did not falter during the pandemic and has extended to providing additional financial support to its partner and leisure operator, Abbeycroft Leisure, in response to the energy crisis. The Council will continue to work with Abbeycroft Leisure, to ensure that the centre works to deliver the Council's priority through enabling West Suffolk residents to improve their physical and mental health and wellbeing through sport, physical and cultural services" at the same time as improving the financial performance, to meet the day-to-day running costs of the facility and to deliver a wider return to support borrowing necessary to deliver these full range of enhancements.

A10 The project has a relatively high-risk profile at this stage given the substantial maintenance backlog, the current modest contingency and additional borrowing funded through an anticipated revenue benefit from the proposed centre improvements. These will continue to be managed through leveraging appropriate external support and expertise. Member approval to proceed will enable the project to embark on a stage of work to secure greater cost certainty. The cost for this work stage will be **£290,000** which will be funded, at risk of the project ultimately not proceeding if the cost returns higher, from the approved £6.2 million Bury Leisure Centre capital budget, underwritten from the Bury Leisure Centre Asset Management Plan.

A.11 No options in this report address the long-term position of the centre.

B. The Strategic Case

1. The Council's role in providing Leisure Facilities and supporting the Physical Activity & Health Agenda

- B.1** The need for a strong accessible leisure offer is ever more important. In 2021. Sport England stated '*Our leisure centres are fundamental to the nation's health and economic recovery, and to the long-term health of our communities, including addressing widening health inequalities*' and the LGA have advised that *"Council sport and leisure services provide a unique offer, supporting affordable, universal and targeted services, and activities, that are simply not provided for elsewhere at such scale."* (LGA Dec 2022 Parliamentary debate: Government support for leisure centres).
- B.2** Despite leisure, sport and physical activity being non-statutory services, the evidence of their public value and the positive physical and mental health impacts is stronger than ever before. These services can contribute to multiple public policy objectives. These include reducing health inequalities, upskilling, and employing local people and being community spaces for social engagement and interaction. Locally West Suffolk Alliance has stated its key objective for 2024/5 under the Be Well domain is physical activity, specifically seeking to establish a universal offer and secure good and equitable uptake and to increase the impact of exercise referral programmes.
- B.3** Suffolk's [More more to feel better report, 2024](#) states that Physical inactivity is associated with 1 in 6 deaths in the United Kingdom, and Suffolk continues to report high levels of inactivity amongst its residents. The Active Lives Survey data for 2022-23 for Suffolk informs that 25% (159,500) of adults are classed as inactive, whilst 30% (27,600) of children are classed as less active. The latest data for West Suffolk shows that 27.5% of our population are classed as inactive.
- B.4** Low levels of physical activity are a significant contributor to disease and disability in Suffolk. It is estimated that around 1,850 premature deaths each year are attributable to physical inactivity. By keeping physically active throughout life, people can live healthier and longer lives. Regular physical activity can help to prevent and manage many physical health conditions and it also reduces the risk of mental ill health such as depression and dementia.
- B.5** The Council is committed to "Promoting Physical Activity" and its framework sets out its objectives and intent.¹ The proposal for the improvements to the centre and its operation meets the principles of the Council's Promoting Physical Activity Framework as set out below and the

1

https://www.westsuffolk.gov.uk/leisure/sport_and_healthy_living/activity/index.cfm

Council's partnering agreement with Abbeycroft requires them to deliver against all aspects of the framework:

Social and community

- It creates an improved environment that provides the opportunity for physical activity for all by extending the range of activity and improving its offer and accessibility for users with additional needs.
- During the development of the centre, the Council and Abbeycroft will work with a range of groups to increase access and address barriers to participation, focussing on those identified as being most in need
- Through the inclusion of health treatment rooms, participation in social prescribing initiatives as well as the range of activities and facilities, the centre will improve the quality of life and the health and wellbeing of all our communities.

Economic

- The centre will deliver an improved financial performance through increased attendance as a result of the improved offer.
- The centre will deliver wider social value, demonstrating how our impact on health and wellbeing will financially benefit the whole public sector and deliver wider value for money.

Personal experience

- The centre has been improved to ensure that opportunities for physical activity that are accessible, inclusive, welcoming, nurturing, and convenient and will encourage participation and keep active people active, particularly having regard to its proximity to education facilities
- The facilities provide for a range of activities, acknowledging that there are a range of motivations to participating in physical activity and that some people want to be competitive, whilst others don't.

Health and wellbeing

- the inclusion of health treatment rooms and flexible studio space will continue to ensure the delivery of initiatives that will support the Suffolk Health and Wellbeing Strategy and to ensure that active people remain active and that more people become active

Leisure Centre Layout, Condition and Challenges

B.6 Bury Leisure Centre is now 49 years old. The building has been refurbished twice in its lifetime due to two fires and therefore the fabric of building itself is generally in good condition, although facilities are becoming dated. Given the previous plan to replace the facility, there remains a significant maintenance backlog however as an asset the building has no real structural concerns.

B.7 Whilst the building is sound, the age and layout of the building are no longer in line with current industry/consumer expectations. An independent report completed by The Sports Consultancy (TSC) (2019) observed that "As the population grows, as a consequence of growth plans for the town, the leisure centre will be unable to match customer demand and maintain pace with ever changing leisure trends". Examples of issues with the current centre include:

- Décor/Style of the building
- Standard of Sports & Leisure Facilities
- Facility Mix

B.8 The [West Suffolk Council Sports Facilities Assessment March 2022](#) reviewed provision and made the following observations in regard to Bury St Edmunds. (Note that at the time of the review the consultants were made aware of the plans for Western Way and the comments below reflect that position at that time).

- **Sports Halls:** Generally, there is a good supply of Sports Halls to meet both existing and future demand, and the sports hall was due to be re-provided as part of the proposed Western Way development.
- **Swimming:** Sport England's Facilities Planning Model does not recognise the difference between main swimming pool and leisure water as part of the calculation. The current Bury Leisure Centre facility provides 140sq.m of leisure water which provides minimal value in supporting the strategic objective of increasing the number of people able to swim. The Western Way project provided an opportunity to reconfigure water space.
- **Health and Fitness Facilities:** Providing health and fitness facilities with the equivalent of 110 equipment stations and three studios will be important to meet current and future needs.

B.9 In addition to the above the council should also consider the age of the current leisure centre provision and the centres lifespan, but notwithstanding that there is a need to refresh the facility mix and modernise aspects to stay ahead of consumer trends.

B.10 This investment proposal will assist with the issues highlighted above in the following way:

- **Sports Hall** will be upgraded, protecting the existing 5 court facility.
- **Swimming** will be reconfigured removing some of the leisure water, but additional provision is being delivered at the new David Lloyd facility at Marham Park. After taking into account the closure of Moreton Hall it is anticipated that the net water loss will be approximately 88m².
- The site will offer 100 equipment stations and four studios. (Equipment station shortfall met by other new facilities in the town).

B.11 Overall, this proposal seeks to broaden the leisure offer whilst continuing to meet need for traditional sporting activity. It also continues to provide facilities required by West Suffolk College.

C. The Economic Case (How and why will it work?)

Benefits overview

- C.1** The benefits of investing in our leisure assets have always been twofold: to improve health and physical activity and to improve the financial performance of the leisure centre. The wider economic benefits that are achieved through health improvements have been the subject of a number of studies. In 2020 Sport England reported that every £1 spent on community sport and physical activity generates nearly £4 for the English economy² and the study's findings also reveal that community sport and physical activity brings an annual contribution of £85.5 billion to the country (in 2018 prices) through social and economic benefits.
- C.2** Its social value – including physical and mental health, wellbeing, individual and community development – is more than £72 billion, provided via routes such as a healthier population, consumer expenditure, greater work productivity, improved education attainment, reduced crime and stronger communities.

Quality and range of offer

- C.3** Bury St Edmunds has been a high performing facility from both a financial and participation perspective. Alternative provision has increased in Bury St Edmunds with Bury Leisure Centre continuing to provide the town's only public swimming facilities. In 2018, the Council opened the Skyliner Sports Centre as part of the Council's own strategy to decentralise 'dry-side' provision if this improves accessibility and capacity. Any new entrants to the market would impact on the performance of Bury St Edmunds Leisure Centre, to which there would normally be two reactions:
1. Invest in the product/service to maintain or grow market position
 2. Reduce the overhead in line with reductions in income
- C.4** The second strategy is generally only a short-term measure and if sustained over any period just sees performance continue to deteriorate as income continues to fall in line with reductions in expenditure. Furthermore, the Council's specific role in the market does not support this, since the ability of Abbeycroft to generate income is essential to cross-subsiding costly public-access facilities, in particular the swimming pool and track. This is the important context for discussion of commercial considerations in this business case: The Council's investment approach is required to maintain provision of key public facilities at a time of reducing public sector funding.
- C.5** The improvement of this key asset facility is independently assessed to produce an improvement in performance or at a minimum protect its

² [Why investing in physical activity is great for our health – and our nation | Sport England](#)

current position as the core provider in the town. Following the last refurbishment at the Centre, it is understood that membership increased significantly, although historical data to confirm this is no longer available.

- C.6** In 2019 a survey was conducted to get feedback for the facility mix of a new centre and the findings remain valid for a refurbishment of the existing facility. 754 responses were received, the majority of whom were current Abbeycroft customers who had used the centre within the last 12 months – (412 respondents), with 242 nonusers responding – both perspectives being essential.
- The most popular activity was swimming followed by the gym: 347 (59.11%) used the pool for family/fun swimming; 202 (34.41%) – used the gym (excluding exercise classes and personal training); 183 (31.18%) used the pool for lane swimming
 - When questioned about the importance of features in a new facility, 395 (52.7%) rated a dedicated car park area for leisure and health users as '5' on importance to them. With a further 207 (27.7%) rating it '3' or '4'; 321 (43.0%) rated a fun splash water area for the family and leisure use a '5', with a further 231 (31.0%) rating it a 3 or a 4.; 299 (39.8%) rated the fitness suite as a '5' on importance to them in the new leisure centre, with a further 277 (37.1%) rating it a '3' or a '4'.

- C.7** A market and viability review has been carried out by Max Associates, an independent sports and physical activity management consultancy who have supported previous leisure centre projects, and is included as EXEMPT Appendix Three. It is confidential due to the business sensitivity of information it contains. It assesses the market and predicted benefit to the centre's financial performance across a range of potential improvements. That information has been used to inform the final facility mix in this proposal and the resultant financial modelling for the project.

Appendix 3 includes plans for the new layout of the facility, showing both where areas will be upgraded and in dark green where the centre will be remodelled. All works will be internal so no planning permissions will be required.

Maintenance Issues

- C.8** As previously identified the centre is carrying a significant backlog of maintenance, as repairs had been put on hold pending a new centre, which at that time made economic sense at the time. In 2022 independent surveyors carried out an inspection of the centre and provided a report of all possible maintenance work the centre would require over the next 10 years with a total estimated cost of £8.9 million. Through further review of the centre condition, and removal of items that are no longer required in the centre and taking a view on the delivery of all elements during the 10 year period that cost decreased to an estimated total of £4.99 million. (Appendix One).

C.9

Within that £4.99 million, £413,000 of works have been identified as having a low likelihood of being required in the next 10 years. Work has already started on some urgent items that would not be affected by refurbishment works, and the refurbishment plans would address £2.678m of the £4.99 million maintenance works. That leaves a balance of £2.312 million of maintenance works still to be delivered which can be broken down as follows:

Definitely Required within 10 years	£1,475,500
Likely to be required within 10 years	£423,840
Low possibility that this will be required in the next 10 years.	£413,000
TOTAL of all works	£2,312,340
TOTAL of works less £413,000 low possibility works	£1,899,340

C.10

This business case is based on delivering the refurbishment and all maintenance works except for those low possibility works. That is a risk that is noted in section F. Both Council surveyors and Abbeycroft Building Managers agree that this is still a relatively prudent way forward.

The impact of the approach above is fully explained in the finance case at section E below.

Sustainability

C.11

Energy costs for Bury Leisure Centre are forecast to be £636,640 in 2024 to 2025, having doubled since 2019 to 2020 due to wholesale energy prices increase. The Council has committed to its Climate Change Action Plan and an ambition to achieve net zero carbon by 2030. Building performance will play a key part of that and the Council has committed to improve the energy efficiency and incorporate renewable energy (electricity and/or heat) into all its buildings within 5 years. In parallel to this business case a separate energy assessment has been carried out on Bury Leisure Centre and we are awaiting its findings. As this project is developed over the next 4 months, the recommendations of the energy study will be understood in terms of the revenue cost implications, be reviewed and as appropriate incorporated into the final proposals. The Council's Net Zero Fund includes an allocation for the Council's leisure facilities, so any provision through this fund will be committed in line with the fund's parameters including a 2 % net return across the fund.

C.12

Note the recent Government's Swimming Pool fund only awarded £35,000 to Bury Leisure Centre to deliver filtration improvements.

Alternative Options

C.13

The challenges of the condition of the existing leisure centre means that there is no do-nothing option - it needs major refurbishment and it is not unique in that regard. In January 2020, the Local Government

Association stated that two thirds of leisure centres are outdated and need urgent new investment from government. Figures from Sport England showed that up to 63 per cent of sports halls and swimming pools are more than 10 years old. Nearly a quarter of all sports halls and swimming pools have not been refurbished in more than 20 years. In January 2020, before the pandemic, the LGA were highlighting the fact that Councils needed to “redesign, upgrade and renovate facilities to the standard needed to support healthy, active communities and transform the nation’s health”.

- C.14** A full detailed phased plan will be created to show how this can be managed in the most efficient way possible. Learning from other centre refurbishments has shown it is possible to keep parts of the centre open while others are upgraded. This will minimise the short term loss of income to the centre whilst work is undertaken,
- C.15** Note In all cases, the long term position of the centre is not addressed (reference Western Way Project report [CAB/WS/23/041](#) para 3.14).

D. The Commercial Case

- D.1** Council leisure facilities provide accessible, inclusive opportunities for all sections of society and are a key Council asset. The Council has a collaboration agreement with Abbeycroft Leisure to manage its leisure centres and deliver strategic sports and leisure support and wider community activity and large scale sporting events. It is a collaboration that is anchored in the Council's strategic priorities and performance is judged on both financial and social and health outcomes.
- D.2** Maintaining the position of Bury Leisure Centre in the market is important. As set out in the Max Associates Report (Exempt Appendix 2) the investment in the centre will turn the centre from a loss making venture to be in profit and create the headroom for Abbeycroft to pay back the £500k loan to West Suffolk Council it took when impacted by Covid and energy prices. It will also deliver a number of wider benefits including:
- Improving access to facilities by a wider range of groups
 - Providing an opportunity to upskill the workforce and create additional training opportunities
 - Improve the financial sustainability of the centre
 - Provide a venue that the community can be proud of, promoting both the Abbeycroft and West Suffolk Council brand.
- Failure to address the condition and offer at the Centre could damage the Council's reputation.
- D.3** Officers have been working with Alliance Leisure to work up these initial proposals. Alliance Leisure have significant experience in developing and refurbishing leisure facilities throughout the UK and delivered the upgrades at Haverhill, Brandon and Newmarket.
- D.4** Alliance Leisure are also the development partner appointed by Denbighshire County Council for its UK Leisure Framework. Procured in accordance with EU Procurement Regulations by Denbighshire County Council, the Framework was renewed in 2022 and the Board comprises of Officers from Denbighshire County Council and representatives from Alliance Leisure. The Leisure Framework has a potential value of £750 million and the maximum value of any project awarded under the Framework is £20 million.
- D.5** Alliance Leisure has selected a number of contractors, architects, specialist leisure advisors and equipment suppliers, to provide framework services across a number of categories including; feasibility studies and business planning, design management and services, construction, sourcing and provision of private funding, marketing, branding and sales development and equipment provision.
- D.6** It is anticipated that the council will appoint Alliance Leisure to project manage and deliver the development at Bury Leisure Centre under the UK Leisure Framework. Once the cost of the development has been confirmed through detailed surveys, and once appointed, Alliance Leisure will guarantee the delivery of their element of the project for the agreed sum and the risk of that part of the project transfers as contracts are signed.

Moving to cost certainty

- D.7** The next step for the project is to complete the cost certainty phase of the project. This brings the benefit of not only confirming the final cost of the works but also identifies any issues that would mean the project could not be delivered. The cost of this phase of the project is **£290,000**. This cost is included within the total capital cost indicated within an earlier section of this report.
- D.8** In effect, this resource is at risk if the project did not move forward, however if Alliance Leisure or its approved contractors identify an issue that would prevent the project moving forward the work would cease immediately and no further costs would be incurred.

E. The Financial Case

Capital Requirements

- E.1** The costs of the refurbishment and all high and medium risk maintenance items is a total of **£8.36m** made up of:

Refurbishment works including refurbishment	£6,458,660
Additional maintenance definitely required within 10 years (high risk)	£1,475,500
Maintenance likely to be required within 10 years (medium risk)	£423,840
Total costs of works	£8,358,000
Funded from:	
Existing Budget provision	-£6,200,000
Maintenance contribution from Abbeycroft and Sn106 funding secured for sports hall provision	-£670,000
Additional Balance to be borrowed externally	£1,488,000

The estimated net improvement in Bury Leisure Centre's financial performance would be £228,000 per annum (by year three post improvement) as a result of this overall investment which would be returned to the Council. This level of return can fund up to £1.8 million of borrowing at current PWLB rates over 10 years. This is sufficient to cover the expected £1.5 million additional borrowing requirement and can provide a net return to the council of £39,000 per annum (gross return of 10.57 percent and net return of 1.81 percent on the additional £2.16 million investment).

This will deliver a centre that provides an enhanced customer experience through the improvements listed at paragraph A7, particularly including the new **soft/adventure play** and **refurbished leisure pool**, and the

creation of a **health and wellbeing area** and **refurbishment of the gym and inclusion of E-gym** and the creation of a **dedicated spin studio**.

E.2 As has previously been mentioned, the key maintenance issues will be addressed as set out in appendix one.

E.3 The council had already provided a budget for this work and the table at E1 sets out how this project cost of £8.36m would be met.

Revenue Implications of new leisure centre

E.4 The cost model above is based on the centre delivering a financial return on performance. The basis of that return is supported by the Max Associates report (Appendix 3) and is summarised below.

	Cost / Return per annum	Notes
Abbeycroft Net Revenue Benefit	£370,238	Independently assessed
0.50% profit retention by Abbeycroft (whole portfolio)	(£44,418)	As agreed in terms of existing loan agreement
Abbeycroft Loan repayment to Council	(£98,136)	To repay existing loan over 6 years (estimate–subject to interest rate changes)
Balance returned to Council	£227,684	

E.5 £227,684 will fund borrowing of £1,800,000 at current PWLB rates over 10 years. The model also shows how Abbeycroft will fund loan repayments averaging £98,136 over 6 years to repay its loan to the Council.

It should be noted that accurate revenue modelling at this stage is a challenge and therefore a risk. However, it is clear from improvements at other centres and experience to date that a business case based on prudent usage assumptions (irrespective of what that usage is) is a reliable methodology as for smaller spaces and court space the charge is based on the space being used. Therefore, an objective assessment of demand has been made based on trends, patterns and enquires and independent advice.

E.6

External Funding

E.7 The business case has been put together assuming there will be no external funding from Sport England or other bodies but officers will continue to look for opportunities particularly in regard to decarbonisation initiatives. The developers' contributions noted above have already been secured through a Sn106 agreement.

F The Management Case

- F.1** The centre will continue to be part of the Portfolio of leisure centres managed for the Council by Abbeycroft Leisure. The project will be delivered by Alliance Leisure as detailed in the Commercial Case above and the approval of this business case will be in 2 stages. This first stage will be the release of £240,000 to deliver surveys, studies and design work to get to a "cost certainty proposal". This will be reviewed by Cabinet and a decision made to proceed to implementation based on the proposal meeting the parameters of the business case in regard to cost and facilities. Alongside this the balance of the maintenance works will be overseen by the Council's property team as part of usual business, ensuring it works together with the Alliance plan.
- F.2** The project will be managed following the Council's project management protocols and progress will report to Leadership Team on a 2 monthly basis, with exceptions escalated as needed outside of that formal reporting process.
- F.3** A detailed communications and engagement plan has been produced and subject to the approval of this business case, engagement will be undertaken with service users to test the initial designs as part of the next phase of work.
- F.4** Cost Certain plans should be completed for Cabinet's consideration in October 2024.
- F.5** Refurbishment will commence in 2025 and scheduled to minimise disruption to users, with a target completion of January 2026. Some maintenance works may take place after that date.
- F.6** Following this a joint Asset Management Plan will be produced and agreed with Abbeycroft Leisure to reflect the requirements of the new asset.

Key Risks and Dependencies

- F.** The key risks and dependencies specifically related to the refurbishment of the leisure centre are detailed in the table below and these will be reviewed and managed by the project board in line with the Council's Risk Management approach.

	Risk Description	Inherent Risk	Impact	Mitigation	Residual Risk
	FINANCIAL				
R1	The project fails to deliver the predicted uplift in attendance and financial performance	Medium	Cost impact to Council revenue position	Figures have been independently produced. Marketing and communications plan. Next stage will create greater certainty Continued dialogue with Abbeycroft through the next stage of the project to achieve greater certainty around predicted increases in income associated with this project and more holistically in terms of other potential impacts	Medium
R2	Other Emerging leisure activities impact the ability to achieve the predicted uplift in attendance and financial performance	Medium	Cost impact to Council revenue position	Continued dialogue with Abbeycroft through the next stage of the project to achieve greater certainty around predicted increases in income associated with this project and more holistically in terms of other potential impacts	Low
R3	Maintenance costs are higher than anticipated or additional items identified	Medium	Cost impact to capital requirement	Asset inspection and review after detailed survey work that will be carried out for greater cost-certainty	Low
R4	Contingency provided at this stage only 5%	Medium	Cost impact to capital requirement	Review during next stage as we work towards greater cost certainty	Low

R5	The project cannot be delivered within budget	Medium	Cost impact to capital requirement	The cost certainty phase will examine the opportunity to value engineer the project in an effort to achieve the budget Alternative funding streams will also be examined in an effort to meet any potential shortfall.	Low
R6	Phasing of the development in such a way that enables Abbeycroft Leisure to minimise financial impact.	Medium	Short term impact on revenue position	Abbeycroft Leisure are developing a financial plan linked to the phasing of the development that seeks to minimise disruption to users and the impact on key income streams.	Medium
	SCHEME				
R7	The proposal does not address car parking issues and this needs to be taken account of separately, particularly with the potential increase in footfall.	Low	Discourages users meaning impact on revenue case	Separate parking upgrade proposal to be developed which will be funded from car parking income. Note: currently only £100K allocated for resurfacing, lines and signs.	Low
R8	Negative feedback from users; concern that some areas of the centre have not been developed	Medium	Discourages users meaning impact on revenue case	Users will be engaged through the next stage of design and a detailed communications plan produced.	Low
R9	Loss of leisure water space	Medium	Criticism by Sport England or Swim England	Early engagement with Swim England ; marketing of wider family offer	Low

R10	The current proposal removes Abbeycroft office space	Medium	Negative impact on staff and centre management arrangements	Identify alternative provision and costs (not currently included and may require additional cost to provide)	Low
R11	Whilst there may be some benefit from the reduction of pool water linked to water and a renewal of some plant there is no fundamental environmental improvements included at this stage, although there is some LED lighting upgrade.	Medium	Missed opportunity to reduce carbon and utilities costs	Review cost benefit from further environmental improvements particularly in regard to pool plant and evaluate business case. Seek external funding as additional decarb funding schemes open.	Low

Ref	Dependency	Level of Dependency	Give/ Get	Impact	Impact date
D1	Agreement by Abbeycroft Trustees to commit to return to Council	High	Get	Unable to guarantee income to secure borrowing	Ongoing
D2	Continuation of Partnering Agreement with Abbeycroft Leisure	High	Get	Potentially no leisure operator for the new facility/ new operator requires different contract	ongoing

Appendix 1: Maintenance Items

Full list of maintenance items is available on request.

Headline maintenance items covered by the proposal:

Replace spa in leisure pool	£	40,000
Replace soda ash dosing equipment in chemical store	£	10,000
Replace air blower for bubble seat feature	£	8,000
Remove and replace water monitor feature	£	5,000
Remove existing rain shower feature and replace with bespoke play feature	£	5,000
Replace existing flow metering equipment on main and teaching pool systems with digital equipment	£	10,000
Identify redundant electrical installations. Remove or ID/make-safe redundant controls within control panels. Strip out and dispose of redundant power and controls field wiring. Plate off redundant switch/lamp indications on panel door	£	20,000
Permanently disconnect, remove from site and licenced disposal of all redundant equipment, associated pipework, valves and fittings	£	20,000
Fire Alarm - Replace existing Xtralis aspirating detectors with Wagner	£	25,000
Electrical Distribution Boards (all obsolete and spares not readily available)	£	10,000
Remove old main pool lighting (rusting and depositing debris in pool)	£	10,000
Replace Teaching pool lighting and modify switching	£	25,000
Replace All Studio lighting with LED and remove dimmers	£	20,000
Replace lighting with LED progressively throughout complex	£	45,000
Replace Leisure pool AHU (external roof mounted) and controls	£	50,000
Replace leaking 3-port valves throughout	£	40,000

Replace 4 no Secondary LTHW pumps and valves (replace obsolete Biral units)	£ 31,000
Update BMS remove redundant controls add supervisor PC for remote access	£ 15,000
Replace leaking copper distribution pipework where fittings corroding etc	£ 25,000
Replace leaking boiler shunt pumps	£ 22,000
Replace pool floor complete and fixed boom installations	£ 375,000
Replace box strainers on flume feature pumps	£ 8,000
Replace all wafer pattern valves on pool filter frontals including distribution pipework to include GF and diaphragm valves on smaller dia pipework	£ 45,000
Replace backwash pump equipment including new control panel, Pipework guiderails and level controls	£ 20,000
Replace existing v-notch Cl. gas flow regulators in this period	£ 15,000
Reline and replace sand and support media in filter vessels	£ 47,000
Allow for re-lining flume rides and run-outs + structural repairs	£ 15,000

The following items have been removed from the maintenance requirements as not deemed required in the next 10 years.

Remove shelf and posts in second floor viewing gallery replace with proper guard rail/baluster	£37,500
Remove shelf on first floor viewing gallery, possible replace guarding/balusters/rail	£22,500
Make safe for 12-month period the existing pool floor with new buoyancy cells, display signage and controls. Rectify entrapment issues, remediate boom structure and replace floor panels on boom top surface	£45,000
General structural inspections	£10,000
Repair boiler room floor	£10,000
Estimated current cost for new plant with a 25m 6-Lane pool, 20 x 10 teaching Pool (with moveable floor) and large splash pad/play features (flumes rides features NOT included) **	£600,000
Replace floor tiling to pool halls	£343,800
Full wiring replacement (budget cost potentially up to)	£500,000

** only half of this figure will be removed.

Items were not covered by the Alliance proposal but are still required within the next 10 years.

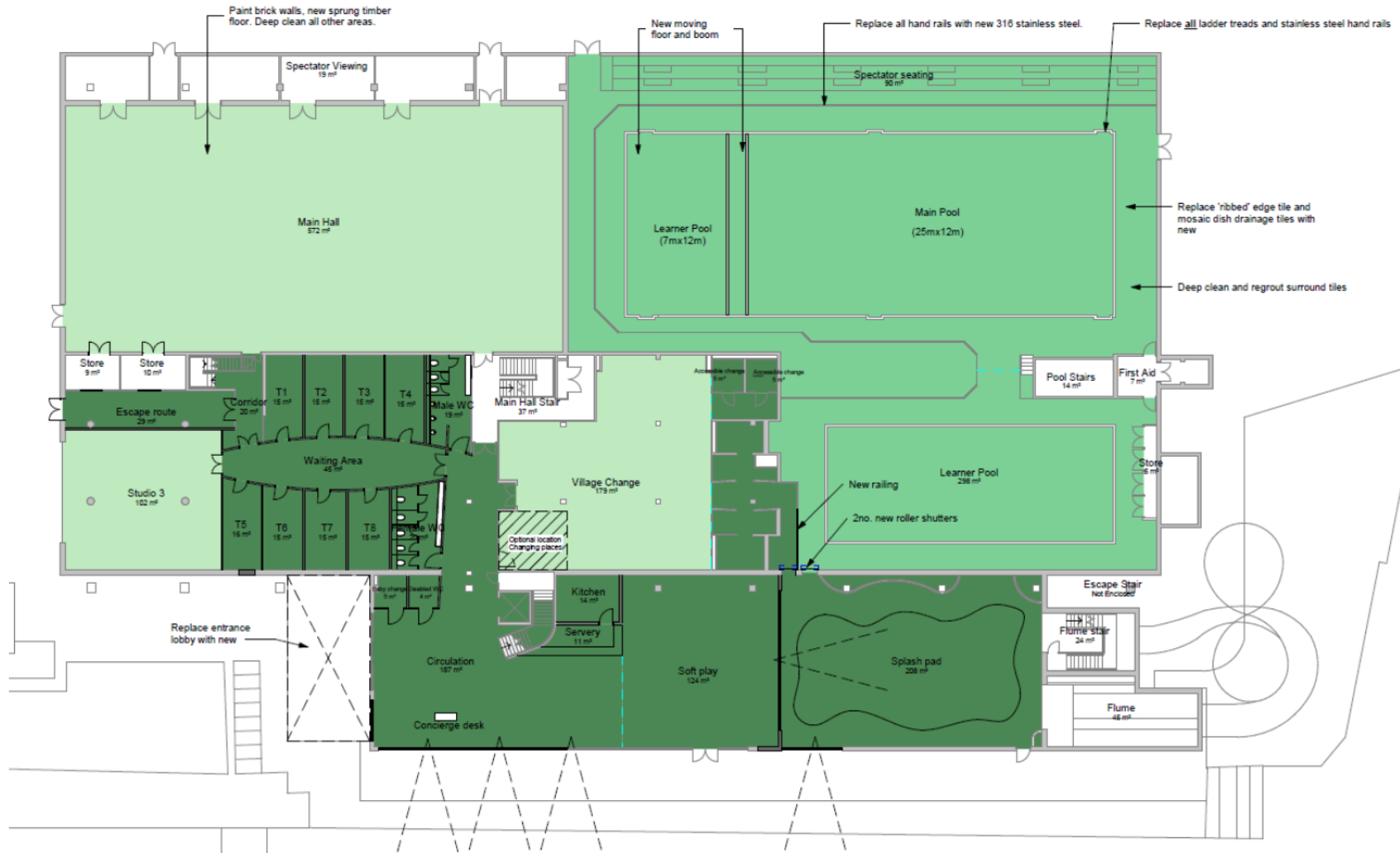
Boiler and DHW plant	£ 250,000
Replacement of remaining AHU plant	£250,000
Main pool Plant	£300,000
Fire Alarm and PAVA 20-year life expiry	£250,000
Replace AC systems with HE units (Dependant on full survey)	£50,000
Replace leaking copper distribution pipework where fittings corroding etc	£70,000
Replace waterproof joints to plant area below learner pool	£10,000
Fire Alarm - Replace existing Xtralis aspirating detectors with Wagner	£25,000
Electrical Distribution Boards (all obsolete and spares not readily available)	£10,000

Replace Leisure pool AHU (external roof mounted) and controls	£ 50,000
Replace leaking 3-port valves throughout	£40,000
Replace 4 no Secondary LTHW pumps and valves (replace obsolete Biral units)	£31,000
Update BMS remove redundant controls add supervisor PC for remote access	£15,000
Replace leaking copper distribution pipework where fittings corroding etc	£25,000
Replace leaking boiler shunt pumps	£22,000
Replace Teaching pool lighting and modify switching	£25,000

Appendix 2

Bury St Edmunds Leisure Centre Proposal: Ground Floor

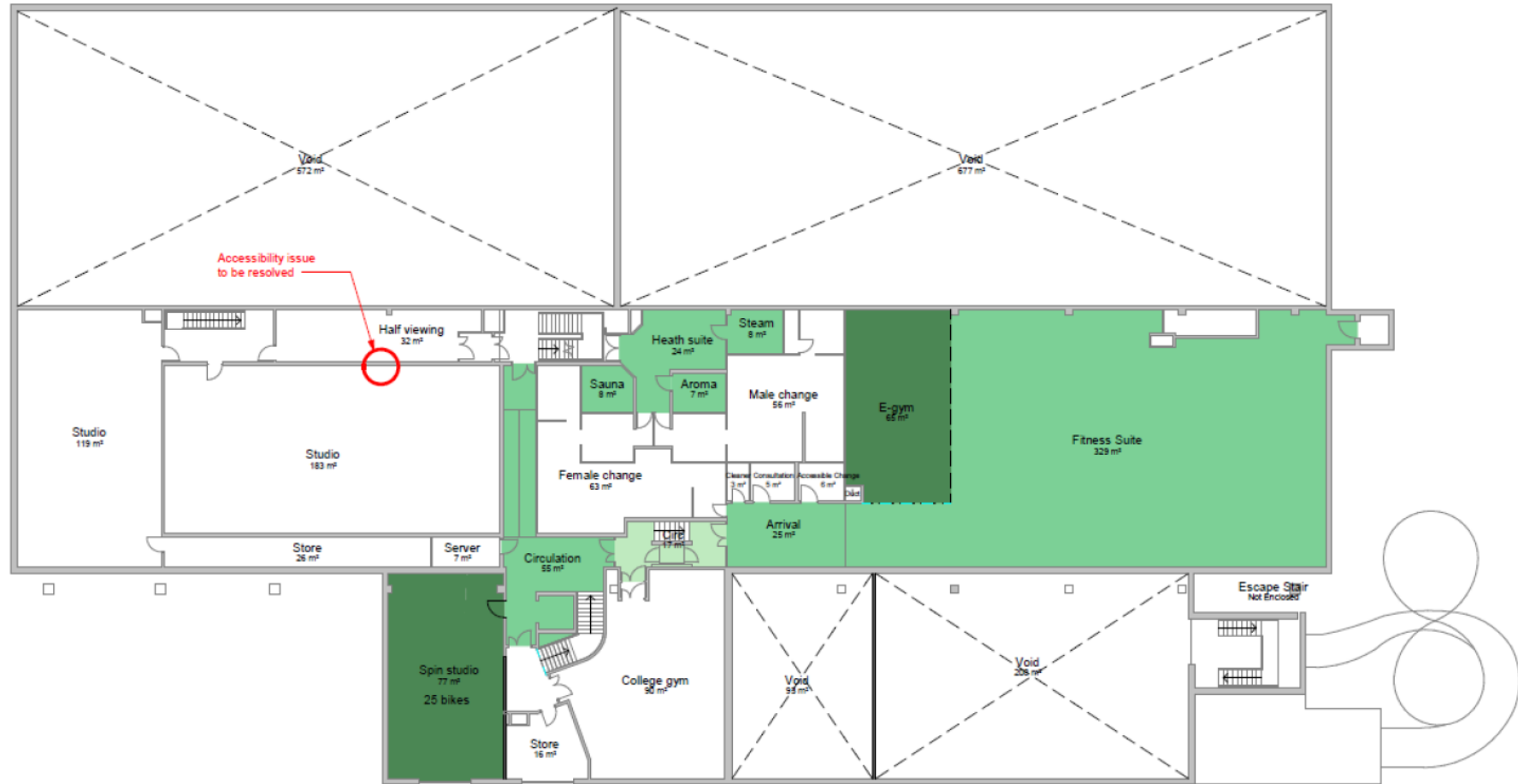
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First Floor

Appendix 2

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Olding Road, Bury St Edmunds: Options Appraisal

Report number:	COU/WS/24/013	
Report to and date:	Council	16 July 2024
Cabinet member:	Councillor Diane Hind Portfolio Holder for Resources Email: diane.hind@westsuffolk.gov.uk	
Lead officer:	Rachael Mann Chief Operating Officer/Section 151 Officer Telephone: 01638 719245 Email: democratic.services@westsuffolk.gov.uk	

Decisions Plan: This item has been published on the Decisions Plan; however, subject to the decision taken by Cabinet on 9 July 2024, as set out in Report number: [CAB/WS/24/028](#), this item has been referred to Council for decision without debate by Cabinet and, will therefore, not be subject to call-in. No exempt appendices are attached to this report as previously published on the Decisions Plan.

Wards impacted: All wards

Recommendations: It is recommended that Council agrees the following matters:

1. Approve the recommended option A and approach for the former depot and warehouse as set out in paragraph 2.17 of the Business Case (Appendix A).
2. Approve up to £6 million capital budget, funded by the Investing in Growth Fund, as set out within the financial case of the Business Case (Appendix A).

- 3. Approve the scope of works included in paragraph 2.17 of the Business Case (Appendix A).**
- 4. Acknowledge that in line with recommendations (1), (2) and (3) above, officers will proceed in line with the Council's agreed Scheme of Delegation.**
- 5. Agree for the Council's Section 151 Officer to make the necessary changes to the Council's prudential indicators as a result of recommendations (1), (2), (3) and (4).**

1. Context to this report

- 1.1 Following the decision on the Western Way Development project in September 2023, as set out in the Council report dated 26 September 2023 [report number: CAB/WS/23/041], a budget of £75,000, funded from the Strategic Priorities and Medium-Term Financial Strategy Reserve, was approved to identify alternative uses and potential re-development options for the site of the former Council Depot and NHS Warehouse.
- 1.2 A key driver for action is that the site is costing the Council £300,000 a year in holding costs, including security, as well as the need for a replacement roof, the removal of the fuel tanks and clearing up of contamination from previous historic uses of the site.
- 1.3 A further driver is the potential for the site to support the strategic priority areas for the Council, both directly through the type of use and development, and indirectly through the opportunity to generate a revenue income to support the delivery of services.
- 1.4 The financial and non-financial outcomes of this options appraisal are presented in the attached Business Case (Appendix A) and supported by an Options Appraisal Table (Appendix B), a Market Summary Report by Carter Jonas (Appendix C), a Risk Register for the recommended option (Appendix D), a Programme for the recommended option (Appendix E) and a Financial Appraisal Summary (Appendix F).
- 1.5 The purpose of this report is to seek authority to proceed with the development in line with the recommendations of the Business Case (Appendix A).
- 1.6 An allocation of up to **£6 million** of capital funding is sought, which will be funded from the Investing in Our Growth Fund, established within the 2024 to 2025 budget process.

2. Proposals within this report

- 2.1 The business case (Appendix A) reports on the strategic, economic, commercial, financial and management case for this investment.
- 2.2 The options appraisal has considered a wide variety of potential uses and development options, which were shaped through discussions with the Leader of the Council, Portfolio Holder for Resources and Cabinet members, to meet the Council's strategic priorities whilst balanced against:
 - Retaining ownership of the site for longer term opportunities in the delivery of the Council's strategic priorities;
 - Providing short term flexibility to meet a challenging and changing economic market;

- Need for financial certainty, lower capital investment options, income certainty and reduction of ongoing holding costs;
 - Remediation of the site due to the age of the structure and materials and addressing any contamination caused by previous historic uses; and
 - Planning regulations and guidance.
- 2.3 The option being put forward achieves this by creating a recreational and community area in the former depot that, together with the skatepark and surrounding college and neighbouring leisure centre, supports thriving communities – especially targeted for young people. The warehouse section (former NHS supplies building) will be altered for uses in support of the local economy and sustainable growth, while the baling shed will be retained and refurbished for Council storage use (subject to obtaining planning permission).
- 2.4 The recommended option has a total project cost of up to £7 million, which includes the £1 million already agreed in the previous decision on the Western Way Development (WWD) project in September 2023, as set out in the Council report dated 26 September 2023 [report number: CAB/WS/23/041]. This option is showing a potential initial breakeven position after borrowing (over 10 years) is taken into account, funded by the income associated with the letting of the building. A net return after borrowing is expected as market rents increase and extending the life of the £6 million investment over a longer life than 10 years (of which the investment will have a longer life) would show an immediate net return after borrowing. Further details can be found in the financial case (section 4) of the Business Case (Appendix A).
- 2.5 The works required will be subject to surveys and negotiations with potential tenants, and the capital will be spent if required to secure tenants and meet building regulations and good practice.
- 2.6 The proposals, which would be subject to a planning application, means the Council will receive an income to offset these costs while having the flexibility to meet and take advantage of future opportunities and a potentially less challenging market.
- 2.7 This follows the decision not to pursue the Western Way project due to the financial risk in challenging times and uncertainty of costs and income.
- 2.8 A provisional proposal has been received for a trampoline and virtual reality experience use within the former depot, whilst it is proposed that the remaining site is marketed for permitted employment uses and/or a storage and distribution use (subject to acceptable highways movements) within the existing lawful use. In addition, other uses could be pursued that fall within the planning allocation set out in the emerging Local Plan. The end use will be led by the greatest links to our strategic priorities and/or market demand.

2.9 The recommended option will therefore keep the largest number of future possibilities open, at the lowest level of initial capital risk, and allows Cabinet to pursue initiatives with wider strategic benefits if the opportunity and/or funding arises in the future.

2.10 In addition to the depot and warehouse proposals, the Business Case (Appendix A) also sets out other works to the site, which include:

- Retaining and refurbishing the baling shed building for a Council storage use; and
- Retaining the battery storage container in its existing location in the visitor’s car park of West Suffolk House (subject to obtaining planning permission for its permanent location).

3. Alternative options that have been considered

3.1 The attached Business Case (Appendix A), Options Appraisal Table (Appendix B) and Financial Appraisal (Appendix F) set out the considered options and provides commentary on each of these options.

4. Consultation and engagement undertaken

4.1 The Leader and all Cabinet members have been consulted throughout the process and all relevant service areas were engaged at the start of the options appraisal.

4.2 Further updates will be provided to Cabinet members via briefings, at various gateways throughout the development process, but particularly once costs have been set following procurement of the main contract.

5. Risks associated with the proposals

5.1 The potential risks associated with the proposed development are captured in the Business Case (Appendix A) and the associated appendices.

6. Implications arising from the proposals

6.1 Financial - as set out in the business case attached as Appendix A.

6.2 Personal data processing – not applicable.

6.3 Equalities - At this stage of the development of proposals for the future of the Olding Road site, an initial consideration of the potential equalities impacts has been undertaken. Given that the criteria for the options appraisal included a requirement that the proposals supported the council’s strategic priorities, the overall outcome of the recommended option is likely to be positive on the community as a whole. Meanwhile, there are no specific population sub-groups in the locality who are likely to be differentially impacted by the proposals. Further assessments of the

equalities impact of the proposals will be carried out at later stages of the project, for example, a screening Equality Impact Assessment at the point of any planning application being developed.

- 6.4 Crime and disorder – bringing the assets back into use, as per the proposals, reduces the risk for crime and disorder associated with having a vacant site.
- 6.5 Safeguarding – not applicable.
- 6.6 Environment or sustainability – as set out in the Business Case (Appendix A).
- 6.7 HR or staffing – not applicable.
- 6.8 Changes to existing policies – not applicable.
- 6.9 External organisations (such as businesses, community groups) – as set out in the governance structure in section 5 of the Business Case (Appendix A).

7. Appendices referenced in this report

- 7.1 Appendix A: Full Business Case for the Olding Road Options Appraisal (printed and online).
- 7.2 Appendix B: Option Appraisal Table (online only).
- 7.3 Appendix C: Carter Jonas Market Summary Report (online only).
- 7.4 Appendix D: Risk Register for Recommended Option (online only).
- 7.5 Appendix E: Strategic Programme for Recommended Option (online only).
- 7.6 Appendix F: Financial Appraisal (online only).
- 7.7 To minimise printing, only Appendix A is being printed and circulated in advance of the meeting to councillors with their agenda packs. All other appendices, which provide supplementary information to the main documents, are only being published online as part of the agenda pack at the following link: [Agenda for Council on Tuesday 16 July 2024, 7.00 pm \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/agenda-for-council-on-tuesday-16-july-2024-7-00-pm). **However, any of these appendices can be provided as a printed version upon request from Democratic Services.**

8. Background documents associated with this report

- 8.1 This report should be read in conjunction with the Cabinet referral report to [Council](#) dated 26 September 2023 [report number: [CAB/WS/23/041](#) and [Addendum](#)], which sets out the decision on the Western Way Development project.

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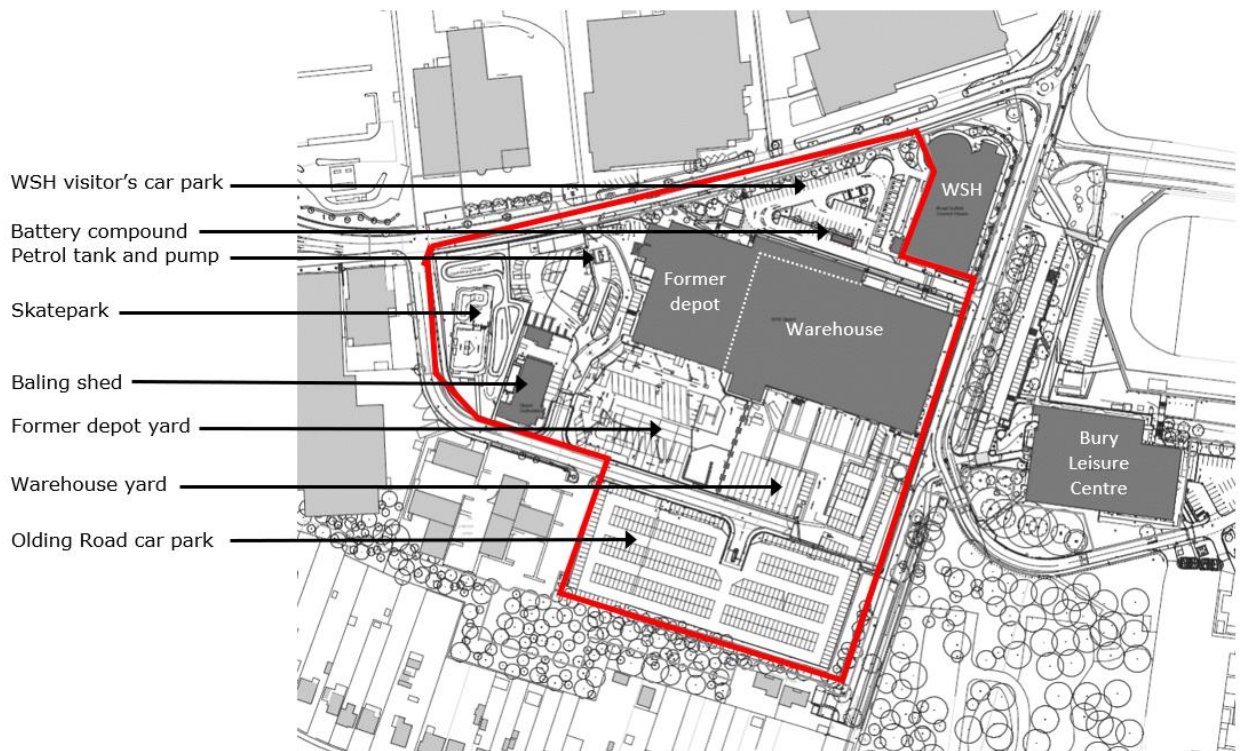
Appendix A: Business Case – Olding Road

Project Details			
Project Name	Olding Road Options Appraisal		
Project Manager	Sabrina Pfuetzenreuter-Cross	Date	02/07/2024
Project Sponsor	Rachael Mann	Version	1
Business Case Stage	Full Business case		

1. Executive Summary

1.1 This business case enables members to consider the recommended option for the Olding Road site, Western Way, Bury St Edmunds. The **£6 million** capital budget requested is proposed to be funded from the Investing in Our Growth Fund established within the 2024 to 2025 budget process. This business case is intended to provide details on the site’s current condition, working assumptions applied to all options investigated, financial position of the recommended option and the reasoning for arriving at the recommended option.

1.2 Existing site:



- 1.3 Following the decision on the Western Way Development (WWD) project in September 2023, as set out in the Council report dated 26 September 2023 [report no. CAB/WS/23/041], a budget of £75,000, funded from the Strategic Priorities and Medium-Term Financial Strategy Reserve, was approved to identify alternative uses and potential re-development options for the site of the former Council Depot and NHS Warehouse.
- 1.4 A key driver for action is that the current buildings are effectively life-expired and unlettable in their current condition. This is resulting in an annual revenue holding cost to the Council of around £300,000.
- 1.5 A further driver is the potential for the site to support the strategic priority areas for the Council, both directly through the type of use and development, and/or indirectly through the opportunity to generate a revenue income to support the delivery of services.
- 1.6 The options appraisal has considered a wide variety of potential uses and development options, which were shaped through discussions with the Leader of the Council, Portfolio Holder for Resources and Property and Cabinet members, to meet the council's strategic priorities whilst balanced against:
- Retaining ownership of the site for longer term opportunities in the delivery of the council's strategic priorities;
 - Providing short term flexibility to meet a challenging and changing economic market;
 - Need for financial certainty, lower capital investment options, income certainty and reduce ongoing costs;
 - Remediation of the site due to the age of the structure and materials and addressing any contamination caused by previous historic uses; and
 - Current planning regulations and guidance.
- 1.7 The site has financial viability challenges driven by the asset condition and the wider economic market conditions affecting all options considered. These were challenges also faced by the cancelled project. However, through further detailed financial, market and deliverability analysis, the essential investment option, described as **Option A**, showed the potential to cover the cost of borrowing for the build elements over 10 years, providing both an income and use for the site in the short to medium term in support of the council's strategic priorities, whilst also retaining the land for future strategic development opportunities. This option has been recommended for approval following discussions with the Leader of the Council, Portfolio Holder for Resources and Property and Cabinet members.
- 1.8 This option retains and partially refurbishes the existing depot and warehouse building including undertaking necessary internal and external works (subject to use), creating a recreational and community use in the former depot that, together with the skatepark and surrounding college and neighbouring leisure centre,

supports thriving communities – especially targeted for young people. An offer has been received for a trampoline and virtual reality experience use within the depot.

- 1.9 While the warehouse section (former NHS supplies building), can be operated under current planning regulations or other uses that fall within the planning allocation as set out in the Development Plan to respond to the market demand, in support of the local economy and sustainable growth.
- 1.10 The recommended option will therefore keep the largest number of options open, at the lowest level of capital risk, and allow Cabinet to pursue initiatives with wider strategic benefits if the opportunity and/or funding arises in the future.



Option A (recommended option)

- 1.11 This recommended option has a total project cost of up to £7 million, which includes the £1 million already agreed in the previous decision on the Western Way Development (WWD) project in September 2023, as set out in the Council report dated 26 September 2023 [report no. CAB/WS/23/041]. This option is showing a potential initial breakeven position after borrowing (over 10 years) is taken into account, funded by the income associated with the letting of the building. A net return after borrowing is expected as market rents increase and extending the life of the £6 million investment over a longer life than 10 years (of which the investment will have a longer life) would show an immediate net return after borrowing. Further details can be found in the Financial Case below.

- 1.12 Members are invited to review, comment and endorse; the current condition of the site, working assumptions, discounted options, financial position, recommended option – opportunities, risks and financial implications and next steps for the Olding Road project as part of the Investing in our Growth Fund.
- 1.13 Further details of this recommended option are included in the sections below.

1. Strategic Case

Strategic needs:

- 1.1 There is a strategic need to identify a suitable use for the Olding Road site in Bury St Edmunds following the decision on the Western Way Development (WWD) project in September 2023, as set out in the Council report dated 26 September 2023 [report no. CAB/WS/23/041].
- 1.2 The site is strategically significant due to its size, location within the town, its proximity to West Suffolk College and the Abbeycroft leisure centre and the Council's land holdings surrounding the site (including West Suffolk House and Olding Road car park), as well as the potential future opportunities this site offers.
- 1.3 The site has the potential to support the strategic priority areas for the Council, both directly through the type of use and development, and/or indirectly through the opportunity to generate a revenue income to support the delivery of services.
- 1.4 Furthermore, recent market evidence shows that there is market demand for the site, which offers the opportunity to create jobs and local economic growth.
- 1.5 The buildings including the main building that previously housed the council depot and NHS warehouse is no longer lettable in its current condition and requires significant investment to make it suitable for occupation for any uses. Essential works include:
- the replacement of the roof, which suffers from significant water ingress;
 - renewal of damaged mechanical and electrical (M&E) systems;
 - demolition of internal partitions to free up the warehouse space; and
 - remediation of ground contamination from historical uses.
- 1.6 Due to the building being vacant and unsuitable for occupation, the Council is incurring annual holding costs of approximately £300,000 per annum across business rates, standing utilities and security.
- 1.7 Therefore, essential investment in the fabric and systems of the building is necessary for any relet and also provides the opportunity to bring back into use this strategically significant Council asset, generating income to support that investment

and offering the potential for future income growth (above that investment) to be reinvested into the delivery of council services.

- 1.8 The full disposal of the site was considered at the start of this options appraisal, but discounted, due to the strategic significance of the site and potential future opportunities this site offers. Further details can be found in the options appraisal matrix in Appendix B.
- 1.9 The following objectives were established by the Portfolio Holder for Resources and Property for each option to be considered against.

Financial/spending Objectives:

- 1.10 The recommended option should avoid having a negative impact on the Council's revenue budget position across the medium to longer term (based on a holistic appraisal, including renewables opportunities where applicable).
- 1.11 The investment should provide a net revenue income which exceeds the cost of borrowing or, at the very least, matches it in the short term with the potential for income growth.
- 1.12 The aim is to increase the site's capital value from that at present once the project has been completed and the property is occupied/let.
- 1.13 The investment size should be proportionate and affordable within the councils overall borrowing requirements and should achieve a manageable income risk profile and provide quick returns, avoiding existing holding costs (approximately £300,000 per annum).
- 1.14 The investment should offer flexibility for future strategic opportunities, market demands and priorities as these evolve across the longer term.

Non-Financial Objectives:

- 1.15 The future use of the site must align with one or more of the Council's Strategic Priorities (Sustainable Growth, Thriving Communities, Environmental Resilience, Affordable, available and decent Homes) and deliver strong environmental credentials where possible.
- 1.16 The options should be deliverable (including planning and highways), have a manageable impact on our locality (noise, pollution, traffic etc.) and are achievable within an acceptable timescale.

Working Assumptions:

- 1.17 The following working assumptions were also endorsed when this Olding Road project was commissioned by the Portfolio Holder for Resources and Property:
- All long-term options considered are assumed to take into account the recovery of the land acquisition costs. The recommended option does not include these as these land costs will be incorporated in any future business case that considers

the long-term site options. In the short term, specifically the £3.4 million remaining borrowing amount (former NHS logistic site, for which no borrowing provision was previously made) is proposed to be managed as part of the Council's existing treasury management budgets as they have been for the last two years. All options do not recover the assumed repayment of internal capital receipts of £4.0 million used for the West Suffolk Operational Hub (WSOH) project.

- All options include £1.0 million of remediation contributions from the WSOH business case and this budget is already agreed and a programme of works is underway. Any additional costs, given inflationary pressures, associated with remediation and decommissioning works will be managed within the overall Asset Management Plan fund.
- All options need to consider the site's remediation and decommissioning works including contamination.
- All options need to consider a longer-term solution for the current temporary planning permission for the battery storage containers in the visitor's car park of West Suffolk House.
- All options need to consider bringing back into use the former baling shed and provide for future skatepark site expansion opportunities.
- The site needs to be deliverable in terms of market demand, planning and financial viability, covering its borrowing costs as a minimum and assessed against the 1% target return on our investment, in line with the Council's Investing in our Growth Fund.
- The financial viability of the scheme has been attributed the highest priority.
- The risk profile and future flexibility and adaptability of each option is carefully considered.
- The project maintains the working relationship with West Suffolk House (WSH) i.e., car parking provision.

Business needs and service requirements:

- 1.18 The site has the potential to generate a net revenue income as part of the Council's non-operational commercial portfolio, and in turn will help support the delivery of services across the Council.
- 1.19 In the long-term, retaining ownership of the site alongside existing operational land holdings (West Suffolk House and Olding Road car park) provides options for future strategic land use decisions and retains control of the site given its close proximity to other council land holdings, West Suffolk College and the Abbeycroft leisure centre.

Constraints and dependencies (internal and external):

- 1.20 The main constraints and inter-dependencies affecting the site, regardless of use, are:

- Affordability and financial viability of the project (refer to Financial Case for further details).
- Highway capacity and subsequent highway improvements required from any development and/or change of use (refer to Risk Assessment below for further details). It is worth noting that the council has already invested in the junction improvements by the new sixth form in anticipation of any future redevelopment of this site.
- Current and emerging planning policy (further details below)
- Site contamination (asbestos in buildings, known ground contamination) (refer to Risk Assessment below for further details).
- Mix of uses adjoining and in immediate vicinity (commercial, educational, residential (Newmarket Road), retail).
- Market Demand (refer to Economic Case for further details).

Planning Policy

- 1.21 Understanding the permitted planning uses on the site is a key factor in understanding the deliverability of each option and each option's risk profile. The Development Plan Policies set out the following allowable uses:
- 1.22 The site has the current planning use as follows:
- Former Depot - 'Sui generis' (Operational depot)
 - Former Warehouse - B8 (Storage and distribution use)
- 1.23 In the current adopted West Suffolk Local Plan and within the Bury Vision (2014) (Policy BV14), the whole Western Way employment area is allocated for:
- B1- offices (now class E(g))
 - B2 - industrial
 - B8 – storage and distribution
- 1.24 In addition, the Bury Vision (2014) (Policy BV15) sets out some flexibility regarding 'Alternative business development in general employment areas' for alternative commercial business and mixed use, which do not fall within the use classes referred to above, subject to complying with other policies within the Local Plan.
- 1.25 Furthermore, the Joint Development Management Policies Document (2015) (Policy DM30) covers 'Appropriate Employment Uses and Protection of Employment Land'. The purpose of this policy is to protect employment land and uses across the district.
- 1.26 In the new, emerging West Suffolk Local Plan, Western Way is covered by Policy SP12p, which provides:

- Support for offices, research and development, light industrial and general industrial uses.
- In addition, could accommodate alternative uses such as leisure, education or health as part of a West Suffolk public/ private services hub.
- Storage and Distribution uses are excluded. Any additional (from that already in place for the former NHS logistic site) or altered storage and distribution uses on the site will require consideration and may not be supported.

1.27 The recommended **Option A** retains and partially refurbishes the existing depot and warehouse building for temporary uses including undertaking necessary internal and external works (subject to use), with a focus on delivering the 'Thriving Communities' objective in the depot and the 'Sustainable Growth' objective in the warehouse, whilst the site is retained for future development opportunities.

1.28 An offer has been received for a trampoline and virtual reality experience use within the former depot, and it is proposed that the remaining site is marketed for employment uses, that accord with planning policy applicable to the site, (or storage and distribution use as the existing lawful use, subject to acceptable HGV movements and market demand). However, if demand and rental levels are available to support the whole building delivering the 'thriving communities' objective, this will be preferred and pursued.

S73 Planning Application

1.29 The planning consent obtained for Western Way in December 2020 will remain valid until December 2025 when the planning permission will expire unless it is lawfully commenced before this time. The site is already allocated in the current Development Plan and this allocation is carried forward into the new, emerging Local Plan.

1.30 The current Section 73 planning application to allow phasing of the original planning consent for Western Way has remained on hold until a new decision is reached by Council on the future of the Olding Road site. It is worth noting that this application does not extend the timeframe for implementing the original application stated above.

1.31 This S73 application will require some further specialist input, additional fees and further consultation to progress to determination.

1.32 Considering the recommended option and the above considerations, it is therefore recommended that the application is withdrawn as there is no benefit to the Council in gaining approval, unless the original project were to proceed.

2. Economic Case

Critical Success Factors:

- 2.1 The critical success factors are as set out in the above section.
- 2.2 In order to meet the critical success factors, the following Economic Case considerations have been made for each option:
- Numerous combinations on the site have been tested from a design, demand and deliverability perspective, taking into account the above working assumptions and objectives.
 - External project management and cost advice was sought through Currie & Brown.
 - External strategic development advice on market conditions, demand, potential schemes, values and rental income levels was obtained from property consultants, Carter Jonas. An evolution of the options set out in this advice has been used, to support, or otherwise, the case for each option in the business case (see the executive summary of the Carter Jonas market report in Appendix C).

Market Advice:

- 2.3 In order to understand the levels of demand for accommodation in this location and reduce the Council's risk exposure when letting the building, market analysis and soft market testing were carried out. The table below lists the live requirements and expressions of interest that resulted from market testing.

Use	Requirements/interests	Unit size (sq ft)
Food retail	1 supermarket	25,000
Retail warehouse	4 retailers	5,000-40,000
Leisure/active leisure	1 confirmed, 2 tentative	18,000-40,000
Gym	1 interest	3,000-8,000
Builders merchants/DIY	1 confirmed, 1 tentative	21,000-25,000
Self-storage	2 occupiers	20,000-50,000
Day nursery	5 regional, 1 local	2,000-7,000
Hotels	1 requirement	27,000 (85 rooms)
Warehouse/logistics	13 active local requirements	10,000-50,000

- 2.4 Further to the market demand listed above, in the next stages, West Suffolk Council (WSC) will continue to work with partners such as Suffolk County Council (SCC) and West Suffolk College under the One Public Estate (OPE) programme, to test whether their requirements could form part of the temporary or future options for the Olding Road site.

Considered Options:

- 1.14 The options appraisal has considered a wide variety of potential uses and development options, which were shaped through discussions with the Leader of the Council, Portfolio Holder for Resources and Property and Cabinet members, to meet the council's strategic priorities whilst balanced against:
- Retaining ownership of the site for longer term opportunities in the delivery of the council's strategic priorities.
 - Providing short term flexibility to meet a challenging and changing economic market.
 - Need for financial certainty, lower capital investment options, income certainty and reduce ongoing costs.
 - Remediation of the site due to the age of the structure and materials and addressing any contamination caused by previous historic uses.
 - Current planning regulations and guidance.
- 2.5 The following long-term options have been considered in more detail (refer to the options appraisal (Appendix B) and the financial appraisal (Appendix F) for further details):
- **Option A:** Essential investment option - retention and essential and necessary repairs to the existing warehouse and depot (with change of use) and external areas to deliver the '**Thriving Communities**' (and/or '**Sustainable Growth**') objective in the short-term until a long-term option presents itself;
 - **Option B:** Demolition option – demolition of existing building, with short-term leases of yard space in the short-term until a long-term option presents itself;
 - **Option C:** Full (heavy) refurbishment option - retention and full refurbishment of the warehouse and depot including full resurfacing of external areas with the aim to deliver the '**Thriving Communities**' (and/or '**Sustainable Growth**') objective;
 - **Option D:** Full demolition and redevelopment – demolition of all buildings for the redevelopment to accommodate a retail use; and
 - **Option E:** Advanced Manufacturing and Engineering (AME) option – part-demolition and redevelopment of the site to accommodate AME units delivering the '**Sustainable Growth**' objective (long-term).

Discounted Options:

- 2.6 The options appraisal has considered a wide variety of potential uses and development options. Based on the above and following the financial and non-financial appraisals of each option, the following options have been discounted following discussions with the Leader of the Council, Portfolio Holder for Resources and Property and Cabinet members:

Option	Reasoning
Option B: Full demolition option (no development)	Removal of asset from council's portfolio. Other options show demolition and rebuild are more expensive for employment uses. Reputational risk of site remaining unoccupied.
Option C: Full (heavy) refurbishment	High capital investment – long term view on investment needed. Requires higher rental values – higher income and construction risk. Limits future use of the site. Extended programme.
Option D: Full site demolition and redevelopment for use as retail or employment	High capital investment. Contrary to planning policy (depending on uses). High income and construction risk profile. Environmental impacts. Contrary to planning policy (loss of employment site/high risk to other allocations in West Suffolk). Extended programme.
Option E: Advanced Manufacturing and Engineering Units	Linked to options appraisal in AME business case – Olding Road is not considered the preferred site to deliver AME units due to its location and other factors.

- 2.7 The option to sell the site has also been considered and discounted. Whilst this option would result in a one-off capital receipt, the opportunity of on-going revenue generation and future strategic place-shaping would be lost. This includes the ability for the project to deliver the Council's new strategic priorities and could require a small capital investment to prepare the site for sale. Another consideration is that retaining the site provides control of the site's use given its close proximity to other council land holdings.
- 2.8 The options appraisal also considered options in support of the council's strategic priority to deliver '**Affordable, available and decent homes**', however, this was discounted as a short-term option as it is contrary to current and emerging planning policy.
- 2.9 There is also a '**do nothing**' option, whereby the site is effectively mothballed. With continuing deterioration of the building and the potential to attract anti-social behaviour (ASB), this option would lead to an increase in sunk revenue holding costs to the Council, with no demonstrable upside in terms of revenue generation or policy delivery. This option has therefore also been discounted.

Recommended Option:

- 2.10 Each option has been appraised and assessed against the previously stated success criteria. Details of this work is set out in the options appraisal in Appendix B.

- 2.11 The site has financial viability challenges driven by the asset condition and the wider economic market conditions affecting all options considered. These were challenges also faced by the cancelled project. However, through further detailed financial, market and deliverability analysis, the essential investment option, described as Option A, showed the potential to cover the cost of borrowing for the build elements over 10 years, providing both an income and use for the site in the short to medium term in support of the council's strategic priorities, whilst also retaining the land for future strategic development opportunities. This option has been recommended for approval following discussions with the Leader of the Council, Portfolio Holder for Resources and Property and Cabinet members.
- 2.12 This option retains and partially refurbishes the existing depot and warehouse building for temporary uses including undertaking necessary internal and external works (subject to use), focussing on putting back into use a Council asset and supporting the Council's objectives in the short to medium term, whilst retaining the land for future strategic development opportunities. Further details of this option are included in the sections below.
- 2.13 This option targets the opportunity for delivering on the 'Thriving Communities' objective in the depot and the 'Sustainable Growth' objective in the warehouse, subject to a planning application for the change of use. An offer has been received for a trampoline and virtual reality experience use within the depot, and it is proposed that the remaining site is marketed for light industrial (or storage and distribution use subject to low HGV movements as the existing lawful use, subject to market demand). However, other uses could be pursued that fall within the planning allocation as set out in the Development Plan to respond to the market demand.
- 2.14 Option A will therefore keep the largest number of options open, at the lowest level of capital (and associated revenue) risk and allow Cabinet to pursue initiatives with wider strategic benefits if the opportunity and/or funding arises in the future.
- 2.15 This option is considered deliverable from a planning perspective on the basis it achieves the following:
- Accords with existing and emerging Development Plan policies.
 - Does not conflict with decisions made by Members in relation to alternative sites.
 - Accords with strategic priorities and local plan policy to protect and enhance existing employment areas.
 - Does not set an unwanted precedent in deviating from policy.
- 2.16 This option allows the Council to achieve three important beneficial outcomes: **1/** Reduce capital and the associated revenue financial risk compared to complete redevelopment/repurposing of the whole site by presenting an income-producing opportunity for a relatively short programme (approx. 12-18 months); **2/** Temporary uses support the 'Thriving Communities' and 'Sustainable Growth'

priority during the short to medium-term leases. and: **3/** Provides flexibility for the Council to pursue initiatives with wider strategic benefits if the opportunity and/or funding arises in the future by retaining a flexible frame.

2.17 In summary, the recommended option delivers, but isn't limited to, the following works:

- Retains the existing building structure and allows for a new roof and essential repairs to the facades but minimal external works (patch repairs only), enabling a mix of temporary uses that can respond to market demand.
- Allows for come internal refurbishment of the warehouse and depot to meet market demand.
- Allows for essential repairs or replacement where required to M&E installations throughout the building to achieve compliance.
- Provides opportunities for solar installation following the full roof replacement (subject to a separate business case).
- Retains existing battery storage on West Suffolk House visitor's car park as a permanent location, but with some visual improvements (subject to planning consent).
- Retains and refurbishes the existing baling shed for Council storage or other uses, which has the potential to include the elections and emergency planning store. These are currently located in Anglian Lane on a temporary basis until the refurbishment works of that property are completed and the property is fully let. These works will be funded from within the council's Asset Management Plan given it delivers operational storage requirements.
- Retains the skatepark site as existing for the potential to expand in the future subject to a separate business case.
- Allows for some highways improvement works (subject to further Suffolk CC Highways consultations).
- Includes land remediation and site enabling costs in line with the £1.0 million allowance (WSOH).
- Delivers an occupiable asset by approximately early 2026 (refer to programme section below for further details).

Benefits appraisal:

2.18 The recommended option delivers benefits including:

- Brings a significant property asset back into use to deliver income and provide employment.
- Meets Council objectives and helps to reestablish an employment site and delivers a community benefit.

- Retains the opportunity for a 'solar for business' project (subject to a separate business case and dependent on tenant demand) and delivers carbon savings through the reuse of the existing building.
- Financially, projected to bring a net return to the Council over the life of the project.
- Delivers a scheme that is lower financial risk than the other long-term options considered (manageable income risk exposure against capital expenditure).
- Enables us to make a decision quickly, which reduces holding costs.
- Protects expansion space for skate park.
- Enables the reuse of the baling shed for storage and releases the council owned Anglian Lane site (former Warehouse Clearance) as part of that separately agreed project.
- Retains the potential for future investment and development.

Delivery vehicle considerations:

- 2.19 The business case has a base-assumption that the Council will act as developer for the site, using external professional design, planning and costing advice, project management and construction services as appropriate. This project will be externalised in the main with some internal clienting skills utilised.
- 2.20 It is anticipated the completed property will be leased out and managed as part of the Council's asset portfolio by the Council's Property Services team.

Risk assessment:

- 2.21 All projects carry risk, the main considerations for the recommended option (**Option A**) are (but not limited to):
- Although the financial viability risk is lower than other options, there remains a residual risk associated with the cost of abnormalities (e.g. contamination, utilities, planning requirements, etc.).
 - Financial risk associated with market conditions exceeding industry forecasts (construction costs, inflation and interest rates etc.).
 - Financial and programme risk associated with unforeseen inherent latent defects in the existing frame.
 - Programme risk associated with delays, as with any construction project.
 - Insolvencies and/or availability issues within the supply chain during the delivery stage of the project.
 - Market demand from tenants for the proposed uses and the affordability of the market rents which will be dependent on the extent of refurbishment works.
 - Potential additional vehicular movements put pressure on existing infrastructure and trigger improvements/contributions to off-site or on-site works.

- Offsite highway works lead to the requirement for legal agreements to be sought from third party landowners.
- Programme delays resulting from unexpected ecological findings following updated ecology surveys.
- Programme delay putting in place lease agreements or pre-lets.
- Unknown market conditions following the general election.

2.22 The risk register (Appendix D) provides further information on the risks identified and the proposed mitigation measures for each identified risk.

2.23 As with any project, there are risks which will need to be managed/mitigated as the project progresses. Therefore, a risk allowance has been included in the financial analysis for managing/mitigating risk.

3. Commercial Case

Procurement Strategy:

- 3.1 The initial procurement strategy has been developed to reflect the Council's and public sector procurement rules.
- 3.2 During the next stage, the procurement strategy will need to finalise the procurement approach for all professional services to support the development of the work streams e.g. consultancy services, commissioning of specialist studies and surveys, the commissioning of planning related services, etc. It is expected that a mixture of options will be used depending on the nature and scale of the roles, including the purchasing of services from frameworks on agreed rates.
- 3.3 It has been concluded that the construction phase will be split into the following phases in order to optimise programme, limit risk and maximise value:
- Enabling works (strip out and internal demolition);
 - Main Construction works; and
 - Tenant fit out works.
- 3.4 It has been assumed that the demolition works will be procured via a single stage competitive tender process.
- 3.5 The procurement approach for the Main Contract works has considered a range of options from two stage 'design and build' through to single stage traditional procurement models. The provisional outcome is a competitive single stage Design and Build approach with tenders off a Main Contractor framework. This is preferred on the basis it will assist with obtaining the most competitive price. The final Procurement strategy will be reviewed at the start of the next stage.

- 3.6 The selection of a Main Contractor framework will be reviewed in the next stage along with carrying out an expression of interest exercise to test what market interest there is for the project.

Contractual arrangements:

- 3.7 A number of contractual arrangements will be required throughout the project. These will include:
- Arrangements between the Council and occupiers: covering pre-lets, leases, service level agreements covering facilities management, service charges and car parking.
 - Arrangements between the Council and consultants/contractors (design and delivery phases): covering consultants, building contractor and subcontractors (as above).
- 3.8 There are a number of potential frameworks which could be used to deliver the consultant/contractor requirements, and this is a very efficient and well-tested form of procurement.
- 3.9 The Council will directly appoint the design team at the start of the next stage. The terms and conditions of these appointments will be fully considered in advance of these appointments.
- 3.10 The Order of Cost Estimates have been prepared on the basis of a JCT D&B Contract. To minimise the Council's exposure to risk, it is recommended that a series of standard client amendments are made. This will be reviewed and concluded in the next stage prior to tendering.

Risk Transfer:

- 3.11 Key to managing risk within the project is to implement appropriate contractual arrangements to ensure risks are transferred to the party who is best placed to manage it. How risk is shared will, however, affect costs.
- 3.12 An open and transparent approach between all parties will ensure early identification of risks and provide a productive dialogue to support their resolution.
- 3.13 See also risks and mitigation measures identified under the risk assessment heading within the Economic Case.

4. Financial Case

Capital Requirement:

- 4.1 The estimated capital costs shown in this section are for the recommended option and include construction costs, professional fees, risk allowance and an inflation allowance. No allowance has been made to cover the land acquisition costs for the site, as these will be factored into any longer-term plans for the site. In the meantime, the annual borrowing costs associated with the remaining land acquisition costs associated with the former NHS warehouse will be managed as part of the Council's current treasury management budgets as they have been for the past two years.
- 4.2 The construction costs are based on what is affordable in order to be able to achieve a break-even position for the council in the initial years, linked to the expected levels of rental income that could be achieved from the site. Changes to the rent levels, up or down, would have a corresponding impact on the level of capital that is affordable for the scheme.
- 4.3 The capital estimate, derived through advice provided by the Council's external cost consultants, allows for the delivery of the refurbishment and includes allowances for fees, risk and inflation that are appropriate for this stage of the project.
- 4.4 These capital estimates will continue to be refined as a greater level of certainty can be applied to the construction costs due to more design work being developed. A series of gateway reviews will be built into the programme so that we can check out assumptions against the costs as they evolve.
- 4.5 The capital requirement does not include the amount required to refurbish the existing bailing shed, as detailed in 2.17 above. The extent of these works is still to be determined and will be financed as part of the Council's Asset Management Plan.

Capital Funding:

- 4.6 We would be required to fund the capital costs of the project through prudential borrowing, with the default position being that this would come from the Public Works Loans Board (PWLB). The required budget would come from the Council's Investing in our Growth Agenda fund.
- 4.7 The Investing in our Growth Agenda fund has an overall financial target of a 1% return after borrowing costs have been applied. The recommended option is looking at an initial break-even position over a 10-year period. In order to achieve an initial net return of 1% over the 10-year period, the amount of capital available to be spent on the scheme would have to reduce from the current figure of £7 million to £6.5 million. If taken over a 15-year period, the net return exceeds the 1% fund target.

Revenue Impact including borrowing costs:

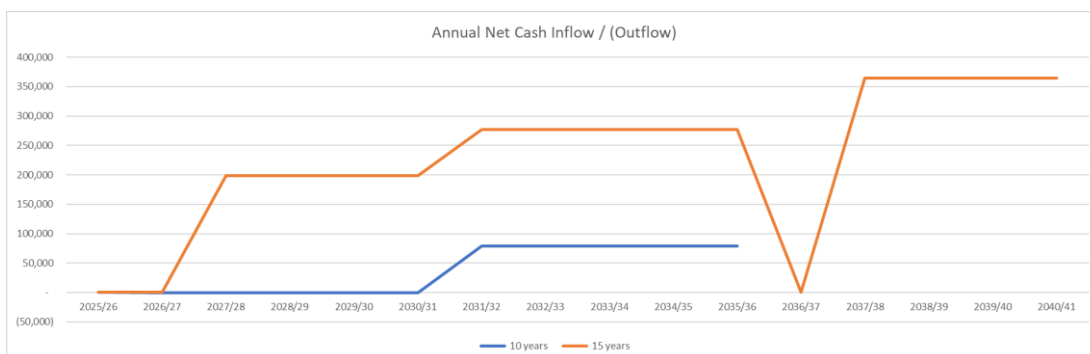
- 4.8 External advice has been sought on the levels of rental income that would be achievable from the building once refurbished.
- 4.9 The annual borrowing costs have been based on prudential borrowing on an annuity basis from PWLB. The interest rate assumed is 4.60 percent, which is in line with the rate the Council could achieve across its borrowing portfolio.
- 4.10 The table below sets out the initial revenue position assuming the building is fully let, over periods of 10 and 15 years.

Annual Revenue Implications	10-year borrowing £	15-year borrowing £
Rental Income	762,000	762,000
Borrowing Costs	(762,000)	(562,500)
Annual Surplus / (Deficit)	0	199,500
Initial Return on capital investment before borrowing	10.89%	10.89%
Initial Return on capital investment after borrowing	0.00%	2.85%

- 4.11 As detailed in the table above, the preferred option is showing that in order to achieve an initial break-even position for the Council after borrowing costs, a minimum of 10 years of return is required. Any period longer than this would create an immediate return to the Council, as shown from the 15-year column in the table.

Cash Flow projection:

- 4.12 For the purposes of assessing the impact of this scheme on the Council’s Medium Term Financial Strategy (MTFS) and beyond, a more detailed analysis of the revenue expectations has been carried out and put into a cash flow forecast.
- 4.13 This cash flow forecast includes assumptions around rent-free periods and inflationary increases. Details of these assumptions can be seen with the cash flow forecast below.



4.14 Financial assumptions:

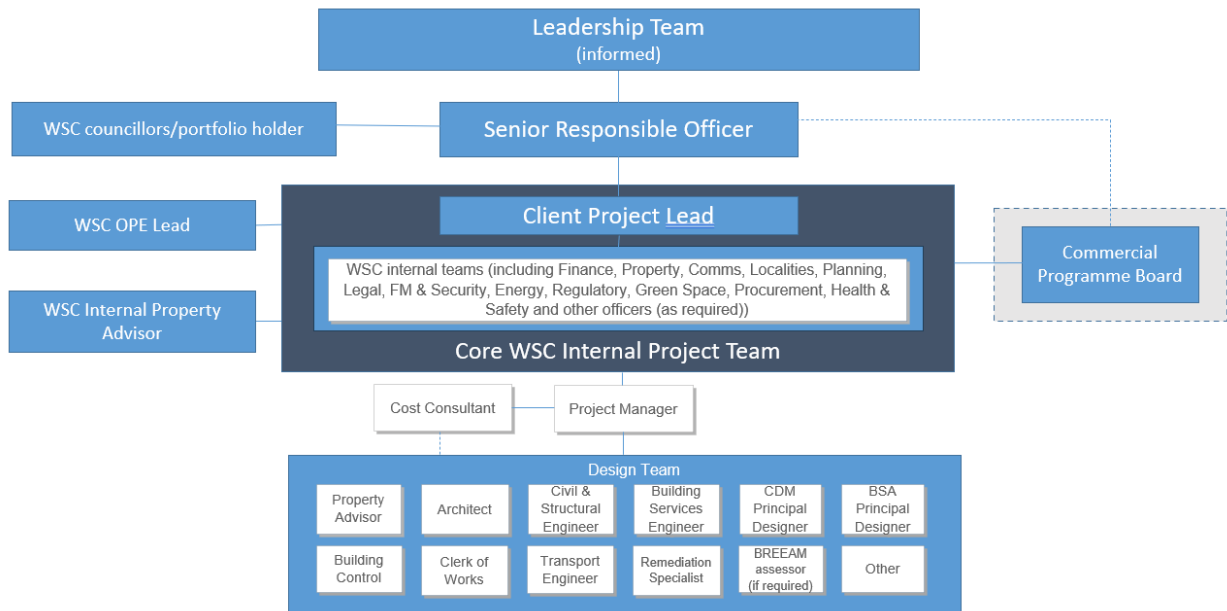
- Cash flow over the estimates life of the building once redeveloped of 10 years.
- Interest rate payable of 4.60% on annuity basis.
- 10-year lease terms, with 6 month rent free period at the start of the lease.
- 6-month void period after first lease.
- Holding costs and rent-free periods to be covered by the Capital Projects Financing Reserve.
- Inflation rate of 2.00% applied on rental income (compounded) on 5-year rent review periods.

4.15 As can be seen from the cash flow projection, over 10 years the initial returns show a breakeven position (taking into account any holding and rent-free costs being covered by the Capital Projects Financing Reserve). After the first set of rent reviews this has the potential generate a return for the Council, with rental income growth whilst borrowing costs are fixed at the start of the term. Over a 15-year project life, there is an immediate return to the Council due to the lower annual borrowing costs.

5. Management Case

Project Management plans:

5.1 The proposed project governance structure is shown below:



5.2 The governance structure will remain under review at each stage of the RIBA Plan of Work, in line with conventional project management lines.

5.3 Central to all of the above will be a designated project manager and cost consultant for the next stage of the project. Appropriate project management expertise will be employed across the project and appropriate project management mechanisms and

tools in line with the council’s agreed project management governance will be followed, which will include refinement of the project programme and risk register at each stage of the project.

5.4 The key milestone dates for the recommended option (Option A) are shown below:

RIBA Stage	Key Task	Option A
RIBA 0	Council Approval of Full Business Case	16 th Jul 2024
RIBA 1	Finalise brief and appoint team	Aug 2024
RIBA 2 & 3	Secure Agreement for lease with Depot tenant	Dec 2024
RIBA 2 & 3	Develop design and Prepare documents to submit Planning Application	Dec 2024
RIBA 4	Planning Approval granted	Mar 2025
RIBA 4	Appoint Main Contractor (assuming unphased single contract)	Mar 2025
RIBA 5	Commence Construction work on site	May 2025
RIBA 5	Completion of Construction works/ handover	Oct 2025
RIBA 6 & 7	Completion of Tenant Fit Out (subject to pre-let/marketing)	Jan 2026
RIBA 7	Opening of Facility (subject to pre-let/marketing)	2026

5.5 The programme assumes that officers will instruct the internal demolition works to proceed as an enabling works packages, funded from the already agreed £1 million works, following Council instruction to proceed with the selected option in July 2024.

5.6 Due to the level of tenant interest, the programme is structured so that the pre-planning stages of the project will progress on a speculative basis without any agreement for lease being secured however to manage risk a formal pre-let will be necessary to proceed with the submission of the planning application for the depot.

5.7 Construction sequencing of the selected option will be reviewed once the benefit of contractor’s input is available post tender.

5.8 Any required offsite Highway works are not detailed on the programmes at this stage. However, based on early discussions with the Local Highway Authority it is likely any required improvement works (if any) will be a Pre-Occupation Planning condition meaning the Highway works can be programmed to be carried out concurrent to the Main Contract works to achieve the required completion date.

- 5.9 The programme includes an indicative tenant fit out period of 14 weeks. However, this will be dependent upon the tenants' requirements meaning this duration is subject to change and will be firmed up once a tenant is secured and a pre-let in place.
- 5.10 The recommended option (Option A) offers a programme advantage over the other options with an anticipated Main Contract completion date of Autumn 2025. Allowing for the completion of the tenant fit out, it is envisaged that the facility could be operational by early 2026.
- 5.11 A detailed programme for the recommended option has been included as Appendix E.

Risk management:

- 5.12 Specific risks for the overall project are identified in the above risk assessment section of this report. In addition, a risk matrix is included in Appendix D.
- 5.13 As the project progresses, these risks will be managed through a conventional scored risk register approach, with mitigation actions identified and progress in removing or reducing the risks monitored by the project team.
- 5.14 In addition, it is suggested that an 'in the alternative permission' (under Schedule 2 Part 3 Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015) is explored allowing for permitted changes of use within 10 years of the date of a permission. This could potentially provide further flexibility and increase tenancy and use options in the next stage, depending on market demand.

Use of specialist advisers:

- 5.15 Cost Consultancy and Project Management support has been provided by Currie & Brown.
- 5.16 Strategic development advice has been provided by Carter Jonas and, in addition, they will represent the Council in negotiations with the tenant secured for the depot.

Change and contract management arrangements:

- 5.17 A formal change control process will be introduced at the end of RIBA stage 2 (Concept design) in line with the recommendations set out in the RIBA Plan of Works.

Monitoring during implementation:

- 5.18 The Council's work on the project will be managed from a councillor point of view in accordance with the normal constitutional processes and, from the officer point of view, via the Council's normal programme and project management arrangements. Specifically, a lead cabinet member will be appointed to oversee the project in

liaison with the lead officer. The choice of this cabinet member by the Leader will reflect the scope of the final option chosen.

6. Recommendations and Next Steps

- 6.1 Approving this business case will reintroduce an asset into the council's portfolio, which will deliver on the council's 'Thriving Communities' and 'Sustainable Growth' objectives and provide an income in the short to medium term at the lowest level of capital risk, whilst also keeping the largest number of options open and retaining the land for future strategic development opportunities.
- 6.2 It is **RECOMMENDED** that members:
- (1) Approve the recommended option A and approach for the former depot and warehouse as set out in paragraph 2.17 of the above business case.
 - (2) Approve up to £6 million capital budget, funded by the Investing in Growth Fund, as set out within the financial case of the above business case.
 - (3) Approve the scope of works included in paragraph 2.17 of the above business case.
 - (4) Acknowledge that in line with recommendations (1), (2) and (3) above, officers will proceed in line with the Council's agreed Scheme of Delegation.
 - (5) Agree for the Council's Section 151 Officer to make the necessary changes to the Council's prudential indicators as a result of recommendations (1), (2), (3) and (4).

Report number: COU/WS/24/014

Annual Scrutiny Report 2023 to 2024

Introduction



Councillor Sarah Broughton
Chair of the Overview and Scrutiny
Committee 2023 to 2024



Councillor Peter Armitage
Chair of the Performance and Audit
Scrutiny Committee 2023 to 2024

The West Suffolk Scrutiny Annual Report 2023 to 2024 highlights the work undertaken by the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee over the past year.

This report presents some of the accomplishments and highlights of the scrutiny committees which have a vital role in helping the authority to continue to improve and strengthen. The following report aims to give a flavour of the work undertaken during 2023 to 2024 and to confirm to Council it has operated to deliver its role in line with its terms of reference.

The work has been varied and we have done our utmost to make it transparent, relevant, and insightful. We would like to thank councillors, officers, partners, and members of the public who have taken part in this important work and hope you find this annual report both informative and interesting.

We hope it may also encourage you to follow the progress of the scrutiny function at West Suffolk Council and you are welcome to find out more about our work on the Council's website.

Role and approach to scrutiny at West Suffolk

West Suffolk has two such committees.

The primary purpose of the Overview and Scrutiny Committee is to improve the delivery of services provided to West Suffolk communities. It does this by reviewing and scrutinising decisions made or actions taken in connection with the discharge of Council functions. It also undertakes specific reviews to look at new and evolving policies or an issue affecting the area and makes recommendations for improvements to the Council or Cabinet.

The Performance and Audit Scrutiny Committee has the specific role of monitoring the budget and overseeing the performance of services by considering a range of information such as performance indicators, inspection reports and action plan monitoring. It approves the Council's Statement of Accounts and is also the Council's audit committee. The Committee also carries out the Treasury Management function.

Overview and Scrutiny Committee

Key themes during 2023 to 2024

The Overview and Scrutiny Committee focus over the year is set out below:

Activity	Outcome
In June, the committee received a report on the Appointment to Outside Scrutiny Bodies.	The committee resolved to appoint one Member, and one Substitute Member from the Committee to sit on the Suffolk Health Scrutiny Committee for the term of the 2023 to 2027 administration.
Activity	Outcome
In July, the committee received scoping documents and key lines of enquiries to set up Task and Finish Groups for a Abbeycroft Leisure Strategic Partnership Review and a Transport and Infrastructure review.	The committee appointed members to sit on both the Abbeycroft Leisure Strategic Partnership Review Task and Finish Group and the Transport and Infrastructure Task and Finish Group.
Activity	Outcome
In September, the committee requested information on CCTV provision at West Suffolk Council. Members received an overview of the council's CCTV service, including the services provided, staffing, costs and income, incidents, arrests and equipment, including Hikvision cameras.	The committee was reassured that West Suffolk's CCTV security protocols were continually monitored, with security software updates applied and considered safe. Existing camera technology represented best value and Hikvision was currently certified by the Information Commission Office as safe to use.
Activity	Outcome
In November, the committee received a report and recommendations from the Abbeycroft Leisure Strategic Partnership Review Task and Finish Group.	The committee made a number of recommendations, attached at Appendix 1 below, for the Cabinet's consideration at its meeting on 5 December 2023, which were approved.

Activity	Outcome
<p>In January 2024, the committee received a Housing Update from the Cabinet Member for Housing. The update covered the Housing Strategy 2018 to 2024, the Homelessness Reduction and Rough Sleeping Strategy 2018 to 2024 Delivery Plan, the Council’s priorities for housing and how the council is addressing the issues being faced by refugees and asylum seekers in West Suffolk.</p>	<p>The committee considered the development of the new strategy including the consultation and engagement plan and confirmed that it would like to be involved and to receive a further update following the conclusion of the consultation process.</p>
Activity	Outcome
<p>In March 2024, the committee received an update on how the Council had been allocating funding from the UK Share Prosperity Fund (UKSPF) and Rural England Prosperity Fund (REPF) to projects and initiatives in West Suffolk.</p>	<p>The committee noted the progress made so far in allocating West Suffolk’s UKSPF and REPF allocations to local projects and initiatives, and also noted the challenges which officers had faced, and suggested more communication on the fund as it was a good news story for West Suffolk.</p>

Other areas of focus

The committee has a key role in scrutinising community safety. In September 2023, the committee received the Western Suffolk Community Safety Partnership Annual Report from Councillor Derek Davis from Babergh District Council as the Chair of the Partnership at the time of the reporting period.

Councillor Andrew Martin, the council’s representative on the Suffolk Health Scrutiny Committee updates the committee on a quarterly basis on the work undertaken by the Health Scrutiny Committee, giving members the opportunity to discuss issues raised and where necessary, give their support on proposals.

Councillor Mike Chester and Councillor David Smith, the council’s representatives on the Suffolk Police and Crime updates the committee on a quarterly basis on the work undertaken by the Police and Crime Panel, giving members the opportunity to discuss issues raised and where necessary, give their support on proposals.

Performance and Audit Scrutiny Committee

Key themes during 2023 to 2024

The committee receives quarterly financial and performance reports to understand how the pandemic continues to impact on the achievement of West Suffolk Council's objectives, recognising the need for the council's priorities to change during the recovery phase.

The committee has evaluated quarterly and annual financial resilience reports to understand how the pandemic continues to impact on West Suffolk Council's longer term financial position.

The committee continues to assess how the Covid-19 pandemic impacted on the work of West Suffolk Council's internal and external audit services, assessing whether, in the environment, sufficient assurance can be gained to provide audit opinions for the council.

The committee has evaluated the development of West Suffolk Council's budget, including both the annual and medium-term financial budget, to understand the longer-term effects of the pandemic on the council's finances to 2026.

The Health and Safety Sub-Committee has continued to monitor health and safety related incidents and accidents and wider health and safety compliance, as well as reviewing measures to support the well-being of staff.



Scrutiny on a page

Over the past year, the scrutiny committees have collectively considered the following:

Community Safety Partnership Annual Report	External Audit Annual Report and Annual Audit Letter	Complaints and Local Government and Social Care Ombudsman Annual Report 2022 to 2023
CCTV at West Suffolk Council	Sustainable Medium – Term Budget Reports	Regulation of Investigatory Powers Act 2000 (RIPA) – Annual Report and Review of RIPA Guidance
Reports on the activity of the Suffolk Police and Crime Panel	Internal Audit Annual Report and Mid-year Report	Annual Governance Statement
Reports on the activity of Suffolk County Council Health Scrutiny Committee	Year-end performance out-turn	Statement of Accounts
Monitoring the Cabinet Decisions Plan	Quarterly Performance Reports	Health and safety summary report 2022 to 2023
Recommendations and Findings from the Abbeycroft Leisure Strategic Partnership Task and Finish Group	CIPFA Guidance on Audit Committees	Health and safety incident reports
Modern slavery update	Co-opting Non-elected Independent Members	Health and safety training report
Quarterly financial resilience reports	Annual Financial Resilience Report	Health and safety policy amendments
External Audit Plan	Financial resilience strategy	

The year ahead

The Overview and Scrutiny Committee has committed to the following review(s) during the next year:

- A Task and Finish Group was established in July 2023 to establish ways to get upstream on areas relating to transport and infrastructure to help influence future local plans. However, this review has been put on hold post local plan.

Both committees will continue to evaluate the impact of the pandemic on the council's services and on the council's financial and non-financial performance.



Overview and Scrutiny Committee: Recommendations Tracker (2023)

Date of Overview and Scrutiny	Issue Title	Action Taken by Overview and Scrutiny	Date of Cabinet and Decision	Responsibility for onward action and review date, if applicable
9 November 2023 Page 111	Abbeycroft Strategic Partnership Task and Finish Group – Findings and Recommendations Report number: OAS/WS/23/019	The Committee considered the Task and Finish Group’s findings and recommendations, and RECOMMENDED: That 1. Cabinet instructs officers to update the Collaboration Agreement noting no fundamental revisions are required on the principals of the current agreement. However, some technical changes may be required and the approach to health funding be clarified which is currently dealt with through side letters. 2. Cabinet requests Abbeycroft and West Suffolk Council to work collaboratively to promote the activities and programmes delivered at the Leisure Centres, ensuring residents are	5 December 2023: Cabinet considered the report and approved the recommendations as follows: 1. Cabinet instructs officers to update the Collaboration Agreement noting no fundamental revisions are required on the principals of the current agreement. However, some technical changes may be required and the approach to health funding be clarified which is currently dealt with through side letters. 2. Cabinet requests Abbeycroft and West Suffolk Council to work collaboratively to promote the activities and programmes delivered at the Leisure Centres, ensuring residents are	Cabinet and Abbeycroft to progress onward actions.

Date of Overview and Scrutiny	Issue Title	Action Taken by Overview and Scrutiny	Date of Cabinet and Decision	Responsibility for onward action and review date, if applicable
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 112</p>		<p>aware of what they deliver and provide (that can be reflected in further revisions to the Collaboration Agreement).</p> <p>3. Cabinet and officers work with providers and partners to secure more long-term and sustainable external funding streams (particularly on health improvement interventions).</p> <p>4. Cabinet asks officers to explore further capital investment in the leisure offer and facility mix across the leisure centres site through business cases where appropriate to provide outcomes and financial benefits through invest to save/earn initiatives with Abbeycroft.</p> <p>5. Subject to the outcome of the condition surveys of each Leisure Centre, Cabinet to consider the extension of the Council's Net Zero fund as part</p>	<p>aware of what they deliver and provide (that can be reflected in further revisions to the Collaboration Agreement).</p> <p>3. Cabinet and officers work with providers and partners to secure more long-term and sustainable external funding streams (particularly on health improvement interventions).</p> <p>4. Cabinet asks officers to explore further capital investment in the leisure offer and facility mix across the leisure centres site through business cases where appropriate to provide outcomes and financial benefits through invest to save/earn initiatives with Abbeycroft.</p> <p>5. Subject to the outcome of the condition surveys of each Leisure Centre, Cabinet to consider the extension of the Council's Net Zero fund as part</p>	

Date of Overview and Scrutiny	Issue Title	Action Taken by Overview and Scrutiny	Date of Cabinet and Decision	Responsibility for onward action and review date, if applicable
Page 113		<p>of the 2024 to 2025 budget development to include a programme of improvements (where appropriate and where they meet the outcomes of the fund) to upgrade and improve the facilities to maximise energy efficiency, support Net Zero and carbon reduction targets, and extend the life span of the facilities.</p> <p>6. As part of the 2024 to 2025 West Suffolk Council budget development, consideration should also be given to whether the extraordinary utility support grant should be continued and phased out in the short-term (linked to market expectations around utility costs).</p>	<p>of the 2024 to 2025 budget development to include a programme of improvements (where appropriate and where they meet the outcomes of the fund) to upgrade and improve the facilities to maximise energy efficiency, support Net Zero and carbon reduction targets, and extend the life span of the facilities.</p> <p>6. As part of the 2024 to 2025 West Suffolk Council budget development, consideration should also be given to whether the extraordinary utility support grant should be continued and phased out in the short-term (linked to market expectations around utility costs).</p>	

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West Suffolk Council Constitution: proposed amendments

Report number:	COU/WS/24/015	
Report to and date:	Council	16 July 2024
Cabinet member:	Councillor Gerald Kelly Portfolio Holder for Governance and Regulatory Email: gerald.kelly@westsuffolk.gov.uk	
Lead officer:	Teresa Halliday Monitoring Officer Email: democratic.services@westsuffolk.gov.uk	

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

Wards impacted: **All wards**

Recommendation: **It is recommended that Council:**

- 1. Approves the amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non-Executive) Functions of the Constitution.**
- 2. Approves the amendments to the Process for developing the budget framework (Paragraph 3.1(c)(iii) Part 4 – Budget and Policy Framework Procedure Rules) of the Constitution.**

1. Context to this report

- 1.1 The Constitution Review Group periodically meets to review the effectiveness of the Constitution, identifying any areas that could be developed further to improve the way the Council makes decisions, ensuring that processes are efficient and transparent.

2. Proposals within this report

- 2.1 The Constitution Review Group met on 19 June 2024 to consider areas within the Constitution to recommend for amendment.

2.2 **Proposed amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non Executive) Functions**

It is proposed that the Sex Establishments Schedule of Delegated Authority is amended to require Officers to consult with the Chair and Vice-Chair of the Licensing and Regulatory Committee when:

- Determining an application for the grant of any type of Sex Establishment Licence if a relevant objection has been received or Officers have concerns in respect of the application or characteristics of the locality;
- Deciding upon whether an objection is repetitive, frivolous or vexatious; and
- Deciding whether an objection is irrelevant.

As set out in the Appendix 1 to this report.

2.3 **Amendments to the Process for developing the budget framework (Paragraph 3.1(c)(iii) Part 4 – Budget and Policy Framework Procedure Rules)**

Paragraph 3.1(c)(iii) of the Process for developing the budget framework currently states:

*All potential amendments to the budget must be assessed for their financial implications prior to the Council meeting to comply with Financial Procedures. To avoid any problems arising from this requirement, all proposed amendments to the budget will therefore be notified in advance to the Chief Executive and S151 Officer, **at least five clear working days** before the Council meeting.*

It is recognised that the report setting out the final budget is not published until five clear days before the Council meeting. It is therefore proposed that this paragraph is amended as follows to enable members to consider the report and present their proposed amendments:

*All potential amendments to the budget must be assessed for their financial implications prior to the Council meeting to comply with Financial Procedures. To avoid any problems arising from this requirement, all proposed amendments to the budget will therefore be notified in advance to the Chief Executive and S151 Officer, **at least three clear working days** before the Council meeting.*

3. Alternative options that have been considered

- 3.1 No specific other options have been considered other than not to make the changes.

4. Consultation and engagement undertaken

- 4.1 The recommendations have been developed by the Constitution Review Group

5. Risks associated with the proposals

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

6. Implications arising from the proposals

- 6.1 None

7. Appendices referenced in this report

- 7.1 Appendix 1 – Proposed amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non Executive) Functions

8. Background documents associated with this report

- 8.1 None

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The Constitution Review Group has recommended the following amendments to the Sex Establishments: Schedule of Delegated Authority.

Proposed additions are shown in **grey shading**.

**Extract from the West Suffolk Council Constitution:
Amendments to the Sex Establishments: Schedule of Delegated Authority
(Table: B3) Part 3 – Section 2 – Responsibility for Council (Non Executive)
Functions**

Sex Establishments: Schedule of Delegated Authority

Matter to be dealt with	Sub Committee* (see note below)	Officers
Grant (First or Renewal) of an Application for the grant of any type of Sex Establishment Licence.	If a relevant objection received or Officers have concerns in respect of the application or characteristics of the locality and following consultation with the Chair and Vice Chair.	All other cases
Decision on whether an objection is repetitious , frivolous or vexatious.		In respect of all Applications – in consultation with the Chair and Vice Chair
Decision on whether an objection is irrelevant.		All cases – in consultation with the Chair and Vice Chair
Application for Waiver of Licence in respect of any type of Sex Establishment Licence.	All cases	
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being under the age of 18.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who is for the time being disqualified from holding a licence following revocation of such a licence.		All cases

Matter to be dealt with	Sub Committee* (see note below)	Officers
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of 6 months immediately preceding the date when the application was made.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a body corporate which is not incorporated in an EEA state.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who had, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.		All cases
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.	All cases	
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself.	All cases	

Matter to be dealt with	Sub Committee* (see note below)	Officers
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made (determined) is equal to or exceeds the number which the authority consider is appropriate for that locality.	All cases	
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the grant or renewal of the licence would be inappropriate, having regard – (i) to the character of the relevant locality; or (ii) to the use to which any premises in the vicinity are put; or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.	All cases	
Refusal of an Application for the Variation of the terms, conditions or restrictions on or subject to which the licence is held for any type of Sex Establishment Licence.	All cases	
Revocation of a licence.	All cases	

**Although matters will normally be referred to a Sub-Committee for determination, they may be referred to the full Committee at the discretion of the Business Regulation and Licensing Manager, after consultation with the Chair and Vice-Chair*

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Motion on Notice: Debate not Hate

Motion to Council

This Council notes the Local Government Association (LGA) have received cross-party support from organisations to sign the Debate Not Hate public statement, aiming to address the rise in abusive and intimidating behaviour directed at politicians.

This Council acknowledges the findings that 88 percent of the locally elected representatives who responded to the LGA's survey have faced abuse and intimidation. 73 percent said they have experienced it over social media, where it seems to be becoming increasingly normalised, and 64 percent said they have experienced it in person.

This Council understands this can have a significant impact on the health and wellbeing of our members and their families and we should be taking steps to ensure elected representatives feel safe and secure in their own communities.

This Council commits to challenge the normalisation of abuse against elected politicians and uphold exemplary standards of public and political debate in all it does. The Council further agrees to re-affirm our commitment to the LGA's Debate Not Hate campaign at this Council meeting.

It is recommended that Council:

1. Takes a zero-tolerance approach to abuse of councillors and officers and asks the Council's Monitoring Officer to establish where and how our processes can be strengthened to fully achieve this.
2. Challenges the normalisation of abuse against councillors and officers.
3. Upholds exemplary standards of public and political debate in all it does.
4. Commits to ensuring the Council has a clear reporting mechanism to allow monitoring and recording of incidents of harassment and abuse of councillors and officers.
5. Agrees to work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors, officers and their families.
6. Commits to publicising its position, processes and sanctions internally and externally to further these aims.
7. Further agrees to re-affirm our commitment to the LGA's Debate Not Hate campaign which aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support for those in public life facing abuse and intimidation.

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Motion on Notice: Introduction of family friendly schemes to support elected members

Motion to Council

West Suffolk Council is requested to note the following, that:

- a. The community has a right to be represented by a diversity of councillors and residents should have a diversity of councillors for whom to vote.
- b. Data released by the [Fawcett Society](#) shows that only 34 per cent of councillors elected in the bumper May 2021 local elections are women, meaning that only 35 per cent of councillors overall are women.
- c. The Local Government Association's [national census of local authority councillors 2022](#) states that only 16 per cent of councillors nationally are under 45 years of age.
- d. Research shows that nationally about a third of elected councillors are women ([BBC News, 8 September 2021](#)) and in 2018, the average age of a councillor was 59.
- e. West Suffolk Council does not have a formal parental leave policy for councillors but the [Members' Allowances Scheme](#) does provide for carers and dependents allowances.
- f. The role of a councillor should be open to all, regardless of background, and introducing a parental leave policy and other family friendly policies is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may wish to start a family to remain as councillors.
- g. Parental leave must apply to parents regardless of their gender, and should cover adoption leave to support those parents who choose to adopt, including adoption through a surrogate.
- h. Parental leave is only part of the picture and other family friendly policies such as support for carers, remote/hybrid meetings, and becoming a breastfeeding-friendly council would further ensure a greater diversity of councillors. And also that family friendly policies are in themselves only a small part of the wider need for policies which encourage truly diverse representation.

It is proposed to Council that:

1. It ensures that councillors with children and other caring commitments are supported, as appropriate. *continues over....*

2. Requests the Constitution Review Group to explore options and produce a draft family friendly framework to cover the issues set out in (f) to (h) above.
3. As part of the work set out in (2) above, the draft family friendly framework be considered by the Independent Remuneration Panel to inform their deliberations when undertaking their annual review of the Members' Allowances Scheme in autumn 2024.
4. The resulting family friendly framework be presented to Council for adoption, including levels of remuneration that may be recommended by the Independent Remuneration Panel for incorporation into the Members' Allowances Scheme with effect from 1 February 2025.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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