

Western Way Development, Bury St Edmunds

Report number:	CAB/WS/21/020	
Report to and date:	Non-decision making virtual Cabinet	25 May 2021
Cabinet member:	Councillor Joanna Rayner Portfolio Holder for Leisure, Culture and Community Hubs Tel: 01284 750366 Email: joanna.rayner@westsuffolk.gov.uk	
Lead officer:	Alex Wilson Strategic Director Tel: 01284 757695 Email: alex.wilson@westsuffolk.gov.uk	

Decisions Plan: The decision made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included in the Decisions Plan.

Wards impacted: All Wards

Recommendation: That the Cabinet recommends to the Portfolio Holder for Leisure, Culture and Community Hubs, that a full report for decision on the delivery of the Western Way Development, Bury St Edmunds will be referred directly to Council on 15 June 2021.

1. Context to this report

- 1.1 The Western Way Development (WWD) in Bury St Edmunds is a major capital project proposed by the Council and its partners to deliver a national exemplar mixed-use hub as part of the One Public Estate Programme. Background on the project can be found at www.westsuffolk.gov.uk/wwd.
- 1.2 The Council approved a final business case for the project in September 2019. In approving the business case, Council authorised Cabinet and officers to deliver the scheme subject to certain tests being met.
- 1.3 The first examination of those tests was in January 2020 when Cabinet agreed an action plan from an independent external assurance review. At that time, procurement of a contractor was expected to begin in spring/summer 2020, with delivery of the scheme by late 2023/early 2024.
- 1.4 An update on the impact of Covid-19 on this and other capital projects was given to the Overview & Scrutiny Committee in November 2020. In summary, good progress to achieve the original timetable had been made by the time that the pandemic triggered the business continuity plans of the Council and its partners in early 2020. This included the submission of a planning application in late 2019 which was subsequently approved in 2020 subject to the completion of a s106 agreement. However, the effect of Covid-19 will be a delay of around one year to the original timetable.

2. Proposals within this report

- 2.1 Work has now fully resumed on the project and will shortly be sufficiently progressed to bring a proposal to councillors on how phase one might be taken forward with other public sector partners.
- 2.2 Because they required changes to the agreed budget, the outline and final business cases for the WWD were both referred by Cabinet to Council for decision in 2018 and 2019 respectively. This was in accordance with our own procedure rules and schedule 4 of the Local Authority (Function and Responsibility) Regulations 2000. Given the length of time that has passed since those original decisions, and the wider impacts on the Council's finances since 2020, it is felt appropriate by the Leader and Portfolio Holder to ask Council to reconfirm its intent to continue with the project before any procurement starts. Depending on the outcome of the current work on the business case, a new Council decision may be needed in any event under the above rules.
- 2.3 Work on updating the business case with partners will not be finished before early June. Therefore, to avoid any further delay to the project, the Leader is satisfied that this matter will not require any Cabinet approval prior to being referred back to Council i.e. Cabinet will see it at the same time as all other councillors.

- 2.4 For clarity, it is only this initial decision to re-frame the WWD project due to Covid-19 that would be taken by Council. If the project is approved by Council to proceed, any subsequent delivery decisions would be made by Cabinet (or Portfolio Holders or Officers within the scope of their delegated authority) as long as they continue to remain consistent within the agreed budget or policy framework and/or the specific safeguards already agreed for the project.
- 2.5 The Portfolio Holder and Strategic Director will also be able to give a short oral update at this informal Cabinet meeting on how the project is progressing. However, any information provided to Cabinet will also be included in the published Council report in June. A full briefing to support the published Council report will be also offered to all councillors in June.

3. Alternative options that have been considered

- 3.1 In the context of what is being noted in this report, the only alternative options would be to delay consideration of the update to the business case until later scheduled meetings of Cabinet and/or Council or hold special meetings. In the case of the former, this could risk delay to the project and/or additional costs. In the case of the latter, this is felt to be unnecessary by the Leader and Portfolio Holder because they are content that all councillors receiving and considering the report at the same scheduled meeting in June is the most inclusive and efficient way to progress this particular matter. Councillors are also encouraged to raise any issues or questions before the meeting.

4. Consultation and engagement undertaken

- 4.1 The wider project has been and is subject to extensive consultation. In relation to what is being noted in this report, consultation has taken place with the members of the Cabinet.

5. Risks associated with the proposals

- 5.1 A risk appraisal for the project will be contained in main report to Council. In relation to what is being noted in this report, there are not regarded to be any risks since Cabinet itself is content to receive the updated business case at the same time as all councillors (see section 3 above).

6. Implications arising from the proposals

- 6.1 None – see sections 2, 3 and 5 above.

7. Appendices referenced in this report

7.1 None

8. Background documents associated with this report

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