

HORSHAM DISTRICT COUNCIL

SPECIAL URGENCY NOTICE

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”)

Notice is hereby given that the Cabinet intends, at its meeting on Thursday 28 September 2023 at 5.30pm at the Council’s Parkside offices, to make an executive decision as a matter of special urgency in relation to the award of a contract to enable the completion of top deck resurfacing works at Swan Walk Car Park.

The Regulations provide that a key decision must not be made until a document has been published setting out, broadly, (i) that a key decision is to be made, (ii) the matter in respect of which the decision is to be made, and, (iii) the date on which the decision is to be made (“the Document”).

The Document must be made available for public inspection at least 28 clear days before a key decision is made (Regulation 9). That said, key decisions may be taken in contravention of these provisions if, broadly, (i) it was impracticable to comply with these requirements, and, (ii) 5 clear days’ notice of the intention to make a decision has been given. (Regulation 10).

It was impracticable to comply with the requirements contained in both Regulations 9 and 10 as the contract needs to be awarded as a matter of urgency and the decision cannot be reasonably deferred.

This is because the carpark is currently exposed to inclement weather which is potentially causing further deterioration of the top deck as well as allowing water through to the lower floors which is a safety concern. As a result, the spaces on the upper floor are currently unusable and are required for the Christmas period where there will be an increase in parking demand. Therefore, the works need to be completed as a matter of priority.

Accordingly, to enable the Cabinet to consider this matter, the Leader (on behalf of the Cabinet) obtained the agreement of the Chairman of the Overview and Scrutiny Committee that the required decision (to award the contract to the winning bidder to facilitate the completion of the Swan Walk Car Park resurfacing works) is urgent and cannot reasonably be deferred (Regulation 11).

A copy of this notice is available for inspection by the public and has been published on the Council’s website.

Dated 27 September 2023

Councillor Martin Boffey

The Leader of the Council on behalf of the Cabinet collectively