



Cabinet
Monday, 20th November, 2023 at 4.30 pm
in the Council Chamber, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **URGENT BUSINESS** (Pages 2 - 23)

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

Special Urgency Notice with support of Chair of CPP to permit no call in due to the urgency of the item and Cabinet item NORA Road Infrastructure Contract Extension

Contact

Democratic Services
Borough Council of King's Lynn and West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX
Tel: 01553 616394
Email: democratic.services@west-norfolk.gov.uk

**SPECIAL URGENCY NOTICE OF A KEY DECISION TO BE MADE BY CABINET
NOT PREVIOUSLY INCLUDED ON THE PUBLISHED FORWARD PLAN**

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, local authorities are required to publish a Forward Plan of key decisions to be made by the Executive at least 28 clear days before the date of the meeting at which the decision is to be taken.

In the event that the publication of the intention to make a key decision at least 28 days before the meeting is impracticable due to special urgency, the local authority obtain the agreement of the Chair of the relevant overview and scrutiny committee (Corporate Performance Panel) that the making of the decision is urgent and cannot reasonably be deferred (Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)

The following notice is hereby provided:

Matter about which the decision is to be made

Cabinet will be considering the following key decision at its meeting on 20 November 2023:

Recommendations

1. Cabinet approves the extension of scope on the existing road and infrastructure contract on the Nar Ouse Regeneration Area Enterprise Zone, to include the removal of the contamination in the Enterprise Zone area, including areas adjacent to the alignment of the road and utility works. The additional costs of this contract extension will be covered by the existing NORA Remediation budget within the Capital Programme.

Reason decision is urgent and cannot reasonably be deferred

The Council's constitution defines a key decision as follows:

an executive decision which is likely –

(a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or

(b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas where significant under a) above is £500,000 or more and significant under b) above is one third of the resident population in a ward.

This decision is urgent as the road and utility construction contract is already underway, and there are significant risks associated with pausing and/or delaying this contract. If this decision is not taken in accordance with the recommendations, the contractor will need to cease works as they will not be able to comply with the requirements of the statutory regulator (Environment Agency) in respect of the contamination. This could lead to significant contractual dispute, cost and liabilities.

In addition to the above the new NHS Health Facility, currently under construction on the Enterprise Zone, is required to be open in March/April 2024. Delay in delivering the road and utility infrastructure could impact upon this.

The road and infrastructure delivery will open-up a significant swathe of development land that can be sold for capital receipts and encourage private sector investment and job creation. This site will have a potentially significant financial contribution to make to the King's Lynn & West Norfolk local economy.

There is already a scheduled Special Cabinet meeting on 20th November 2023 and due to the urgency in respect of this matter it is proposed to present this recommendation and report at this meeting, in order to reduce costs and minimise risks.



Signed:

Name

Lorraine Gore, Chief Executive

Date:

16.11.2023

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