

**NOTICE OF AN URGENT DECISION OUTSIDE THE ACCESS TO
INFORMATION RULES AS LAID OUT IN THE COUNCIL CONSTITUTION
AND OUTSIDE THE REQUIREMENTS FOR HOLDING A PRIVATE
MEETING**

**MATTER – PROCUREMENT OF A HOUSING MANAGEMENT AND
RESIDENT SUPPORT SERVICE FOR THE WHITE HOUSE**

As Chief Executive of Spelthorne Borough Council, and in accordance with the Council's Constitution, I hereby give you, as Chairman of the Overview and Scrutiny Committee, formal notice that a key decision is to be made on the delivery model of specialist housing management and resident support service for the White House Hostel, currently under construction.

This involves a decision which has not met the requirement for advance notice of the decision to be publicised on the Council's Forward Plan 28 days prior to the decision being made. In addition, this key decision has not met the requirement to give 28 days' public notice prior to a meeting being held in private.

The decision is as follows:

1. Note the current position with respect to the future involvement of the Salvation Army and Salvation Army Housing Association in the White House Hostel project.
2. Authorise the Group Head for Community Wellbeing to:
 - a. Commence an appropriate competitive procurement exercise to identify a specialist housing management and resident support service provider;
 - b. Commence the development and design of a Direct Delivery Model for specialist housing management and resident support service, and
 - c. Determine the future delivery route for the specialist housing management and resident support service provider, following the completion of both (a) and (b) above, in consultation with the Corporate Procurement Manager, the Portfolio Holder for Housing, the Chief Financial Officer and the Leader of the Council.
3. Authorise the Group Head for Corporate Governance to enter into any legal documentation necessary to appoint the new provider.

General Exception Notice (Councils Constitution (section 15 of the Access to Information Rule, Part 4 (f))

In accordance with the above, I am required to notify you of our intention to make a key decision in advance of it being published on the Forward Plan for 28 clear days. There is no requirement to seek your agreement on this as the

report will be made available and the General Exception Notice will be placed on the Council's website at least five clear working days before the decision is made together with reasons why the requirement cannot be met.

Exempt urgency - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 paragraph 5.(6).

In accordance with the above, I need to seek your agreement to hold a meeting in private in advance of Notice being given 28 days prior to that meeting. In so doing I need to set out why the matter is urgent and why it cannot be reasonably deferred.

Reason for urgency

The completion of both the competitive tender process, and the design of a Direct Delivery Model is likely to take at least six months. Either route will require a mobilisation period of at least three months, which leaves just three months contingency for any issues which may arise along the way.

The Council is under a contractual obligation with Homes England to complete and start to occupy the hostel by the end of March 2021. Commencing the design of alternative delivery routes immediately will allow sufficient time for a provider to mobilise in advance of this date, and be party to key decisions during the final stages of the build, including the types of furniture, fixtures and fittings, and well as finalise operational logistics of running the hostel. Failure to complete and start to occupy the hostel by the end of March 2021 will put £2m funding at risk, which is 50% of the cost of construction.

It is therefore not possible to defer the decision until the expiry of 28 working days for the publication of notices under the regulations, as this would reduce the contingency time to an unacceptably low level.

The intention is to take this matter to the Cabinet meeting on 26 February 2020 for a decision. I am therefore notifying you of these arrangements, and requesting your agreement that the meeting is urgent and cannot reasonably be deferred.

Signed: 

Cllr Vivienne Leighton

Chairman of the Overview and Scrutiny Committee

Date: 11-2-20