

Specific Example, Midhurst High St Closure

1. In the case of the fire at Midhurst, the local councils all worked together to try and re-open the road. The closure of the road was necessary to keep the residents, businesses and travelling public safe. The ability to re-open the road was reliant on a third party, i.e. the owner of the property who needed to shore up the building.
2. A multi-agency group was formed including the South Downs National Park Authority (SDNPA), District Council and County Council. Following a meeting between the owners of the properties affected by the major fire in Midhurst, their insurance professionals, and the multi-agency recovery group, it was established that the owners were unable to agree a viable way forward to stabilise the listed building, which would allow the road to be reopened in a reasonable timeframe. Resolution through the insurance companies would likely take months.
3. An Urgent Works Notice under the Planning (Listed Buildings and Conservation Areas) Act 1990 was agreed as the quickest and most appropriate tool to execute works that were urgently necessary to preserve the listed buildings and once the buildings are made safe allow the road to reopen. This was served by SDNPA as Local Planning Authority. An Urgent Works Notice is a form of direct action. It can only be used where the works are urgently necessary for the preservation of listed buildings. Works would include temporary shoring. The courts are not involved in an Urgent Works Notice, SDNPA as Local Planning Authority has power to serve. There is no right of appeal against an Urgent Works Notice therefore once the design of the shoring has been finalised and contractors appointed the work can be carried out.
4. This work was designed, tendered, and commissioned by the SDNPA and the road was finally re-opened in June 2024. The three authorities contributed costs to the shoring up and costs recovery is being sought through the insurers.
5. The impact of the road closure during this time was significant with traders, local residents and the travelling public all affected. The Business Recovery sub-group worked with local businesses and financial support was provided by the Chichester District Council to help the town to recover including promotional work. Free parking was provided for visitors.
6. In terms of the highway, as well as the ongoing costs to manage the traffic management associated with the closure and diversion, the local roads used as part of the diversion or rat-running suffered damage. Reactive and proactive resources were repeatedly deployed to undertake repairs to ensure these routes remained safe to use.
7. During this incident, it was agreed that the District Council led on outward facing communications. Highway updates were provided to key stakeholders, initially daily and then twice a week to provide more granular information on what was happening locally and responding to local feedback/issues.