

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY 29 NOVEMBER, 2011. MINUTE NO. 19 IS NOT SUBJECT TO "CALL-IN".**

## **CABINET URGENT BUSINESS COMMITTEE**

MEETING HELD AT THE TOWN HALL, BOOTLE  
ON THURSDAY 17TH NOVEMBER, 2011

PRESENT: Councillor Parry (in the Chair)  
Councillors Brodie - Browne and Moncur.

### **14. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. Dowd and Robertson.

### **15. DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **16. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the meeting of the Committee held on 17 October 2011 be confirmed as a correct record.

### **17. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

### **18. CONTRACTUAL DISPUTE BETWEEN THE COUNCIL AND ONE VISION HOUSING**

The Committee considered the report of the Director of Corporate Support Services relating to the contractual dispute between the Council and One Vision Housing.

RESOLVED:

That the Head of Corporate Finance and ICT and the Head of Corporate Legal Services be authorised to attend a mediation meeting to negotiate a settlement of a contractual dispute between One Vision Housing and the Council, if appropriate.

### **19. REVIEW OF CONTRACT ARRANGEMENTS**

CABINET URGENT BUSINESS COMMITTEE- THURSDAY 17TH  
NOVEMBER, 2011

The Committee considered the report of the Strategic Director - Place reviewing the contractual arrangements between the Council and Capita Symonds. The risks, liabilities and benefits of the proposed course of action were identified within the report and an estimation of the costs of the known elements of risk/liability was set out.

Members had a full and detailed discussion on the matters contained within the report and the appendix containing the external legal advice received. The Strategic Director (Place) informed Members of additional legal advice that had been received following publication of the report.

RESOLVED: That

- (1) after consideration of the risks and benefits outlined within the report the Strategic Director - Place, the Head of Corporate Legal Services and the Head of Corporate Finance and ICT be authorised to undertake the actions detailed in section 3 of the report;
- (2) it be noted that the proposal was a Key Decision but, unfortunately, had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) has been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Committee as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because of the timescales and confidentiality involved; and
- (3) it be noted that the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) had given his consent under Rule 17 of the Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call-in" on the basis that the decision cannot be reasonably deferred because of the timescales and confidentiality involved.