

COUNCIL – 5 SEPTEMBER 2013

REPORT OF THE LEADER OF THE COUNCIL

COUNCIL CONSTITUTION – CALL-IN AND URGENCY PROVISIONS

I wish to report that the Chairs of the relevant Overview and Scrutiny Committees gave their consent, under Rule 46 of the Overview and Scrutiny Procedure Rules set out in the Council Constitution to the following issues being dealt with, on the basis that the decisions could not be reasonably deferred, and not be subject to call-in.

LEADER OF THE COUNCIL – 17 JUNE 2013

Forefield Junior School and Norwood Primary School – Boiler Replacement Works

Decision Made:

- (1) The Director of Built Environment be authorised to appoint KGA Partnership Limited, of Birkenhead, to undertake the consultancy services necessary for the boiler replacement works at Forefield Junior School and Norwood Primary School and approval be given to the waiving of the Contracts Procedure Rules with regard to obtaining 3 quotations in respect of these works; and
- (2) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children’s Services) have given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for the above decision to be treated as urgent and not subject to “call in” on the basis that it cannot be reasonably deferred because it is necessary for the works to commence immediately to ensure that boiler installation is completed for the commencement of the September 2013 term.

Reason for the decision:

There is a need to urgently progress these necessary works in a manner which would otherwise be contrary to the provisions of the Constitution.

Alternative Options Considered and Rejected:

The only alternative option available would be to defer the boiler replacement works until the summer of 2014. The Director of Young People and Families believes the risks associated with this, potentially leading to the temporary closure of the schools, is unacceptable.

**CABINET MEMBER – PERFORMANCE AND CORPORATE SERVICES –
20 AUGUST 2013**

Bootle Strand Shopping Centre – Variation of Existing Lease Obligations

Decisions Made:

- (1) That the Cabinet Member notes the proposed assignment to Bootle Strand Property Limited and approves the variation of the existing lease obligations as detailed in this report.
- (2) It be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Performance and Corporate Services) have given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decision to be treated as urgent and not being subject to “call-in” on the grounds that it cannot reasonably be deferred and any delay could give rise to a risk that the Council might not act within a reasonable timescale and the proposed arrangements may not be completed.

Reasons for Decisions:

The shopping centre has been under the management of the Administrators for the best part of a year. The Administrator’s Interests are not focussed on the longer term management and performance of the centre. Therefore, the Council’s interests are best served in seeing ownership transferred to a well capitalised, pro-active investor/owner, but with the additional benefit of a capital payment.

Alternative Options Considered and Rejected:

The Council cannot unreasonably withhold consent, so the assignment is likely to proceed regardless. The Council could decide to leave the whole of the balance of the mandatory investment funding to be spent on internal refurbishment of the malls and communal areas at the discretion of the new owners of the head lease interest.