

REPORT OF THE LEGAL DIRECTOR – MATTERS DEALT WITH IN ACCORDANCE WITH RULE 17 OF THE SCRUTINY PROCEDURE RULES (CALL-IN AND URGENCY)

I wish to report that the Chair of the Relevant Scrutiny and Review Committee has given consent, under Rule 17 of the Scrutiny Procedure Rules, to the following issues being dealt with, on the basis that the decisions could not be reasonably deferred and therefore not subject to call-in.

CABINET - 20 MARCH 2008

309 PROPOSED COURTYARD EXTENSION AT HILLSIDE HIGH SCHOOL, BOOTLE

Further to Minute No. 204 of the Cabinet meeting held on 13 December 2007, the Cabinet considered the report of the Technical Services Director on proposals to increase the scope of works of the courtyard extension project at Hillside High School by the provision of two additional classrooms and storage facilities.

RESOLVED: That

- (1) approval be given to an increase of £230,854 in the Capital Programme Provision for this scheme. The additional funding to be provided from Specific Capital Resources;
- (2) the Technical Services Director be authorised to instruct the additional works in the sum of £204,334; and
- (3) it be noted that the Chair of the Scrutiny and Review Committee (Performance and Corporate Services) had given his consent, under Rule 17 of the Scrutiny Procedure Rules, for the resolution not to be subject to call-in on the basis that any delay in instructing the additional work will impact upon the existing works programme and result in additional disruption and prolongation costs.

310 PROPOSED NEW RIMROSE HOPE C.E. PRIMARY SCHOOL, SEAFORTH - TENDERS

Further to Minute No. 151 of the Cabinet meeting held on 1 November 2007, the Cabinet considered the report of the Technical Services Director on the final outcome of the tendering process for the construction of the new Rimrose Hope CE Primary School, Seaforth.

RESOLVED: That

- (1) the total funding provision for the scheme be increased to £6,450,911. The necessary additional funding to be provided from unallocated Modernisation resources;

- (2) approval be given to the acceptance of the agreed Target Cost, subject to the Maximum Construction Cost not exceeding £5,394,100;
- (3) the Legal Director be requested to enter into a formal contract with the successful contractor;
- (4) in the event that a Target Cost cannot be agreed, the Technical Services Director be authorised to seek to replace Morgan Ashurst in their Preferred Contractor status with the tenderer assessed to have submitted the next most advantageous tender; and
- (5) it be noted that the Chair of the Scrutiny and Review Committee (Performance and Corporate Services) has given his consent, under Rule 17 of the Scrutiny Procedure Rules, for the resolution not to be subject to call-in on the basis that any delay will prevent expenditure from being made in accordance with the phasing requirements and prevent commencement and completion of works in accordance with the required programme.

311. PROPOSED SINGLE SITING OF THOMAS GRAY PRIMARY SCHOOL, BOOTLE - TENDERS

The Cabinet considered the report of the Technical Services Director on the outcome of the tendering process for the single siting of the existing Thomas Gray Junior and Primary Schools on the existing primary school site.

RESOLVED: That

- (1) the tender received from E.J. Horrocks Ltd of Prescot in the sum of £2,083,981 be accepted;
- (2) the Legal Director be requested to enter into a formal contract with the successful contractor; and
- (3) it be noted that the Chair of the Scrutiny and Review Committee (Performance and Corporate Services) has given his consent, under Rule 17 of the Scrutiny Procedure Rules, for the resolution not to be subject to call-in on the basis that any delay will prevent expenditure from being made in accordance with the phasing requirements and prevent commencement and completion of works in accordance with the required programme.

C.J. Elwood
Legal Director