

## EXECUTIVE DECISION MAKING

### RECORD OF THE DECISION MAKING HELD ON 17 JANUARY 2011

#### Present:

Councillor Smith	-	Leader of the Council
Councillor Moulton	-	Cabinet Member for Resources and Workforce Planning
Councillor Baillie	-	Cabinet Member for Housing
Councillor Dean	-	Cabinet Member for Environment and Transport
Councillor Hannides	-	Cabinet Member for Leisure, Culture and Heritage
Councillor Holmes	-	Cabinet Member for Children's Services and Learning
Councillor White	-	Cabinet Member for Adult Social Care and Health
Councillor P Williams	-	Cabinet Member for Local Services and Community Safety

#### 69. RECORD OF THE PREVIOUS DECISION MAKING

The record of the Executive decision making held on 20 December 2010 were received and noted as a correct record.

#### 70. FINANCIAL CLOSE ON THE LORD'S HILL ACADEMY

DECISION MADE: (Ref: CAB 10/11 5268)

On consideration of the report of the Cabinet Member for Children's Services and Learning Cabinet agreed the following:

- (i) To delegate authority to the Executive Director of Resources, following consultation with the Cabinet Member for Resources and Workforce Planning, to agree the final affordability position and to take any action necessary to complete financial close of the Lord's Hill Academy project, or as otherwise required by Partnerships for Schools in this regard.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Executive Director of Resources, Solicitor to the Council and Cabinet Member for Children's Services and Learning, to submit a Final Business Case (FBC) for the Lord's Hill Academy Project.
- (iii) To delegate authority to the Solicitor to the Council, following consultation with the Executive Director of Resources and the Executive Director of Children's Services, to complete commercial and contractual close and to enter into all necessary contracts/agreements and other legal documentation, including (but not limited to) the Development Agreement and Design and Build Contract, to construct the Lord's Hill Academy.
- (iv) To delegate authority to the Solicitor to the Council, following consultation with the Executive Director of Children's Services and Learning and the Head

- of Property Services to grant and execute a 125 year lease to the Academy provider of the Lord's Hill Academy site at 5 Acres, Southampton.
- (v) To add, in accordance with Financial Procedure Rules, a sum of £15,856,400 to the Children's Services and Learning Capital Programme, to carry out works at the Lord's Hill Academy.
  - (vi) To approve, in accordance with Financial Procedure Rules, capital expenditure in the sum of £15,856,400 (including fees) from the Children's Services & Learning Capital Programme, to carry out works at the Lord's Hill Academy.

71. EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

The Leader moved that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendices to the following item.

Confidential appendices 1, 2 and 3 contain information deemed to be exempt from general publication based on Categories 1, 3 and 7a of paragraph 10.4 of the Council's Access to Information Procedure Rules. Publication of such information is either personal or relates to the business affairs and contemplated contractual arrangements between the two Authorities and accordingly is exempt from publication.

72. PROPOSED SHARED PROVISION OF LEGAL SERVICES WITH FAREHAM BOROUGH COUNCIL

DECISION MADE: (Ref: CAB 10/11 5271)

On consideration of the report of the Solicitor to the Council and representations from a Member of the Council, Cabinet agreed the following:

- (i) That the Solicitor to the Council be delegated authority to:
  - (a) enter into a Service Level Agreement (SLA) with Fareham Borough Council for the provision of a joint legal services function with effect from 1<sup>st</sup> April 2011 at the latest upon such terms and conditions as the Solicitor to the Council considers appropriate and reasonable;
  - (b) employ such staff as are reasonably required to undertake the services under the SLA.
- (ii) That following the signing of the Service Level Agreement and on commencement of the arrangements that the staff detailed in exempt Appendix 1 be transferred under TUPE Regulations to the City Council.