

# NOTICE OF MEETING

# **CABINET MEMBER FOR RESOURCES**

THURSDAY 25 NOVEMBER 2010 AT 9.00 AM EXECUTIVE MEETING ROOM, FLOOR 3, GUILDHALL, PORTSMOUTH

# **Cabinet Member for Resources**

Councillor Hugh Mason – Liberal Democrat

## **Group Spokespersons**

Councillor Donna Jones – Conservative Councillor David Horne – Labour

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(NB This Agenda should be retained for future reference with the Minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: <a href="www.portsmouth.gov.uk">www.portsmouth.gov.uk</a>

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are acceptable.

#### SUPPLEMENTARY AGENDA

Because part of the Settlement of ECS Asbestos report (Original Agenda Item 4) contains exempt information, it has become necessary to issue this Supplementary Agenda to recommend that the exempt part of the report is held in exempt session.

# 4. Settlement of ECS Asbestos Management Claim (Open report)

<u>Please note that part of this report is exempt so if members wish to discuss the exempt part of the report they will need to do so in exempt session.</u>

The purpose of the report is to obtain approval for the settlement of the ECS claim for fees associated with the 'management of asbestos' and the subsequent remedial actions taken to prevent the re-occurrence of a similar claim.

### **RECOMMENDED** that

- (1) the City Council accepts the commercial settlement of this dispute on the basis that it pays the sum of £47,000 plus £15,000.
- (2) Future management of asbestos by PCC be undertaken by the AMS Asbestos Surveyor appointed in June 2010.

## 4B Exclusion of Press and Public

That in view of the contents of the following item(s) on the agenda the Cabinet/Committee/Panel is RECOMMENDED to adopt the following motion:

"That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following item(s) on the grounds that the report(s) contain information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972".

The public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Democratic Support Officer at the conclusion of the meeting for shredding.)

Item 4C Settlement of ECS Asbestos Management Claim

Para 5

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

4C Exempt Appendix to Settlement of ECS Asbestos Management Claim