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# NOTICE OF MEETING

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**CABINET MEMBER - THE LEADER**

**MONDAY, 23 DECEMBER 2013 AT 11.00 AM**

**THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL**

Telephone enquiries to Vicki Plytas CCDS Tel: 9283 4058

Email: [Vicki.plytas@portsmouthcc.gov.uk](mailto:Vicki.plytas@portsmouthcc.gov.uk)

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**CABINET MEMBER - THE LEADER**

Councillor Gerald Vernon-Jackson (Liberal Democrat)

**Group Spokespersons**

Councillor Donna Jones, Conservative

Councillor John Ferrett, 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: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

**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 accepted.**

## AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Members Interests**
- 3 Forward Plan Omission and Special Urgency Provisions**

The decision relating to "Highways PFI Material Damage Policy" is a Key Decision for the purposes of the Forward Plan as defined in Article 13 of the Constitution but was not included in the Forward Plan for December 2013 (published on 25 November) and is therefore an omission from the Forward Plan and also an omission of explanation of exempt information.

Article 13 defines a Key decision as an Executive decision which is likely to:

- result in the Council incurring expenditure or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates, or
- be significant in terms of its effects on communities living or working in an area comprising 2 or more wards in the city's administrative area.

The Chair of the City Council's Scrutiny Management Panel has been notified of and agreed to the decision being made, in accordance with the City Council's Constitution (General Exceptions, Section 15) and Special Urgency, Section 16). As the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan, this decision will not be subject to call-in.

The Highways PFI Material Damage Policy report by the Head of Transport and Environment and Head of Finance (Section 151 Officer) outlines the need for urgent action to be taken in order to achieve the full amount of savings that have been identified.

#### **4 Exclusion of Press and Public**

The report entitled " Highways PFI Material Damage Policy " is wholly exempt under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, on the grounds that the report contains 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.**

<b><u>Item</u></b>	<b><u>Exemption Para No.*</u></b>
<b>Highways PFI Material Damage Policy</b>	<b>3</b>

**\*Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)**

#### **5 Highways PFI Material Damage Policy**

The report by the Head of Transport and Environment and Head of Finance (Section 151 Officer) is exempt; it sets out the proposal to remove material damage insurance from the Highways PFI Contract and transferring that risk to the Council; in turn, PFI Service Provider will reduce the unitary charge (their income from the contract) and the Council will benefit from a reduction in the cost of the Contract.