

Draft Minutes of the Meeting of the Executive held on Thursday 29th May 2008 in the Council Chamber, Council Offices, Monkton Park, Chippenham commencing at 4.00pm.

Present: Councillor R.L. Tonge in the Chair

Councillors R.M.H. Berry, A.M. Bucknell, V.H. Greenman

Non-Executive Councillors Present:

Councillor I. J. Henderson

Officers Present:

S. McGregor (Assistant Chief Executive & Section 151 Officer), D. Stirling (Assets Design and Regeneration Manager), T. Weeks (Principal Estate Officer), and J. Watling (Democratic Services Manager)

E1. Apologies for Absence

Apologies for absence were received from Councillors C. Crisp, R.A. Causer, E. Marston, C.V. Ramsey, and V.A. Vines.

E2. Declarations of Interest

No declarations of interest were made.

E3. Leader's Announcements

There were no Leader's announcement's.

E4. Exclusion of Press and Public

Resolved:

That in accordance with Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting on the grounds that the following item of business involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 as follows and



that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Agenda Item/Report name	Paragraph(s) of the Act / Schedule describing the exemption
Item 5 – Repairs to Emery Gate Car Park, Chippenham	Paragraph 3

E6. Repairs to Emery Gate Car Park, Chippenham

Consideration was given to confidential Report No. 9, (circulated on 28th May 2008) which considered a request to enable the essential repairs to the Council's Car park at Emery Gate, Chippenham to be procured through a single contractor. The proposed cost breakdown was circulated at the meeting.

Issues discussed during consideration of this item included:

- The position with regard to the obligations of the present contractor:
- The timing of any remedial work;
- Arrangements for contract supervision and other possible funds available from within existing maintenance budgets: and
- The requirement to resolve this matter quickly in view of the opportunity saving and health and safety issues.

Resolved that:

1. Subject to the verification of the contract specification, the cost sum and satisfactory warranties, that authority be delegated to the Assets, Design and Regeneration Manager, in consultation with the Legal Services Manager and County Council representative for the procurement of essential repair works to Emery Gate car park through a single contractor (i.e. Tesco's appointed contractor).
2. Subject to Resolution 1 above for the works to the car park surface, the capital contribution should not exceed the Budget as set out in paragraph 4.1 of the report and should be confirmed to the satisfaction of the Section 151 Officer.
3. Officers be instructed to pursue a claim against the previous contractor and/or insurance as appropriate, assembling documentary and

photographic evidence during the course of remedial works.

4. In accordance with the Council's Constitution, the Executive agrees that these decisions are urgent and should not be subject to call in, as any delay caused by the call-in process would seriously prejudice the Council's or public's interest.

Note: *The Chairman of the Overview & Scrutiny Committee had given her agreement to this item being considered as a matter of special urgency in accordance with Regulation 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.*

The meeting commenced at 4.00pm and concluded at 4.05pm

No members of the public were present.