



CHESHIRE POLICE AUTHORITY

MINUTES OF THE MEETING OF THE POLICE AUTHORITY HELD ON TUESDAY 20 DECEMBER 2007 IN CONSTABULARY HEADQUARTERS, WINSFORD

Present:

P Nurse (<i>Chairman</i>)	R Hodson
P J Walker (<i>Vice-Chairman</i>)	C Kirkpatrick
D T Bateman	E Lam
A Bradley	B Maher
D Cargill	M A Ollerenshaw
M Chapman	S Proctor
M D Darby	T Savage
A Doran	

Police Authority Officers:
M Sellwood, Chief Executive
L Lunn, Treasurer
M Eaton, Member Services Manager

Constabulary Officers:
P Fahy, Chief Constable
G Gerrard, Deputy Chief Constable
D Baines, Assistant Chief Constable
B Simmons, Assistant Chief Officer
K Watkins, Director of Performance
Development
R Muirhead, Head of Business
Management,
Supt C Guildford, Custody Services

Apologies: G A Cousins and J P Findlow

Also in attendance: J Sladdin, Pinsent Mason

77. MINUTES

RESOLVED:

That the Minutes of the meeting held on 11 December 2007 be confirmed as a correct record.

78. URGENT BUSINESS: APPOINTMENT OF CONTRACTOR

In accordance with Standing Order 5.3, the Chairman was of the opinion that this matter be considered as a matter of urgency as it was necessary to make a decision regarding the appointment of a contractor to progress the works as soon as practicable.

RESOLVED:

That an item of urgent business relating to the appointment of a contractor be considered in Part 2 of the agenda.

79. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, as applied by the Police Act 1996, and as amended, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act in the paragraphs indicated:-

<i>Item</i>	<i>Paragraph</i>	
Custody PFI Contract: Contractor Default	(6)	Information relating to the proposed actions of the Police Authority
Urgent Business: Appointment of Contractor	(6)	Information relating to the proposed actions of the Police Authority

PART 2 – MATTERS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

80. CUSTODY PFI CONTRACT: CONTRACTOR DEFAULT

The Chief Constable and the Chief Executive submitted a joint report on the progress made in resolving the current operational difficulties and financial issues arising from the outsourcing of custody services. The Chief Executive circulated a proposal submitted by the shareholders of CCSL following a meeting with them on 18 December 2007.

The Head of Business Management gave a detailed presentation to the Authority on the background and the current operational difficulties in relation to the contract, detailed the performance and financial issues and explained the proposal submitted by shareholders on 18 December 2007. The Authority also considered advice from the legal and financial consultants on the contract issues and options.

The Authority discussed at length with the Chief Constable and the Chief Executive the contract issues and the recent proposal from shareholders. Members commented on a series of issues including contract performance; affordability; risk; and PFI credits.

RESOLVED: That

- (1) the report on the issues relating to the Custody PFI Contract, and the advice of legal and financial advisers, be received;

- (2) the supplementary report on the proposal presented by the shareholders of CCSL on 18 December 2007 and the advice of officers and advisers on the proposal, be received;
- (3) the enforcement of the contract including if necessary termination for contractor default, be approved; and
- (4) the Chief Executive, in consultation with the Chairman, be authorised to approve the issuing of any notices of termination and any actions relating to contracts that may be required to maintain continuity of custody services.

81. URGENT BUSINESS: APPOINTMENT OF CONTRACTOR

The Chief Executive submitted a report, in accordance with paragraph 5.44 of Financial Regulations, approval to accept the second lowest tenderer to undertake the refurbishment at a Police Station. The report detailed the background to the contract; the tendering process undertaken; and the reasons for proposing to accept other than the lowest tender.

RESOLVED:

That the contractor identified in the Appendix to the Chief Executive's report be appointed to undertake works specified in the report.

Duration of meeting: The meeting commenced at 9.30am and finished at 11.10am.