



Walsall Council

Meeting recommenced on Monday 12th August 2013 at 6.00 p.m. at the Council House, Walsall.

40. The Mayor called upon the Chief Executive to explain the reason for the meeting this evening.

The Chief Executive reminded members that when the meeting was adjourned on the 8th July 2013, the next item for consideration was a recommendation from Cabinet in the private session part of the Summons relating to the Phoenix 10 project and that earlier in the meeting under item 5 Local Government (Access to Information) Act 1985 (as amended), the following decision had been made:

That this Council be adjourned after item 17 and that a revised report be presented as to the Phoenix 10 site, including overall financial estimates and relevant risks to this Council, to be debated in public session at the earliest opportunity to be determined by the Mayor.

The reports accompanying the Cabinet recommendation from its meeting on 24th April 2013, contained financial legal and property information which the Cabinet had considered in private session on the advice of officers because to put this information in the public domain could reveal figures which would not be in the public interest to reveal at this stage in the process as tendering was best undertaken in a clear and open manner.

The Chief Executive went on to explain what reports the Council had before them.

The first report contained a narrative and update on the current position with the scheme and the appendices attached to this report were the reports considered by Cabinet at their meeting held on 24th April suitably redacted. If Council wish to consider these reports then the discussion can be held without moving into private session.

The Council also have before them the exact reports which were considered by Cabinet and the Chief Executive advised that if the Council wish to discuss these reports they must consider whether to do this in public or private session. Officers advice is that these reports should be discussed in private but he advised the meeting that this issue should be discussed by them.

It was **moved** by Councillor Bird and seconded by Councillor A. Andrew:

That the reports submitted on the white paper be debated in the public session and the pink papers be debated in the private session.

Councillor I. Shires asked the Chief Executive to explain what was meant by the phrase “not in the public interest”.

The Chief Executive explained that details contained in the private session papers could reveal costs which would disadvantage the Council in any subsequent tendering process.

Councillor Oliver in speaking to the motion, explained the reasons behind the adjournment motion he had previously moved and that he did not propose to reveal any private information, however, he did not think that the papers submitted in the public session covered what he had requested in his adjournment motion. Councillor Bird replied that all papers relating to this project are available to all members.

On being put to the vote the motion was declared carried – the voting at the request of several members of the Council being recorded as follows:

**For the motion -
48 members**

Cllr: Bird
Oliver
I. Shires
Ali
A. Andrew
R. Andrew
Arif
Azam
Barker
Bennett
Burley
Cassidy
Chambers
Clarke
Cook
D. Coughlan
S. Coughlan
Creaney
Ditta
Douglas-Maul
J. Fitzpatrick
S. Fitzpatrick
Flower
Harris
Harrison
Hughes
James

**Against the motion -
2 members**

Cllr: Anson
Sarohi

Jeavons
Jukes
Lane
Longhi
Martin
Murray
Nazir
Phillips
Rochelle
Russell
Sears
D. Shires
Smith
Thomas
Towe
Turner
Westley
Whyte
Woodruff
Worrall
Young

41. **Phoenix 10 project**

A report was submitted.

It was **moved** by Councillor A. Andrew and seconded by Councillor Bird:

That the report be noted.

The following members spoke in the subsequent debate:

Councillors Anson, Oliver, Sarohi, Bird, Coughlan and Smith.

On being put to the vote the motion was declared carried and it was:

Resolved

That the report be noted.

42. **Private Session**

Exclusion of public

Resolved

That during consideration of the remaining item on the agenda, the Council considers that the item for consideration is exempt information by virtue of the appropriate paragraph(s) of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the item in private.

43. **Phoenix 10 project**

The reports to Cabinet on 24 April 2013 were submitted:

(see annexed)

It was **moved** by Councillor A. Andrew and seconded by Councillor Bird:

That the reports and recommendation of Cabinet be noted.

On being put to the vote the motion was declared carried and it was:

Resolved

That the reports and recommendation of Cabinet be noted.

The meeting terminated at 7.25 p.m.

Mayor:

Date: