

# NEW FORWARD PLAN ITEM

## KINGSTON UPON HULL CITY COUNCIL EXECUTIVE FORWARD PLAN KEY DECISION

Director/City Manager

Ref No.

Julia Weldon

First Date of Entry

6 May 2014

<b>Likely date of decision</b>	7 May 2014
<b>Subject</b>	Settlement of Legacy Primary Care Trust Property Liabilities
<b>Decision sought (NB if the decision relates to a matter within a specific Area of the City, the relevant Area Committee can deal with it or advise Cabinet on it)</b>	That the Health and Wellbeing Board agree the following recommendations regarding the settlement of liabilities relating to properties of the former Primary Care Trust  a. Approve the payment of £0.977m to NHS Property Services in full and final settlement of any liability relating to services received by the Council from the CHCP/DISC in respect of property related costs in 2013/14.  b. Agree to set aside £0.997m to address such property related liabilities in 2014/15
<b>Portfolio Holder</b>	Cllr Helena Spencer
<b>Decision to be taken by</b>	Health and Wellbeing Board
<b>Summary of issues:</b>	The PCT's liability for contracts with the CHCP/DISC for specific health related services were novated by operation of law to the Council upon the transfer of Public Health powers to the Council. The contracts did not explicitly include provision for property related costs that fell upon the Health sector, however, funding to meet such costs was provided within the budget settlement agreed by central government. Such costs are required to be met and the proposed arrangements have been arrived at in negotiation with NHS Property Services as reflecting the appropriate allocation of liability to the Council.
<b>Financial Implications:</b>	Funding for the proposed settlement is included in the Council's Public Health budget in a ring fenced reserve.
<b>Other implications for the Council:</b>	Agreement of the terms for settlement of the outstanding liability will enable the application of available funds to meet other Public Health obligations.
<b>Documents to be submitted to the decision maker for consideration</b>	Report

Is the matter confidential/exempt? If yes please quote the relevant paragraph of the Local Government Act 1972 and provide reasons why exempt	Yes Not for Publication by virtue of Paragraph 5 of Part 1 Schedule 12A of the Local Government Act 1972 as the report contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	
Who we intend to consult and how (NB New Policy issues need the views of Area Committees so that Cabinet can assess the impact of any policy on local residents).	Consultation through the Board only	
How others can make representations about this matter including (if the matter is identified as exempt) upon whether the matter should be considered in public	As above	
Deadline for representations (NB: date cannot be before first date of entry into the Forward Plan)		
Where item is identified to be considered in exempt session, any representations received and the response thereto	N/A	
Further information is available from:	Name:	Julia Weldon
	Designation	Director of Public Health
	Address:	The Guildhall, Hull HU1
	Tel. No:	
	Fax. No:	-
	E-mail:	Julia.weldon@hullcc.gov.uk

I consent to the item being dealt with in exempt session without 28 days notice given, to avoid increased costs arising from (for example) claims for interest on the agreed debt.

Signature Received

CHAIR


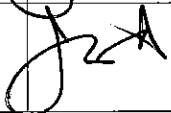
OS.M.A.

25-4-2014

**General Exception Consent Form**

This form is only to be used for Key Decisions which have not been included within the forward plan  
Please refer to the process of approval.

Comments	
Options and Risks	A delay to the decision is the only option, however due to the long standing nature of this obligation, if there was a significant delay there is a risk of action being taken to recover funds.
Reasons for general exception	Impractical to make a decision at a later date due to an unreasonable delay in make payment in regard to the settlement of a long standing obligation

	Date received	Approve/Reject	Signature	Comments
Committee and Scrutiny Team		N/A		
Chief Executive				State advice being given in order to take this item forward.
Monitoring Officer	25/4/2014			State advice being given in order to take this item forward. <i>Agreed to ensure agreement can be effected.</i>