

OFFICER DECISION FORM

DECISION TO BE TAKEN BY: Director of Law and Governance

KEY DECISION: Yes

DIRECTORATE: Law and Governance

WARDS AFFECTED : Birkenhead and Tranmere

SUBJECT : Purchase of the former House of Fraser building, 92, Grange Road, Birkenhead.

1.0 DECISION

1.1 That the Director of Law and Governance authorises the completion of the purchase of the property known as the former House of Fraser Building, 92 Grange Road, Birkenhead from its current owner Autumn Properties Ltd at a price of £2M.

2.0 REASONS FOR THE DECISION

2.1 On 22 December 2020 the Council's Policy and Resources Committee considered a report relating to the Acquisition of Property in Birkenhead . The report contained exempt information as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972. It was considered in the public interest to exclude the press and public as the report and appendices contained 'Information relating to the financial or business affairs of any particular person (including the authority holding the information) during the consideration by Committee of the report and its appendices.'

Policy and Resources Committee resolved that:

(1) The Director of Law and Governance be authorised to acquire, on behalf of the Council, the site identified in the report for the sum as referred to in the report.

(2) It be agreed that this decision is urgent and therefore not subject to review.

2.2 The above decision was considered confidential on the basis that revealing the proposed acquisition by the Council and the proposed purchase price would have risked undermining the detailed negotiations regarding the acquisition. The transaction had proceeded by way of exclusivity between the parties. Revealing the nature of the decision would have risked bringing forward other bidders who may have wished to seek to purchase the property.

2.3 The parties subsequently reached detailed agreement as to the contract for sale and the terms of the land transfer. Given that there are no material changes in circumstances since the decision by Committee and in view of the

fact that the legal documentation is in agreed form, the Director of Law and Governance is content to proceed with the purchase within the terms of the authority to given to him by Policy and Resources Committee. Upon the purchase being completed there will be no basis to maintain the confidentiality of the decision made by Policy and Resources Committee and the associated covering Committee report and the plan to which the report refers (as appended to this Officer Decision Form).

3.0 STATEMENT OF COMPLIANCE

3.1 The recommendations are made further to legal advice from the Deputy Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4.0 DECLARATION OF INTEREST

4.1 There are no Declarations of Interest.

Signed:



Officer: Philip McCourt, Director of Law and Governance

Date: 12 January 2021

Appendices

Report to Policy and Resources Committee of 22 December 2020 titled Acquisition of former House of Fraser Building- 92 Grange Road Birkenhead and associated site plan to which it refers.

Background papers – Not applicable

Contact Officer: Matthew Neal, Principal Solicitor

Date: 23/12/2020

Date of Publication:

Date of Expiry of Call-In Period: (only applicable to Key Decisions): Not applicable as Policy and Resources Committee resolved that this matter was urgent and not susceptible to call in. The same applies to this consequential officer decision.