

DECISION OF DIRECTOR OF LAW AND GOVERNANCE**ACQUISITION OF FORMER HOUSE OF FRASER BUILDING – 92 GRANGE ROAD,
BIRKENHEAD****REPORT SUMMARY**

The purpose of this report is to enable the purchase of the the House of Fraser Building (92 Grange Road), Birkenhead to proceed. The regeneration of the town centre is a long-standing priority for the Council and is reflected in Council Plan 2025 ambitions which include:

- A prosperous, inclusive economy where local people can get good jobs and achieve their aspirations;
- Brighter futures for our young people and families -regardless of their background or where they live
- Safe, vibrant communities where people want to live and raise their families

This matter affects the Birkenhead and Tranmere ward within the Borough.

This matter is a Key Decision.

RECOMMENDATION

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.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 On 21 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.'

- 1.2 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.
- 1.3 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 Report).

2.0 OTHER OPTIONS CONSIDERED

- 2.1 To not purchase the property. This has been discounted as there has no change in circumstances between the decision by Committee and the proposed completion date.

3.0 BACKGROUND INFORMATION

- 3.1 The background information is set out in the corresponding section of the report to Policy and Resources Committee of 21 December 2020 which is appended to this report.
- 3.2 As of 23 December 2020 the parties to the proposed transaction were in a position to proceed with the purchase of the property by the Council

4.0 FINANCIAL IMPLICATIONS

4.1 The financial implications are set out in the corresponding section of the report to Policy and Resources Committee of 21 December 2020.

5.0 LEGAL IMPLICATIONS

5.1 The legal implications are set out in the corresponding section of the report to Policy and Resources Committee of 21 December 2020. Further legal due diligence and input to inform the purchase of the Property including title investigation was completed as of 23 December 2020.

5.2 This matter is urgent and not subject to call in.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 Internal officers have coordinated and managed all project related activities and have undertaken title investigation, conveyancing, financial modelling and monitoring. These costs have been met from existing budgets.

7.0 RELEVANT RISKS

7.1 The risks are as set out in the corresponding section of the report to Policy and Resources Committee of 21 December 2020 which is appended to this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 The Chair of the Committee and Party Spokespersons were consulted on the proposals relating to the report to the Policy and Resources Committee of 21 December 2020.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. There are no equality implications arising from the proposals within this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

REPORT AUTHOR: Matthew Neal
Principal Solicitor
email: matthewneal@wirral.gov.uk

APPENDIX

Appendix - 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.

BACKGROUND PAPERS

Not applicable.

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|--------------------------------|------------------|
| Policy and Resources Committee | 21 December 2020 |