

COUNCIL – 20 APRIL 2023

REPORT OF THE LEADER OF THE COUNCIL

COUNCIL CONSTITUTION – RULE 46 (WAIVING CALL-IN) PROVISIONS

I wish to report that the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) gave her consent, under Rule 46 (Waiving Call-In) of the Overview and Scrutiny Procedure Rules set out in the Council's Constitution. The exempt report was in relation to the surrender of the lease for Marks and Spencer Plc UK (M&S) units 28-34, 259-273 The Esplanade and 283-289 Stanley Road in the Bootle Strand shopping centre (the Strand), for an agreed surrender premium and it was urgent and not subject to call-in on the basis that the decision could not be reasonably deferred because of a mutually agreed deadline of 31 March 2023 for completion of the agreement to accept the surrender.

CABINET MEMBER – REGENERATION AND SKILLS AND CABINET MEMBER – REGULATORY, COMPLIANCE AND CORPORATE SERVICES – DECISION MADE ON 30 MARCH 2023

(1) That the Cabinet Members approve the M&S lease surrender with effect from 31 March 2023 for a surrender premium, as detailed in the report subject to assurances that the auditor's recommendations for managing risk being adopted in full.

(2) That the Cabinet Members agree to delegate authority to the Executive Director for Place to instruct the lease surrender agreement to be produced via the Council's existing supplier for tenancy management and for this to be signed and sealed on behalf of the Council to complete the transaction.

(3) It be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred because of the agreed deadline of 31 March 2023 for the completion of the agreement to accept the surrender between the Council and Marks & Spencer, in line with the Council's approved Business Plan for the Strand.