

Urgent Leader Decision

Title	Sale of Land at Marshalls Cross Road
Department	Place Services
<p>Key Decision The call-in procedure set out in the Constitution does not apply where the decision being taken by the Cabinet is urgent.</p> <p>A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision-making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chair of the relevant Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.</p>	<p>Yes – the decision is urgent and should not be subject to call-in as the proposed sale is subject to a “time limited” allocation of funding which requires completion of the purchase before the end of the financial year (31st March 2024). The delay caused by call-in would seriously prejudice the Council's and the public's interests. The decision is one of special urgency.</p>
Reasons for the Urgency	<p>The proposed sale is subject to a “time limited” allocation of funding which requires completion of the purchase before the end of the financial year (31st March 2024). The next Cabinet meeting is scheduled for 24th April 2024. Accordingly, if the Council's normal decision-making processes were complied with there would be serious prejudicing to the Council's and the public's interests.</p>
Exempt or Open	<p>Exempt Information relating to the financial or business affairs of any particular person (including the authority holding the information) (Para 3 of Schedule 12A)</p>
Purpose or the Report	<p>To explain the necessity for and seek approval to the disposal of land as details in</p>

	the report to Mersey and West Lancashire Teaching Hospitals NHS Trust, which due to limitations in terms of capital funding, requires completion prior to the financial year end (31 st March 2024).
Reasons	The proposed disposal will assist in bringing forward plans to expand and enhance health facilities at St. Helens Hospital which will directly benefit residents of the Borough.
Alternative Options Considered	Whilst the site has been identified as being suitable for housing, development viability would be compromised by the underlying ground conditions. Continuing with this approach may result in a receipt below the current offer. This approach may also restrict the ability to deliver the proposed improved to health facilities at the hospital site.
Documents Considered	Report for Urgent Leaders Decision
Decision Made by	Leader of the Council
After consultation with	Executive Director for Place Services
Decision	The Council Leader is recommended to: <ul style="list-style-type: none"> 1) Approve the provisionally agreed terms, as set out in the report, for the disposal of 3.56 Hectares of Land at Marshalls Cross Road to Mersey and West Lancashire Teaching Hospitals NHS Trust. 2) Authorise the Head of Legal and Democratic Services to prepare and execute the necessary legal documentation pursuant to disposal of land in accordance with terms set out in the report.
Date	14 March 2024

Paragraph 3.1 of the Executive Procedure Rules provide:

“In the event that an urgent Cabinet decision is required, and the Council’s normal decision-making processes could not be complied with without seriously prejudicing the Council’s or the public’s interests, an urgent decision report shall be prepared in writing setting out the reasons for the urgency and the decision to be taken. The Leader shall have delegated to him/her all relevant powers to take urgent decisions on matters which fall within the Executive functions of the Cabinet, subject to any such decisions being reported to the next Cabinet meeting for information.”