

Beattie, Brian

From: Parr, Sarah
Sent: 14 July 2020 14:00
To: Beattie, Brian; Ivany, Pauline; Austin, Ed; Turner, Dave; Hobbs, Paula
Subject: RE: Response required HYS

Hi All,

I have responded to Mr Aluko's complaint. As the management respondent to the Stage 1 complaint I sent Pauline a copy of my response. The complaint was not upheld. I am advised that Mr Aluko intends to pursue this via the next step of the process by referring the matter to the ombudsman.

Thank you for your co-operation and assistance

Sarah

Sarah Parr | Divisional Manager | Customer Access

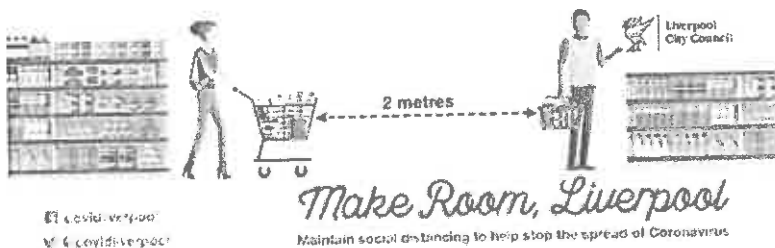
Liverpool City Council | Venture Place | Sir Thomas Street | Liverpool | L1 6BW

E: sarah.parr@liverpool.gov.uk

Online: www.liverpool.gov.uk

Postal address:

Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1AH



From: Beattie, Brian <Brian.Beattie@liverpool.gov.uk>

Sent: 14 July 2020 11:36

To: Ivany, Pauline <Pauline.Ivany@liverpool.gov.uk>; Austin, Ed <Ed.Austin@liverpool.gov.uk>; Turner, Dave <Dave.Turner@liverpool.gov.uk>; Hobbs, Paula <paula.hobbs@liverpool.gov.uk>

Cc: Parr, Sarah <sarah.parr@liverpool.gov.uk>

Subject: RE: Response required HYS

Fine with me.

Sarah, may we have an update on the complaint has it been resolved yet?

BRI

Brian Beattie
Legal Services
Liverpool City Council
Cunard Buildings
Water Street

Liverpool
L3 1AH

Tel: 0151 233 0228

From: [REDACTED]
Sent: 09 July 2020 15:42

To: [REDACTED]
<[REDACTED]>

Cc: Parr, Sarah <[REDACTED]>
Subject: RE: Response required HYS

Hi All,

[REDACTED]

Thanks

Dear Mr Aluko,

Thank you for your enquiry.

I would advise you that the option you previously had on this land was terminated as you did not comply with the terms of the agreement and a response to your complaint has been sent to you today.

The City Council will not suspend the current sale of this land as the sale has already been agreed with another party.

I would however, direct you to our web page which gives details of any sites that become available for disposal subject to the purchaser complying with a due diligence procedure.

The site can be found at the following link:
<https://property.liverpool.gov.uk/>

Kind Regards

Pauline Ivany MRICS
Team Leader South
Property and Asset Management Services

Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1DS
T: 0151 233 0228 | E: pauline.ivany@liverpool.gov.uk



Importance:

Liverpool City Council
Cunard Buildings
Water Street
Liverpool
L3 1AH

From:

Sent:

To:

Section

Importance

Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1AH

From: Tayo Aluko [<mailto:carthecic@gmail.com>]
Sent: 24 August 2018 17:21
To: Hobbs, Paula
Subject: Re: A greeting from Canada: LAND AT STALISFIELD AVENUE L11905

Hello Paula,

Hello Paula,

There is indeed a party waiting in the wings, but we haven't discussed in detail what the Agreement between us would be, because of the uncertainty in the Council's responses. I have a small window of opportunity to meet with them in mid September, before I am due to be out of the country again in connection with my theatrical work. I can try to schedule such a meeting now, but am not sure at present whether it will indeed happen, and what the result might be. If the DOV can be signed in mid (not early) September, I am still concerned with long-stop dates. I paste here advice given to me by my solicitor back in June:

I am also attaching a copy of the original Option Agreement dated 18 March 2016 and following our conversation I would just like to summarise again the relevant provisions, as they will be amended by the attached Deed of Variation:

- 1. You will have until 18 September 2018 to submit and agree the Specifications. You have told me that you have already agreed such specifications but I would imagine that there may be revisions to this depending on what your prospective developer requires.*
- 2. By 18 December 2018 you must agree a definition of the Permitted User to be inserted in the proposed lease.*
- 3. By 18 December 2018 you must obtain full detailed planning permission for the Development (which means the development of the property in accordance with the terms of the agreed specification and the W where Works means the works required for the erection of the development in accordance with the agreed specifications).*
- 4. By 18 December 2018 you must provide a sustainable business plan and financial model for the proposed development and have it approved by the Council.*
- 5. By 18 December 2018 you must have secured funding for the development to the reasonable satisfaction of the Council and you must provide evidence of such funding.*
- 6. By 18 March 2019 or earlier by agreement you must complete the provisions of schedule 5 of the Option Agreement which relates to the calculation of the price to be paid for the grant of the Lease i.e. £38,000 plus the Council's legal costs as set out in paragraph 2.3 of that schedule all of which are to be index linked i.e. the total costs will increase by reference to the retail prices index.*
- 7. To complete the Lease within 36 months of the date of the Option Agreement i.e. 18 March 2019 unless the Council grant an Extension (which will be the 6 months extension referred to in the second schedule of the Deed of Variation).*

Please note that you have until 18 March 2019 to exercise the option.

Practically all those dates now seem unachievable, especially if detailed discussions with a new partner are yet to be commenced. I would like to work with them since they share our vision, but ask that with all the delays and uncertainty to date, you grant us some flexibility in these long-stop dates. I can then look to setting up a meeting with them.

Best wishes,

Tayo

On Fri, 24 Aug 2018 at 08:52, Hobbs, Paula <paula.hobbs@liverpool.gov.uk> wrote:

Hi Tayo

I hope you are having a wonderful time in Canada...

I have not yet received further instructions on how the council wish to proceed with this matter, however if I can provide my Manager with some further information it may help with a decision.

in your last e-mail you confirmed that you had a potential partner who was prepared to work and move quickly with CAR as a CIC. Does this mean that you will be remaining as a CIC and will not wish to convert to a PLC? As you

are aware the council granted a 3 year option Agreement to CAR due to the CIC status at the time and the same options would probably not be granted to a private company/developer approaching the council with a proposal for the land.

If your proposed partner can work quickly on this and the DOV can hopefully be signed early September, this allows 6 months for you to meet the terms of the option agreement without the need for a further extension. I visited the site earlier this week, it is already very overgrown and an eyesore for local residents. (See attached photographs). The land will deteriorate further and granting a further extension is not an option. I have had discussions with John Hayes, the council's Planning Officer and he has confirmed he will be happy to commence pre-app discussions with you asap, in order to meet the terms of the option agreement.

Please can you confirm the above asap so the council can reach a decision on progression of this matter.

Regards

Paula Hobbs | Surveyor | Property & Asset Management
Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1AH

T: 0151 233 0231

E: paula.hobbs@liverpool.gov.uk

W: www.regeneratingliverpool.com

From: Tayo Aluko [mailto:carthecic@gmail.com]

Sent: 20 August 2018 14:52

To: Hobbs, Paula <paula.hobbs@liverpool.gov.uk>

Subject: A greeting from Canada: LAND AT STALISFIELD AVENUE L11905

Dear Paula,

It was good to speak to you briefly last Tuesday, after your return from holiday. You said at the time that the decision still had not been taken over the deed of variation, and that your senior colleagues were away for another week. We have been in limbo for four months now, and I suggest that this adds to our case

when we say that the initial time-scale that was agreed to in the Option Agreement was overly optimistic, and that we would consider ourselves to have been hard-done-by if our case wasn't considered sympathetically at any discussions this week, or whenever it may be.

I confirm that in our last conversation I told you of another potential partner now also waiting in the wings (in addition to the private developer) who is totally comfortable with us remaining as a CIC and believe they can work quite quickly, once they get an indication that the necessary extensions have been granted.

I continue to be optimistic about a positive result, and that it will include the granting of an extension of nine months from the date of signing of the DoV (almost another month has passed since we discussed the June 2019 date).

I am currently in Canada, having come here from the USA with my other work, but occasionally discuss my ideas with people I come into contact with. The overwhelming consensus is that what I was planning is an excellent idea and that this must be the way of the future, and I tell them that as far as I know, it would be a first for Liverpool. This reminded me of an article that I wrote in a local grassroots publication many years ago titled A Christian Greeting to the Former Capital of Culture. It was written in a tongue-in-cheek but hopefully humorous manner from a place of frustration, but I do hope you and your colleagues see from it that I am really trying to hold on to my faith in the goodness and professionalism of Liverpool City Council.

I look forward to hearing from you in due course.

Tayo Aluko

On Mon, 23 Jul 2018 at 08:46, Tayo Aluko <carthecic@gmail.com> wrote:

Dear Paula,

It was good to talk to you again just now.

I summarise our conversation as follows, as I understand you wish to discuss this with your team leader, Pauline Ivany. My understanding is that you are minded to agree to what we discussed, but need to clear it with her first.

1. CAR CIC have no independent ability to develop the land, and would need partners to do so with.

Beattie, Brian

From: Beattie, Brian
Sent: 01 February 2019 09:46
To: Hobbs, Paula
Cc: Ivany, Pauline
Subject: RE: Further to My Request for More Time

Morning,

Paula, there is nothing we can do. We have served the notice and the option is now terminated, it cannot be resurrected.

[REDACTED]

[REDACTED]

BRI

Brian Beattie
Legal Services
Liverpool City Council
Cunard Buildings
Water Street
Liverpool
L3 1AH

Tel: 0151 233 0130

From: Hobbs, Paula
Sent: 01 February 2019 09:38
To: Beattie, Brian <Brian.Beattie@liverpool.gov.uk>
Cc: Ivany, Pauline <Pauline.Ivany@liverpool.gov.uk>
Subject: RE: Further to My Request for More Time
Importance: High

Brian, can you respond please?

Paula Hobbs | Surveyor | Property & Asset Management
Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1AH
T: 0151 233 0231
E: paula.hobbs@liverpool.gov.uk
W: www.regeneratingliverpool.com

From: Tayo Aluko [<mailto:carthecic@gmail.com>]
Sent: 31 January 2019 16:49
To: Hobbs, Paula <paula.hobbs@liverpool.gov.uk>; Kushner, Barry <Barry.Kushner@liverpool.gov.uk>
Subject: Further to My Request for More Time

Dear Paula,

I have just had a conversation with Councillor Barry Kushner, who wishes to talk to Darren Hanley and probably yourselves and legal department to see if there are any alternatives scenarios to explore. Can we agree that the "sword of damocles" can be withdrawn from the time being? I won't halt the legals between me and my potential partner for now though.

Many thanks,

Beattie, Brian

From: Tayo Aluko <carthecic@gmail.com>
Sent: 10 September 2018 11:25
To: Hobbs, Paula
Cc: Beattie, Brian; Morgan, Simon; Austin, Ed
Subject: Re: Council requirement for DOV - Stalisfield Avenue L11

Noted, thanks.

On 10 September 2018 at 10:35, Hobbs, Paula <paula.hobbs@liverpool.gov.uk> wrote:

Dear Tayo

I refer to my e-mail sent on 7th September at 16.09, please note a correction to the requirement date stated in the e-mail to Friday 14th September 2018, with the 3.30pm deadline to remain.

Regards

Paula Hobbs | Surveyor | Property & Asset Management
Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1AH

T: 0151 233 0231

E: paula.hobbs@liverpool.gov.uk

W: www.regeneratingliverpool.com

From: Hobbs, Paula
Sent: 07 September 2018 16:09
To: carthecic@gmail.com
Cc: Beattie, Brian <Brian.Beattie@liverpool.gov.uk>; Morgan, Simon <Simon.Morgan@liverpool.gov.uk>; Austin, Ed <Ed.Austin@liverpool.gov.uk>
Subject: Council requirement for DOV - Stalisfield Avenue L11

Dear Tayo

Further to my e-mail of 31st August, I have received further instructions regarding the council's requirements for concluding this matter as follows:-