



[request-646866-5cae04c0@whatdotheyknow.com](mailto:request-646866-5cae04c0@whatdotheyknow.com)

Dear Ms Mullen

### **Freedom of Information Request 3211521 – Internal Review**

Thank you for your request that the City Council undertake an Internal Review of the above information request. For purposes of clarity and context, your original request and our accompanying responses are summarised below as follows –

*'Further to the Cabinet Report [11th Dec 2015 / No EDR/ 77 / 15] the Director of Regeneration & Employment was granted authority to agree terms and conditions with Kings Construction,[and therefore Tarmacademy and Cemex] in relation to the leasing arrangements for the land the Council was to acquire pursuant to the Cabinet authority and designated to be leased to Cemex for their new training centre and asphalt plant.'*

*[1] On completion of the lease Cemex UK Operations Ltd was to pay LCC £50,000 rent per annum. What did they actually pay in 2017 / 2018 / 2019?*

*In terms of the Derby Rd site and depot, Liverpool Highways Training Academy Ltd [previously, Tarmacademy Construction Training Centre] were to be the subtenant of CEMEX.*

*[2] 'The Council will gain tangible benefits as a consequence of savings on Highway Contracts.' - Please explain what these savings are and how much has been saved so far.?*

*[3] Liverpool Highways Training Academy Ltd were to create 45 new jobs and up to a 1000 Highways Contractor trainees:*

*[a] How many jobs were actually created ?*

*[b] How many Highway Contractor trainees have qualified through the academy up-to-date?*

*[4] Question 3a & 3b are of particular importance as Liverpool Highways Training Academy Ltd was incorporated in Aug 2015 - and has been a permanently Dormant company since that point.....so how could it have trained any Highway Contractor trainees?*

*[5] Has Andy Barr's [Assistant Director of Highways & Planning & now temp. Head of Regen.] son ever worked for Kings Construction. ? [IF NOT - NO QUESTION TO ANSWER] If so, did he declare this alleged vested interest [via his son] in the Register of Interests*

### **Response**

By way of context and as you will be aware, Liverpool City Council in common with all other public authorities in the UK, Europe and worldwide have, since March, been dealing with and responding to the Coronavirus pandemic. The introduction of substantial Government restrictions well before the submission of your request have had wide reaching and ongoing impacts being felt across society. These impacts specifically affected all Service Areas of the City Council as Officer resources and personnel are diverted to supporting the most

vulnerable residents of this city.

Specifically, from early March, direct impacts were being seen for the City Council in terms of staff absence due to symptoms of or self-isolation due to Coronavirus as well as significant and substantial increases in demand for those Services which specifically support children, the elderly and the most vulnerable residents across Liverpool.

In light of the above factors, Officers from early March were gradually and in increasing numbers assigned to different Service Areas to ensure continuity of service, provision and support for children, the elderly and the most vulnerable residents across Liverpool as indicated above.

This impacted considerably on the ability of colleagues within all departments of the City Council to identify, retrieve and collate information, as well as the absence of relevant Officers whose knowledge informs the preparation and content of responses whilst resources are focussed on the ongoing pandemic, as you may well have noticed.

With the above factors in mind, we greatly appreciate your patience and understanding for the delay on this occasion.

We acknowledge that on this occasion, we have been unable to meet deadlines for response associated with your request in light of the unprecedented global pandemic, on the basis that the City Council and its Officers continue to focus on delivering essential services and support for vulnerable residents and communities as well as seeking to administer support for businesses within the city. On that basis your complaint is upheld due to the impacts detailed above.

In relation to the specifics of this request, our responses are as follows –

1. The CEMEX lease commenced 24 May 2017 and included an initial rent-free period for the period up to and including 31 May 2018. Rent payments started from 1 June 2018.
  - 2018/19 – £41,662.30 billed, £41,662.30 received
  - 2019/20 – £50,000.00 billed, £50,000.00 received
  - 2020/21 – Between 9th May 2020 and 9th November 2020 we have charged a further 2 quarters of rent totalling £25,000 and received payments totalling £37,500. The current balance on the account (including all rent due to 31st December 2020) stands at zero.

All the above are financial years running from 1st April to 31st March therefore include for 2018/19 a part financial year.

2. Freedom of Information legislation relates to information held by public authorities and does not extend to requiring the provision of explanations.
3. The Lease documentation did not contain any specific conditions relating to the establishment of an academy or training facility and as such the City Council does not hold this information. We would therefore advise that you contact Kings Construction.
4. This is a statement and not a valid question under Freedom of Information legislation.
5. No.

This concludes our response.

The City Council will consider appeals, referrals or complaints in respect of your Freedom of Information Act 2000 and you must submit these in writing to [Informationrequests@liverpool.gov.uk](mailto:Informationrequests@liverpool.gov.uk) within 28 days of receiving your response. The matter will be dealt with by an officer who was not previously involved with the response and we will look to provide a response within 40 days.

If you remain dissatisfied you may also apply to the Information Commissioner for a decision about whether the request for information has been dealt with in accordance with the Freedom of Information Act 2000. The Information Commissioner's website is [www.ico.gov.uk](http://www.ico.gov.uk) and the postal address and telephone numbers are:- Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 0303-123-113. Email – [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk) (they advise that their email is not secure)

I trust this information satisfies your enquiry.

Yours sincerely

*A Lewis*

**Information Team**