

GREATER LONDON AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2437

Title: Royal Albert Dock – Meanwhile Use -Soldier of Orange Section 106 Agreement

Executive Summary:

This decision requests approval for GLA Land and Property Ltd (GLAP) to enter into a Section 106 Agreement relating to the planning permission for the construction of a temporary theatre at Royal Albert Dock and other associated agreements to allow the project to proceed.

In addition, further to MD1208 this decision requests authority to enter into sub-station leases and easements relating to the temporary utility supplies being installed to facilitate meanwhile use on the Royal Albert Dock site.

Decision:

That the Assistant Director of Strategic Projects and Property approves:

1. GLA Land and Property Ltd entering into the Section 106 agreement relating to the planning permission for the temporary theatre at Royal Albert Dock, on the terms materially set out in this Decision Form and any ancillary documentation related thereto.
2. GLA Land and Property Ltd entering into sub-station leases and easements required to secure temporary utilities supplies to the Royal Albert Dock site for meanwhile uses.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT

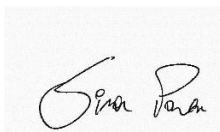
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Simon Powell

Position: Assistant Director, Strategic Projects and Property

Signature:



Date:

18 March 2020

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. Royal Albert Dock (RAD) is a multi-phase commercial development site in the Royal Docks Enterprise Zone in Newham and is owned freehold by GLA Land & Property Limited (GLAP). The first phase of 600,000sqft has been completed by the developer (ABP London) and is being marketed for lettings and sales. In parallel to this, GLAP has been working with a theatre group from the Netherlands to build a temporary theatre on the site.
- 1.2. The theatre will be located on land earmarked for phase four of the RAD development and so is likely to be in place for five years. The theatre group (Soldier of Orange) secured a resolution to grant planning consent from the London Borough of Newham at their Strategic Development Committee on 11th February 2020 and will shortly sign an Agreement to Lease with GLAP.
- 1.3. The show, at the Royal Docks Theatre, will bring new visitors and attention to the Royal Docks and to RAD and help to activate and promote the area.

2. Objectives and expected outcomes

- 2.1 The Royal Docks Team has been supporting Soldier of Orange to secure planning consent for the Royal Docks Theatre as it will support other projects the team is working on in and around RAD. These are aimed at increasing footfall and activation to the development as well as making use of meanwhile sites.
- 2.2 As the freeholder of the land, GLAP is required to enter into the Section 106 Agreement relating to the planning consent as Soldier of Orange will only have a five-year lease. Soldier of Orange will take on all financial liability relating to the Section 106 Agreement.
- 2.3 The planning report (Ref: 19/02851/FUL) submitted to LB Newham's Strategic Development Committee included Heads of Terms for the Section 106. The key points are:
 - commitment to a car free development (fee of £2,000);
 - commitment to a Travel Plan (fee of £5,000);
 - Employment & Skills contribution (£59,306); and
 - administration fee (£5,000 plus other costs).
- 2.4 The Royal Docks Team is also working to secure temporary utility supplies, further to MD1208, to a number of meanwhile plots at RAD and may need to enter into sub-station leases and easements relating to these connections to facilitate the supply. This decision therefore seeks consent to enter into these agreements.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010, as public authorities, the Mayor and the GLA/GLAP are subject to a public-sector equality duty and must have 'due regard' to the need to (i) eliminate unlawful discrimination, harassment and victimisation; (ii) advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and (iii) foster good relations between people who share a relevant protected characteristic and those who do not. Protected characteristics under section 149 of the Equality Act are age, disability, gender re-

assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status.

- 3.2. Throughout the decision-making process, the Royal Docks Team has worked closely with the Solider of Orange team to ensure a broad range of access to the Royal Docks Theatre. This is reflected in their commitment to work with local schools and the Mousetrap Foundation to enable affordable access for the local community and young people.
- 3.3. The design of the space considers accessibility for all users and meets the relevant regulations for temporary buildings.

4. Other considerations

- 4.1 The Solider of Orange project is a major addition to the cultural offer in the Royal Docks and supports the objectives and the projects within the Royal Docks Enterprise Zone Delivery Plan endorsed by the London LEAP in June 2018 and approved under MD2338 in August 2018.
- 4.2 The project will also support the activation of the Royal Albert Dock site which is being developed by ABP. The first phase was completed in 2019 and the theatre will occupy land reserved for later phases.
- 4.3 The Royal Docks Team and the Soldier of Orange team have worked closely together on planning, design and commercial elements of the project. There is always some commercial risk in opening a new theatre but the Soldier of Orange team are confident given their experience and their due diligence. The financial and operational risk of the theatre is entirely borne by Soldier of Orange.

Financial Implications

- 4.4 The Section 106 document includes financial obligations. However, these will be the responsibility of Solider of Orange and its guarantor.

Conflicts of interest

- 4.5 There are no known conflicts of interest relating to this project.

5. Financial comments

- 5.1 There are no direct financial implications to the GLA as a result of this ADD.

6. Legal comments

- 6.1 Section 30 of the Greater London Authority Act 1999 (as amended) (GLA Act) gives the Mayor a general power to do anything which he considers will further one or more of the principal purposes of the GLA as set out in section 30(2) which are:
 - i. Promoting economic development and wealth creation in Greater London;
 - ii. Promoting social development in Greater London; and
 - iii. Promoting the improvement of the environment in Greater London

and, in formulating the proposals in respect of which a decision is sought, officers confirm they have complied with the GLA's related statutory duties to:

- Pay due regard to the principle that there should be equality of opportunity for all people;

- Consider how the proposals will promote the improvement of health of persons in Greater London, promote the reduction of health inequalities between persons living in Greater London, contribute towards the achievement of sustainable development in the United Kingdom and contribute towards the mitigation of or adaptation to climate change in the United Kingdom; and
- Consult with appropriate bodies.

6.2 Sections 1 - 3 of this report indicate that the decision requested of the Assistant Director falls within the GLA's statutory powers.

7. Planned delivery approach and next steps

Activity	Timeline
Enter into Section 106 Agreement	March 2020
Start on site	April 2020
Royal Docks Theatre opens	Autumn 2020

Appendices and supporting papers:

None.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO**ORIGINATING OFFICER DECLARATION:**

Drafting officer to
confirm the
following (✓)

Drafting officer:

Paul Creed has drafted this report in accordance with GLA procedures.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 16 March 2020.

ASSISTANT DIRECTOR OF FINANCE AND GOVERNANCE:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature



Date

18 March 2020