

**REQUEST FOR DMPC DECISION – DMPCD 2016 96****Title: Uplands Business Park – Lease Renewal****Executive Summary:**

This paper requests approval for the short term renewal of the lease for Uplands Business Park to secure the MPS's continued use of the property until it becomes surplus to operational requirements.


**Recommendation:**

The DMPC is asked to approve a short term renewal of the lease for Uplands Business Park (Waltham Forest Patrol Base) for a period of five years.

**Deputy Mayor for Policing And Crime**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature****Date**

06/12/2016

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. The property is used by the MPS as a Patrol Base where the borough's Tasking Teams and Emergency Response and Patrol officers start and end their tours of duty.
- 1.2. The property is not included in the Baseline Portfolio and is likely to become surplus to operational requirements before 2021.
- 1.3. Property Services Department's Commercial Real Estate advisors, Frank Knight, were instructed to agree terms for a new five year Lease with a Tenant only option to terminate the Lease on or any time after the third anniversary of the term. This would secure the site for use by the MPS and allow a timely disposal in line with MPS and MOPAC's requirements. Frank Knight advised there has been a significant rise in industrial rents across London.

#### **2. Issues for consideration**

- 2.1. These are discussed in the Part 2.

#### **3. Financial Comments**

- 3.1. These are discussed in the Part 2. The Property Services Department budget includes provision to meet the increased costs, including any back dated rent.

#### **4. Legal Comments**

- 4.1. Section 6 of the Police Reform and Social Responsibility Act 2011 ("the Act") provides the MOPAC must secure the maintenance of the Metropolitan Police Service and secure that the Metropolitan Police Service is efficient and effective.
- 4.2. In carrying out its functions, the MOPAC may, under paragraph 7, Schedule 3 of "the Act" "do anything which is calculated to facilitate or is conducive or incidental to the exercise of the functions of the Office". This includes, entering into contracts and other agreements, in addition to acquiring and disposing of property (including land). The MOPAC has the power to dispose of surplus properties (including land) under paragraph 7 (2) (b) of Schedule 3 of the "the Act".
- 4.3. The Commissioner may also do anything which is calculated to facilitate or is conducive or incidental to acquiring and disposing of property (apart from land) but only with the consent of MOPAC under paragraph 4 (2) (b) of Schedule 4 of "the Act".

#### **5. Equality Comments**

- 5.1. There are no direct equality or diversity implications arising from this report

#### **6. Background/supporting papers**

- 6.1. None.

**Public access to information**

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

**Part 1 Deferral:**

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

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rational for non-publication.

Is there a **part 2** form – Yes

If yes, for what reason: EXEMPT under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.

**ORIGINATING OFFICER DECLARATION:**

	Tick to confirm statement (✓)
<b>Head of Unit:</b> The Head of Strategic Finance and Resource Management has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.	✓
<b>Financial Advice:</b> The Head of Strategic Finance and Resource Management has been consulted on this proposal.	✓
<b>Equalities Advice:</b> No Equality and Diversity issues identified.	✓

**OFFICER APPROVAL****Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

R. Lawrence

Date

6/12/16



**REQUEST FOR APPROVAL FOR THE RENEWAL OF THE LEASE OF  
UNITS 6B & 7 UPLANDS BUSINESS PARK (WALTHAM PATROL BASE)**

**A report by the Senior Estates Surveyor on behalf of  
the Director of Property Services**

**SUMMARY**

On 26 November 2004, the Metropolitan Police Authority (MPA - the forerunner to the Mayor's Office for Policing And Crime) entered into a Lease of the above property for a term of 10 years. The Lease expired on 26 November 2014 and since that time the MPS has remained in occupation.

The Baseline Portfolio assumes this property will be surplus to operational requirements by 2021. This paper seeks approval for the short term renewal of the Lease that will secure the MPS's continued use of the property until it becomes surplus to operational requirements.

**A. RECOMMENDATIONS - That the Deputy Mayor for Policing and Crime:**

1. Approves the short term renewal of the Lease of Units 6B & 7 Uplands Business Park. Costs will be met from the Property Services Budget.
2. Notes the terms of the new Lease outlined in Exempt Appendix 1.

**B. SUPPORTING INFORMATION**

1. On 26 November 2004, the Metropolitan Police Authority (MPA - the forerunner to the Mayor's Office for Policing And Crime) entered into a Lease of Units 6B & 7 Uplands Business Park for a term of 10 years, expiring 25 November 2014. Under the terms of the Lease the rent was subject to review on the fifth anniversary of the term when it was agreed at £173,000 per annum, this remains the rent passing.
2. The property is used by the MPS as a Patrol Base where the borough's Borough Tasking Teams and Emergency Response and Patrol officers start and end their tours of duty.
3. The property is not included in the Baseline Portfolio and will become surplus to operational requirements before 2021. It is anticipated it will take a number of years to implement the Estates Transformation Programme. Accordingly PSD served a Section 26 Notice on the Landlord terminating the Lease on 21 October 2015, and requesting a new Lease be granted.
4. PSD's CRE advisors, Knight Frank, were instructed to agree terms for a new 5 year Lease with a Tenant only option to terminate the Lease on, or any time after, the third anniversary of the term. This would secure the site for use by the MPS and allow a timely disposal in line with MPS and MOPAC's requirements. Knight Frank advised there had been a significant rise in industrial rents across London and advised MOPAC to budget accordingly.
5. Terms have now been agreed between the Parties for a new Lease. Due to the commercial confidential nature of the ongoing negotiations the principle terms are included in Exempt Appendix 1.
6. To protect MOPAC's security of tenure an application to Court was made. The Court Process is now well advanced and Experts Reports were due on 14 October 2016, but because the Parties have agreed the final lease a short stay proceedings has been agreed to allow the Lease to be

completed. If MOPAC does not complete the Lease it will need to lodge the Expert Reports and progress the matter through Court. This will increase legal and surveyors costs for MOPAC and it is possible the Landlord will withdraw the current deal and seek a longer length lease and/or higher rent.

## **C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS**

### **Equality and Diversity Impact**

7. There are no Equality and Diversity implications of this decision. The proposal will allow the MPS to continue to use the site as it does at present.

### **Financial Implications**

8. As set out in exempt Part 2. The Property Services budget includes provision to meet the increased costs including any back dated rent due.

### **Legal Implications**

9. Section 6 of the Police Reform and Social Responsibility Act 2011 ("the Act") provides the MOPAC must secure the maintenance of the Metropolitan Police Service, and secure that the Metropolitan Police is efficient and effective.
10. In carrying out its functions, the MOPAC may, under paragraph 7, Schedule 3 of "the Act" "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office". This includes, entering into contracts and other agreements, in addition to acquiring and disposing of property (including land). The MOPAC has the power to dispose of surplus properties (including land) under paragraph 7 (2) (b) of Schedule 3 of the "the Act".
11. The Commissioner may also do anything which is calculated to facilitate, or is conducive or incidental to acquiring and disposing of property (apart from land) but only with the consent of MOPAC under paragraph 4 (2) (b) of Schedule 4 of "the Act".

### **Risk (including Health and Safety) Implications**

12. There are no Health and Safety implications of this decision. The proposal will allow the MPS to continue to use the site as it does at present.

### **Environmental Implications**

13. There are no Environmental implications of this decision. The proposal will allow the MPS to continue to use the site as it does at present.

**Abbreviations:**

CRE  
MPA  
MPS  
MOPAC  
PSD

Corporate Real Estate  
Metropolitan Police Authority  
Metropolitan Police Service  
Mayor's Office for Policing And Crime  
Property Services Department

