

GREATER LONDON AUTHORITY

REQUEST FOR DEPUTY MAYOR FOR FIRE & RESILIENCE DECISION – DMFD6

Title: Former Mitcham Fire Station

Executive Summary:

The London Fire Commissioner is seeking approval from the Deputy Mayor for Fire and Resilience for her officers and advisers to progress the freehold disposal of the former Mitcham Fire Station and the associated exchange of contracts to completion. That request is in accordance with the Commissioner's Code of Practice on the Disposal of Land and the Mayor's London Fire Commissioner Governance Direction 2018. The latter requires the Commissioner to seek prior consent from the Deputy Mayor for Fire and Resilience before "...[the] acquisition or disposal of any freehold interest or leasehold interest in land...".

Decision:

The Deputy Mayor for Fire and Resilience consents to the London Fire Commissioner's decision to:
accept the best consideration for the former Mitcham Fire station and to progress the agreed transaction to contract completion.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

17/7/18

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The former Mitcham Fire Station was declared surplus to operational requirements, in March 2015, as part of the Private Finance Initiative (PFI) project. The Property was subject to a right in favour of the London Borough of Merton, having the right to purchase the Property. The London Fire Commissioner completed a Deed of Release in June 2016, giving the Commissioner the right to dispose the property on the open market.
- 1.2. After an open process, nine unconditional offers and two conditional offers were received for the property by the Commissioner.
- 1.3. The Commissioner is preparing the detailed heads of terms and legal documentation for the transaction with the highest advantageous offer. In the event of any unacceptable delays or attempts to renegotiate the commercial terms of the transaction by the highest bidders, then the transaction will be aborted and an alternative disposal with one of the other interested parties will be progressed.

2. Objectives and expected outcomes

- 2.1. The London Fire Commissioner has a statutory duty under the Local Government Act to achieve the best consideration which is reasonably obtainable on all property transactions. Disposing of the former Mitcham Fire Station in compliance with the Commissioner's Code of Practice on the Disposal of Land and an open market process meets that requirement.
- 2.2. More information is set out in the attached Report to the London Fire Commissioner dated 20 June 2018 (LFC-0035) and its confidential appendix (contained within the Part 2 section of this decision).

3. Equality comments

- 3.1. The Public Sector Equality Duty – and the potential impacts of this decision on those with protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation) – has been considered by the London Fire Commissioner and the Deputy Mayor for Fire and Resilience. No impacts have been identified.

4. Financial comments

- 4.1. The capital receipt will be used by the Commissioner to fund future capital expenditure, reducing borrowing requirements. There are no direct implications for the GLA.

5. Legal comments

- 5.1. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.

- 5.2. By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor").
- 5.3. Paragraph a of Part 2 of the said direction requires the Commissioner to seek the prior approval of the Deputy Mayor before "...[the] acquisition or disposal of any freehold interest or leasehold interest in land...".
- 5.4. This decision seeks the Deputy Mayor's approval for the Commissioner to accept the best consideration for the former Mitcham Fire station and to progress the agreed transaction to contract completion.

Appendices and supporting papers:

Appendix A – Report to the London Fire Commissioner dated 20 June 2018 (LFC-0035)

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 approval 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 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – YES

ORIGINATING OFFICER DECLARATION:

Drafting officer to
confirm the
following (✓)

Drafting officer

Tim Somerville has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Tom Middleton has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 9 July 2018.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. D. L. C.

Date

10.7.18