

# GREATER **LONDON** AUTHORITY

## REQUEST FOR DIRECTOR DECISION – DD2543

**Title:** The London Property Pledge

### **Executive Summary:**

This decision seeks approval for expenditure required to develop the web resource and back-office function needed to deliver the London Property Pledge, a property industry collaboration in which the Mayor is a founding partner.

### **Decision:**

That the Executive Director of Good Growth approves:

1. Expenditure of:

- a) £50,000 on services required to deliver a website to operate the Property Pledge;
- b) £50,000 on services required to maintain the Property Pledge, including ongoing website functioning, communications and evaluation; and

2. For the services set out at decision1(a) above, a related exemption from the requirement to procure competitively, the contract being awarded to Westminster Council (acting as accountable body for the Cross River Partnership).

### **AUTHORISING DIRECTOR**

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:** Philip Graham

**Position:** Executive Director, Good Growth

**Signature:**



**Date:**

27/09/2021

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

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

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

- 1.1. The decisions sought relate to the Mayor's financial contribution to a shared communications resource to support the Recovery Property Pledge. It is a specific action within the London Recovery Programme's High Streets for All mission.
- 1.2. London's high streets are some of the most inclusive, vibrant and accessible spaces in London. They are the focus of much of the city's social and economic activity, and a source of jobs, businesses and prosperity. On this basis the London Recovery Board has identified the need for an initiative to address the role of property in improving the prospects of high streets grappling with structural changes in the retail and post-Covid economy.
- 1.3. A shared analysis of many of the problems exists across much of the sector, but there has been an absence to date of the incentives to work together on resolving them. The recovery framework, and support from the Mayor, have changed this; and the Recovery Property Pledge is drawing together public and private property owners, tenants and Business Improvement Districts (BIDs) to consider how they can best support London's high-street recovery. Collaboration was initiated in June 2021, with the following founding partners, who represent the broad audience for this initiative:
  - TfL (public sector, landowner and tenant)
  - London First (representing property owners and large-scale tenants)
  - the British Property Federation (representing property owners)
  - the GLA (public sector, landowner (GLAP))
  - Cross River Partnership (representing BIDs)
  - the Federation of Small Businesses (representing tenants)
  - the Confederation of British Industry (representing tenants)
  - Guardians of the Arches (representing SME tenants)
  - London Councils (representing public sector property owners).

#### The proposal

- 1.4. The goal is to define good behaviour around property management and bring landowners and tenants together with the objective of supporting economic recovery and generating social value on high streets and town centres across the city. The focus is on innovation, affordability, flexibility, temporary use, area-based working, social value and engagement. Building on existing initiatives and sector expertise within the partnership, the Property Pledge will seek to:
  - demonstrate leadership in addressing challenges facing the high street to support London's recovery
  - generate solutions to redundant retail on the high street, while aligning with the High Street for All mission

- celebrate emerging best practice, and mainstream implementation of effective innovation, across the wider property industry.
- 1.5. The founding partners have agreed to develop a web presence to host best practice case studies and an allied communications programme to engage with their audience, building on existing communication activity, for a 24-month period from Jan 2022.
  - 1.6. Mindful of the principle of collaboration and the need for an independent, neutral presence, the partners have agreed that a prerequisite for the web presence is to stand alone and be “supported by” each founding partner. Coordination with the GLA Digital team is in hand, and no issues have been raised with this approach.
  - 1.7. The funding for this initiative comes from GLA core budget.
  - 1.8. The GLA funds will be expended as follows, inclusive of any VAT liability:
    - Workstream 1 - Delivered by the CRP: £50,000 allocated to develop, build and launch the web presence.
    - Workstream 2 - Delivered by the GLA: £50,000 allocated to administration (including the communications and events roll-out programme; case study collation and monitoring; and Property Pledge partner evaluation and tracking) over the two year lifespan of the project.
  - 1.9. To deliver Workstream 1, the GLA is contributing to the Partnership’s chosen delivery partner, the Cross River Partnership (CRP), a not-for-profit organisation acting through its accountable body Westminster Council. CRP was selected by the partnership after invitation across the partners to undertake the website development to deliver a standalone web presence.
  - 1.10. It is CRP’s intention to competitively tender the delivery of the web development in line with the City of Westminster’s procurement rules, with the CRP clienting the appointed contractor.
  - 1.11. It is proposed that Westminster City Council (acting as the accountable for CRP) be awarded a contract for the provision of the services required for Workstream 1. Officers acknowledge that section 9 of the GLA’s Contract and Funding Code requires, where the expected value of contract for services is between £10,000 and £150,000, that such services be procured competitively. Section 10 provides however, that an exemption from this requirement may be approved where a supplier has had previous involvement in a specific current project or the services concerned are a continuation of existing work that cannot be separated from the new project/work. Here, the long term relationship of the CRP and the GLA allows for the standalone and independent presence of the initiative’s public presence to be delivered, a requisite for the buy-in of the founding partners of the property pledge and to achieve the overall outcomes. The experience of the CRP in commissioning websites, along with soft market testing, will determine the services set out will achieve value for money.
  - 1.12. Workstream 2 (administration) will be delivered by the GLA through a competitively tendered procurement process in line with the GLA Contract and Funding code.
  - 1.13. This GLA contribution sits alongside each of the eight founding partners’ match-contribution of one day a month to manage development and editorial process over the project lifespan, as well as additional promotional campaigning, social media, press releases, network meetings, awards, and events undertaken with existing resources/networks within the partner organisations.

## 2. Objectives and expected outcomes

2.1. The overall objectives are as follows:

- to define and share good behaviour around property management and bring together landowners and tenants, with the objective of supporting recovery and generating social value on high streets and town centres across the city
- to share best practice and innovation, in order to improve the prospects of high-street property space facing structural changes in the retail and post-Covid economy, via more innovation and knowledge-sharing.

2.2. The aim of this specific investment is to provide a neutrally hosted platform for the collaboration to achieve its overall objectives, operating over the lifespan of the project, by May 2023.

2.3. The specific outputs of this investment are as follows:

- a web platform for the Property Pledge
- 40 pledging organisations in the first year
- 30 successful case study write-ups on the website.

2.4. The expected overall outcomes are as follows:

- more landowners aligning property management with recovery priorities
- increased access to innovative practice in the property management domain
- a database of pledging partners to develop a network of practitioners actively supporting recovery
- increased prominence for recovery supporting initiatives.

### **3. Equality comments**

3.1. Under section 149 of the Equality Act 2010, the Mayor and the GLA are subject to the public sector equality duty and must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and those who do not. The “protected characteristics” are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage/civil partnership status. The duty involves having appropriate regard to these matters as they apply in the circumstances, including having regard to the need to: remove or minimise any disadvantage suffered by those who share or is connected to a protected; take steps to meet the different needs of such people; and encourage them to participate in public life or in any other activity where their participation is disproportionately low. This can involve treating people with a protected characteristic more favourably than those without one.

- 3.2. The pledge is based around agreed positive behaviours, which pledging organisations will commit to action. One of these behaviours concerns the encouragement of social inclusion and access, through management of property. The outcomes of the whole programme are intrinsically tied to issues of equality and inclusion, and consequently this aspect will form part of the evaluation.
- 3.3. The agreement with Westminster City Council will contain a requirement to develop web resources that comply with the GLA's own accessibility guidance.

#### **4. Other considerations**

##### *Links to Mayoral Strategies and priorities*

- 4.1. The Pledge directly links to the Mayor's Economic Development Strategy, and the London Recovery Board's Grand Challenge, to restore confidence in the city, minimise the impact on London's most vulnerable communities and rebuild the city's economy and society. It will do this by contributing to delivery of the High Streets for All mission objectives.

##### *Risks and issues*

- 4.2. As an initiative that is essentially a partnership between wide-ranging interests in a contentious sector (the property industry) there are risks for the Mayor. The structuring of the pledge as a collaboration is a major mitigation should issues arise around communications, inclusion or adoption.
- 4.3. The founding members have agreed to a set of Terms of Reference that set out the circumstances when conflict or issue might arise, and how this would be dealt with.
- 4.4. The pledge is a framework for the founding partners to encourage others to adopt, and consequently within the process of adopting, there is the risk that the intention of the pledge is misinterpreted. The negative potential of this is mitigated by the structuring of all content to have an editorial board (on which each founding partner sits), who will approve all website content, and have overview of all other communications. There will also be a membership process that will require the active confirmation by the founding partners of adoption of the pledge

##### *Consultation and impact assessment*

- 4.5. This initiative, by its nature, may attract media and/or tenant/landlord responses, due to the hundreds of individual organisations, landlords and tenants that will be engaged. The founding partners have anticipated and mitigated this response by running focus groups within the sector during the development of the Pledge and will manage any communications issues during the operation phase by providing communications resources and coordinating their communications input and responses.
- 4.6. Data protection of members will be a factor; this will be managed by the integration of data protection requirements into the web presence contract.

##### *Conflicts of interest*

- 4.7. No officers involved in the development of this proposal or drafting or clearance of this decision from have any conflicts of interest

## **5. Financial comments**

- 5.1. Approval is being sought for expenditure of £100,000 via a grant to develop, build and launch a web resource to deliver the London Property Pledge through collaboration with the property industry of which the Mayor is a founding partner. Delivery of the London Property Pledge includes post-delivery services, a communications programme to engage with the landlords and tenants, and evaluation.
- 5.2. The total expenditure will be funded from the 2021-22 Regeneration and Economic Development budget specifically the High Street Landlords Charter as approved within the Authority's 2021-22 budget setting process.
- 5.3. The maximum funding level for this agreement is £100,000 as set within the Authority's approved budget.

## **6. Legal comments**

- 6.1. The foregoing sections of this report indicate that: the decisions requested of the Director concern the exercise of the GLA's general powers, falling within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation in Greater London and in formulating the proposals in respect of which a decision is sought officers 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, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
  - consult with appropriate bodies.
- 6.2. In taking the decisions requested, the Director must have due regard to the Public Sector Equality Duty - namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010 and advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Director should have particular regard to section 3 (above) of this report.
- 6.3. Section 9.1 of the Contracts and Funding Code (the 'Code') requires the GLA to call-off services with a value of that concerned here from a suitable framework, where possible, or if not, to undertake a formal tender process which will be managed by TfL Procurement in respect of the services. However, the Director may approve an exemption from this requirement under section 10 of the Code upon certain specified grounds. One of those grounds is that a contract may let without competition where a supplier has had previous involvement in a specific current project or the services concerned are a continuation of existing work that cannot be separated from the new project/work. Officers have indicated that this ground applies and that the proposed

contracts affords value for money. On this basis the Director may approve the proposed exemption if satisfied with the content of this report.

- 6.4. In the event that the Director makes the decisions sought officers must ensure that a contract is entered into and executed by the GLA and Westminster City Council before the commencement of the services and no reliance is placed upon the resources to be provided by the other founding partners until they have committed to providing the same.

## **7. Planned delivery approach and next steps**

<b>Activity</b>	<b>Timeline</b>
Enter into agreement for delivery of web build	Sept 2021
Commission communications and evaluation services	Sept 2021
Website build complete	December 2021
Launch of website and comms programme	January 2021
Delivery End Date	March 2023
Project Closure:	May 2023

## **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 the 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:**

Matthew Turner has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Assistant Director/Head of Service:**

Louise Duggan has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Financial and Legal advice:**

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

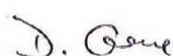
**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 20 September 2021.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**



**Date**

27/09/2021