

**REQUEST FOR MAYORAL DECISION – MD1369**

**Title: Direction to LFEPA on the disposal of nine of its former fire stations**

**Executive Summary:**

The London Fire and Emergency Planning Authority (LFEPA) is currently overseeing the sale of nine of its former fire stations at Belsize, Bow, Clerkenwell, Downham, Kingsland, Silvertown, Southwark, Westminster and Woolwich.

The Mayor wishes to be kept informed of progress and, as a consequence, has decided to direct LFEPA to provide him with information relating to the bids received and to await his response before entering into any agreements.

The direction itself is included at Appendix B with a covering letter to the LFEPA Chairman at Appendix A.

**Decision:**

The Mayor directs LFEPA in the manner set out at Appendix B to this decision form; namely in relation to the sale by LFEPA of nine of its former fire stations at Belsize, Bow, Clerkenwell, Downham, Kingsland, Silvertown, Southwark, Westminster and Woolwich:

1. To report to the Mayor of London with all available information on the bids submitted to LFEPA within twelve weeks of their receipt; and
2. To await the Mayor of London's response before entering into any agreements to dispose of the nine former fire stations.

**Mayor of London**

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

**Signature:**

**Date:** 11 July 2014

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

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

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

- 1.1 The London Fire and Emergency Planning Authority (LFEPA) is currently overseeing the sale of nine of its former fire stations at Belsize, Bow, Clerkenwell, Downham, Kingsland, Silvertown, Southwark, Westminster and Woolwich. The fire stations were closed on 9 January 2014 in accordance with the Fifth London Safety Plan (LSP5).
- 1.2 The Mayor's budget guidance for 2014-15 sets out certain expectations as to how the GLA and its functional bodies should seek to meet his policy objectives and to obtain value for money across all their functions. In supplementary budget guidance issued in September 2013, the Mayor included the following requirement:  
*Functional bodies will need to seek the prior agreement of the Single Property Steering Group for them not to use the LDP [London Development Panel] for all major land, property and development procurements where the scale is likely to involve a planning application that may be referable to the Mayor.*
- 1.3 The Single Property Steering Group comprises senior representatives of the GLA and its functional bodies. The Group seeks to implement the Mayor's property policies and achieve value for money in the management and operation of the GLA Group's estate.
- 1.4 The LDP is a multi-supplier framework panel established by the Greater London Authority (GLA) to accelerate the release of public land for residential-led development by speeding up the procurement of development partners, increasing efficiency and significantly reducing costs by pre-qualifying suppliers under set terms and conditions. It consists of 25 panel members procured to provide the range of services and works necessary to deliver housing and associated infrastructure. It started operating on 10 May 2013 and will exist for a fixed 4 year period.
- 1.5 The proposed disposal of the former fire stations was referred to the Single Property Steering Group on 12 February 2014.
- 1.6 At a meeting of LFEPA's Resources Committee on 17 March 2014, the Assistant Commissioner, Technical and Service Support, was authorised to complete the disposal process for the fire stations. It was resolved that the LDP should not be used for the disposal of the sites and that they be advertised together on the open market as soon as possible.
- 1.7 LFEPA has done that via the Estates Gazette with a closing date for initial bids set for 11 July 2014.
- 1.8 The Mayor has indicated that he wishes to direct LFEPA on this matter in the manner set out in this decision form. The direction itself is included at Appendix B.
- 1.9 The Mayor has a legitimate interest in overseeing the future development and use of the former fire stations, in view of the financial implications and the impact on infrastructure. By directing LFEPA to provide him with information about the bids submitted, the Mayor will ensure that he is fully informed about any future proposals for their use.

## **2. Equalities comments**

- 2.1 There are no equality issues directly arising from this decision, which relates to an information-gathering exercise.
- 2.2 Any equality issues arising will be addressed by LFEPA in the first instance. Should there be further Mayoral action, future Mayoral decision forms will address any equality issues arising for the GLA.

## **3. Financial comments**

- 3.1 There are no financial issues directly arising for the GLA from this decision.
- 3.2 Any financial issues arising for LFEPA will be addressed as part of the annual budget setting process for the GLA Group.

## **4. Legal comments**

- 4.1 Under section 328A (1) of the Greater London Authority Act 1999 (the GLA Act) the Mayor may issue general and specific directions to LFEPA as to the exercise of its functions.
- 4.2 Section 328A (5) provides that in exercising the power of direction, the Mayor must have regard to each of the following:
  - a. The Fire and Rescue National Framework prepared under section 21 of the Fire and Rescue Services Act 2004; and
  - b. The fire safety enforcement guidance under article 26 of the Regulatory Reform (Fire Safety) Order 2005.
- 4.3 Section 328A (4) provides that the Mayor must send a copy of the direction to the Fire Commissioner.
- 4.4 By virtue of section 146A Local Government Act 1972, LFEPA is deemed to be a “principal council” for the purposes of section 123 of that Act. Section 123 provides that a principal council may dispose of any land held by it in any manner it wishes. However it must not, except with the Secretary of State’s consent, dispose of land for a consideration less than the best that can reasonably be obtained on the market.
- 4.5 This decision and the proposed direction are within the Mayor’s powers in section 328 of the GLA Act. The provisions of section 123 Local Government Act 1972 are not engaged by this decision as the Mayor is not making any direction relating to the disposal of the former fire stations. He is merely directing LFEPA to provide him with copies of the bids submitted so that he can consider them.

## **5. Investment & Performance Board**

- 5.1 This decision does not fall with the Investment & Performance Board’s terms of reference.

### **Appendices and supporting papers:**

Appendix A: Covering letter

Appendix B: Direction

**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 – NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

**Drafting officer:**

Tom Middleton has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

**Assistant Director/Head of Service:**

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

✓

**Sponsoring Director:**

Martin Clarke has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

**Mayoral Adviser:**

Sir Edward Lister has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**

**Date**

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

**Signature**

**Date**