

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2400

### Title: LLDC to provide an undertaking to UK Athletics

#### Executive Summary:

E20 Stadium LLP (E20 LLP), a wholly owned subsidiary of the London Legacy Development Corporation (LLDC), has been working on initiatives to restructure its business. As a result of this work, E20 LLP has renegotiated the Access Agreement with UK Athletics Limited (UKA) but requires an undertaking from the LLDC to secure the amendments to the Access Agreement. This will enable E20 LLP to increase the availability of the Stadium to hold additional income earning events.

The proposal for the LLDC to provide an undertaking requires Mayoral consent under the terms of the LLDC Governance Direction 2013 ("Governance Direction") and Localism Act 2011 ("2011 Act"), which is sought by this Form.

#### Decision:

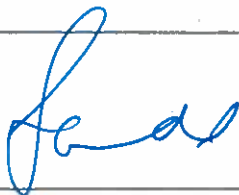
That the Mayor consents under section 213 of the Localism Act 2011 to the LLDC providing financial assistance to UK Athletics in the form of an undertaking from LLDC to UK Athletics for a period of six years regarding certain E20 LLP obligations to UK Athletics under the proposed restated UK Athletics – E20 LLP Access Agreement.

#### 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:

19/12/12

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

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

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

- 1.1 E20 LLP, a wholly owned subsidiary of the London Legacy Development Corporation (LLDC), has been working on initiatives to restructure its business. As a result of this work, E20 LLP has renegotiated the Access Agreement with UKA. E20 LLP (with assistance from its lawyers) is currently negotiating the amendments to the Access Agreement which will implement the agreement in principle with UKA. The amendments will provide i) greater flexibility for E20 LLP within the athletics window to schedule athletics events and ii) an alternative seating configuration in the Stadium for athletics events which together will deliver savings. However, in order to secure the amendments to the Access Agreement, UKA requires an undertaking from the LLDC for a limited period of six years.
- 1.2 Section 213 of the 2011 Act states that ‘an MDC [Mayoral Development Corporation] may, with the consent of the Mayor, give financial assistance to any person’ which includes the giving of guarantees and indemnities by LLDC to UKA.
- 1.3 In July 2012 under MD971, the Mayor consented under section 212(2) of the 2011 Act, for LLDC to form an interest in a limited liability partnership – E20 LLP– with Newham Legacy Investments Limited (a wholly owned subsidiary company of the London Borough of Newham (“NLI”). In November 2017 under MD2201, the Mayor consented to a change in ownership of E20 LLP, including consent to LLDC entering into any necessary agreements relating to NLI’s retirement from E20 LLP and consented, under section 212(2) of the Localism Act 2011, to the LLDC establishing a wholly owned subsidiary company, Stratford East London Holdings Ltd, which became a member of E20 LLP following NLI’s retirement from the partnership. As a result, E20 LLP is a wholly owned subsidiary of the LLDC.
- 1.4 Approval is now sought for consent for LLDC to provide UKA with the undertaking described above in order to secure amendments to the UKA Access Agreement. The amendments will give E20 LLP greater flexibility within the athletics window to schedule athletics events and implement an alternative seating configuration in the Stadium bowl for athletics events that delivers savings in the long term.

#### **2. Objectives and expected outcomes**

- 2.1 As well as the benefits highlighted in 1.4, amending the UKA Agreement will also benefit UKA by giving it certainty about avoiding clashes with other major events staged by the Stadium and maximising income from broadcast rights and sponsorship with the dates set further in advance.
- 2.2 This change will enable the continued delivery of the Stadium legacy and the wider regeneration of Queen Elizabeth Olympic Park (QEOP) and surrounding areas, which will benefit the diverse local communities around the park, Londoners from all parts of the city, as well as elite athletes, and visitors.
- 2.3 The key changes are:
  - Two fixed event weekend dates confirmed on consecutive weekends for the next six years;
  - Flexibility for E20 LLP to accommodate other major events;
  - Joint agreement on the revised seating configuration allowing for fewer and faster seat moves;
  - Commitment to jointly develop community-based and corporate athletics events; and
  - Following the success of London 2017, support for UKA to bid for major athletics championships.

### **3. Equality comments**

- 3.1 LLDC has invested in delivering a multi-use Stadium at the heart of QEOP that supports the LLDC's priority themes of:
- Transforming the lives of East Londoners;
  - Developing a dynamic new heart for East London, creating opportunities for local people; and
  - Driving innovation and growth across the city and the UK.
- 3.2 The GLA must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not under section 149 of the Equality Act 2010. This may involve removing or minimising any disadvantage suffered by those who share a relevant protected characteristic, taking steps to meet the needs of such people; and encouraging them to participate in public life, or in any other activity where their participation is disproportionately low, including tackling prejudice and promoting understanding. The protected characteristics and groups are: age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status. Compliance with the Act may involve treating people with a protected characteristic more favourably than those without the characteristic.
- 3.3 No adverse impacts on equalities issues or any protected characteristic groups are anticipated as a result of the proposals set out in this form.

### **4. Other considerations**

#### *a) Links to Mayoral strategies and priorities*

- 4.1 This proposal will support the Mayor's commitments to build on the success of the 2012 Olympic and Paralympic Games, and new Sport Strategy to:
- Attract more global events to the city which deliver social and economic benefits to London and Londoners; and
  - Promote and support sport for more people of all ages.

#### *b) Impact assessment and consultations*

- 4.2 LLDC has consulted the GLA on the matter. It is not considered that the Mayor need undertake any additional impact assessment or consultation in respect of this decision.

### **5. Financial comments**

- 5.1 The amendments to the Access Agreement are designed to provide more control over the cost of seat moves and exploit additional income generating opportunities. Further comments are contained in Part 2 of this decision.

### **6. Legal comments**

- 6.1 The relevant requirements of the 2011 Act are set out above.
- 6.2 E20 LLP is being advised by TfL Legal and external legal advisers, and the LLDC has also been advised in relation to the provision of the undertaking.

## 7. Planned delivery approach and next steps

Activity	Timeline
Amendments to the UKA Access Agreement and the LLDC providing an undertaking to UKA.	Before 25 December 2018

### Appendices and supporting papers:

None.

**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? YES**

If YES, for what reason:

Deferred until the agreements have been executed by all parties.

Until what date: 31 January 2019

**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:**

Michelle Reeves has drafted this report in accordance with GLA procedures and confirms the following:

✓

**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:**

David Bellamy has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**Corporate Investment Board:**

This decision as agreed by the Corporate Investment Board on 17 December 2018.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

Signature

*M. J. Bellamy*

Date

17.12.18

**CHIEF OF STAFF:**

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

Signature

*D. Bellamy*

Date

17/12/2018.

