

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2049

Title: Disposal of the Greenwich Coaling Jetty

Executive Summary:

GLAP is seeking to dispose of the Greenwich Coaling Jetty (the Jetty) as a chattel (with the benefit of a licence granted by the freeholder, the Port of London Authority) to Knight Dragon for a consideration. The transfer will reduce GLAP's insuring and maintenance liability. Knight Dragon proposes to use the Jetty for entertainment space, building on the previous two summers' theatre productions.

This request for a delegated decision follows Mayoral Decision MD1111 which records the Mayor's decision to delegate his decision-making powers with relation to development decisions in respect of the GLAP land holdings at Greenwich Peninsula to the Executive Director of Housing and Land and the Executive Director of Resources, in order to provide a clear separation between the Mayor's planning decision-making powers and his ability to make decisions affecting development.

Decision:

The Executive Director of Housing and Land and the Executive Director of Resources approves disposal of the Greenwich Coaling Jetty to Knight Dragon as a chattel (with the benefit of a licence granted by the freeholder, the Port of London Authority)

AUTHORISING DIRECTORS

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: David Lunts

Position: Executive Director, Housing & Land

Signature: 

Date: 26/09/16

Name: Martin Clarke

Position: Executive Director, Resources

Signature: 

Date: 28.9.16

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

Decision required – supporting report

1. Introduction and background

- 1.1. GLAP inherited the Greenwich Coaling Jetty as part of the Greenwich Peninsula assets from Homes and Communities Agency (HCA) in 2012. Since the transfer the Jetty has been maintained at the expense of GLAP. The Jetty is a chattel and GLAP does not hold the freehold of the land upon which the Jetty sits, being the river bed the freehold of which is held by the Port of London Authority (PLA).
- 1.2. GLAP is the successor to the HCA's licence for use of the Jetty, although this use is explicitly limited to the maintenance of the Thames Water Outfall Sewer and any other use is strictly prohibited. HCA paid £100,000 to the PLA for the 25 year licence which expires in 2025 (the "Licence").
- 1.3. In summer 2014 Knight Dragon sought a licence from the PLA to use the Jetty for an outdoor theatre production with associated food and beverage provision, which was held for a number of months. Again in summer 2015 Knight Dragon installed a theatre with associated food and beverage provision which was subject to a licence from the PLA (with GLAP's consent). The Licence has now lapsed and Knight Dragon's equipment remains on the Jetty, despite requests from GLAP to remove it. The equipment extends to a number of shipping containers.

2. Objectives and expected outcomes

- 2.1. Whilst in principle GLAP support the entertainment provision and the activity seeking to generate visitors to the Peninsula; building the character and reputation of the location as a new cultural focus for London, GLAP is seeking to regularise the situation by transferring the responsibility of insurance and maintenance of the Jetty to Knight Dragon. This is to ensure GLAP is not held liable for any accidents or occurrences on the Jetty while Knight Dragon's equipment remains in situ.
- 2.2. GLAP has sought independent valuation advice for the Jetty which is detailed in Part 2 and formed the basis of the commercial negotiations for the sale.

3. Equality comments

- 3.1. Knight Dragon will use the Jetty for entertainment processes and will therefore be subject to appropriate access requirements.

4. Other considerations

4.1. Key Risks

The key risk to GLAP remains whilst it is the owner of the Jetty and Knight Dragon's equipment remains upon it. If it remains without an appropriate indemnity from Knight Dragon holding GLAP harmless GLAP could be liable for any accidents or occurrences. Once the transfer is completed the risk to GLAP falls away.

4.2. Links to Mayoral priorities

The Mayor's Cultural Strategy supports arts and interventions across the capital to bring culture to a wider audience.

5. Financial comments

5.1. Finance comments are contained in Part 2.

6. Legal comments

6.1. GLAP is advised by Berwin Leighton Paisner in respect of the Greenwich Peninsula project and in particular in respect of this disposal as noted above.

6.2. Section 30 of the Greater London Authority Act 1999 (as amended) (GLA Act) gives the Mayor a general power to do anything which he considers will further one or more of the principal purposes of the GLA as set out in section 30(2) which are:

6.2.1. Promoting economic development and wealth creation in Greater London;

6.2.2. Promoting social development in Greater London; and

6.2.3. Promoting the improvement of the environment in Greater London

6.3. It should be noted that as GLAP will be party to the legal documentation, GLAP will also need to approve the proposed disposal in accordance with its constitution.

6.4. Legal comments are also contained in Part 2.

7. Housing Investment Group

7.1. The disposal of the Jetty was considered and endorsed at the Housing Investment Group on 8 March 2016.

8. Planned delivery approach and next steps

Activity	Timeline
Agreement of sale contract	September 2016
Completion of sale contract	September 2016
Knight Dragon takes possession	October 2016

Appendices and supporting papers:

APPENDIX 1 – Site plan

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: The Part 1 is to be delayed until the completion of the purchase is achieved.

Until what date: 30 November 2016

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:

Tick indicates approval (✓)

Drafting officer:

Philippa Bancroft has drafted this report in accordance with GLA procedures and confirms that:

✓

Assistant Director/Head of Service:

Simon Powell has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Directors for approval.

✓

Financial and Legal advice:

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

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. J. Allge

Date

28.9.16

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