

# GREATER LONDON AUTHORITY

## REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2090

**Title: Mayoral consent for LLDC to provide a grant to the London Borough of Hackney for a road scheme**

### Executive Summary:

The London Legacy Development Corporation (LLDC) is seeking consent to give a grant of £200,000 to the London Borough of Hackney. The grant is for redesigning and constructing road and footway outside Mossbourne Riverside Academy on Queen Elizabeth Olympic Park – part of and an addition to a package of support to the LB Hackney to deliver the new school (consents were previously granted under cover of Assistant Director Decisions 266 and 337)

Sections 209 (1) and 213 of the Localism Act 2011 require the Mayor give consent to LLDC in order for it to provide financial assistance. The LLDC Governance Direction (approved by Mayoral Decision 1277), in turn, allows for an Assistant Director of the GLA to provide that consent under delegated authority from and on behalf of the Mayor.

### Decision:

That the Head of Finance and Governance approves the giving of consent to LLDC to provide a grant of £200,000 to the London Borough of Hackney for redesigning and constructing road and footway outside Mossbourne Riverside Academy.

### AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT:

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:** Tom Middleton

**Position:** Head of Finance and Governance

**Signature:**



**Date:**

20.03.17

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

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

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

- 1.1. The Mayor consented in February 2015 (via ADD266) to LLDC grant funding the London Borough of Hackney up to £4.55m towards the costs of a new primary school at East Wick. Consent was also given for LLDC to enter into a 125 year lease on the new building and into indemnity agreements.
- 1.2. Subsequently and under ADD337, consent was given to LLDC to provide additional financial assistance of just over £1m to LB Hackney to cover increases in project costs (making a total contribution of £5.6m) and to underwrite certain other costs up to the financial close of the project.
- 1.3. Construction was completed in August 2016 and the school opened its doors to its first pupils in September 2016.
- 1.4. One element of the construction package was the road and footway outside of the school. The design of the scheme was considered by LLDC's Quality Review Panel (QRP) as part of its review of the zonal masterplan for LLDC's East Wick and Sweetwater housing development, opposite the school. As a result, QRP asked that further design work be undertaken on the scheme, including to give priority to pedestrians and ensure the road and footway integrated better with the housing development.
- 1.5. LLDC is therefore seeking consent to provide an additional £200,000 of grant funding, through an amendment to the existing grant agreement, to LB Hackney to cover the cost of redesigning and constructing the remodelled road scheme.
- 1.6. Sections 209 (1) and 213 of the Localism Act 2011 allow LLDC to provide financial assistance to any person or organisation – but only with the consent of the Mayor. The LLDC Governance Direction (approved by MD1277), in turn, allows for an Assistant Director of the GLA to provide that consent under delegated authority from and on behalf of the Mayor.

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

- 2.1. The objectives of the grant, lease and indemnity agreements approved by ADD266 and ADD337 were for the successful construction of Mossbourne Riverside Academy to the highest design quality – and so as to fulfil LLDC's Section 106 obligation. This obligation was met when the schools successfully opened in September 2016.
- 2.2. The objective of this further provision of grant funding is to discharge and close LLDC's legal and financial obligations to the London Borough of Hackney – to cover all costs for the project up to the agreed limit of £13.4m.

#### **3. Equality comments**

- 3.1. An Equality Statement was submitted as part of the planning application for the original Park-wide masterplan, called the Legacy Communities Scheme (LCS). This statement summarised the detailed consultation with equality groups in the run up to the 2012 Games. The equality analysis on whether and where to locate the school, for example, has been taken account of.
- 3.2. In addition to this, and in direct response to the planning requirements, LLDC presented the school project to its Built Environment Access Panel of older and disabled people in October 2014. The

BEAP's comments were incorporated into the Design and Access Statement for the school's detailed planning application. Some significant changes were incorporated into the design to ensure the school was more inclusive and accessible.

- 3.3. Any issues pertaining to the operation of the school are the responsibility of Mossbourne Academy Trust, the operators of the school. LLDC has, however, worked with them to ensure significant decisions, such as the admissions policy are appropriate for the local area.
- 3.4. The early delivery of the Mossbourne Primary Academy School meets demand created by residential developments within the LCS – and is important in creating neighbourhoods that families want to live and grow in.
- 3.5. The redesigned roadway and footpaths allow for better access for all pedestrians.

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

##### *a) key risks and issues*

- 4.1 The risks identified in ADD337 and ADD266 on budget, funding, planning and delivery no longer exist as construction is complete. There is no risk of further expenditure.
- 4.2 The risk associated with a decision not to approve the required expenditure would be legal action from LB Hackney for breach by LLDC of its funding and indemnity agreement commitments to cover all costs associated with the project, up to the £13.4m cap.

##### *b) links to Mayoral strategies and priorities*

- 4.3 Consent will discharge a legal commitment.

##### *c) impact assessments and consultations.*

- 4.4 No further impact assessment or consultation is required in respect of this specific decision.

#### **5. Financial comments**

- 5.1 LLDC holds contingency budget to fund the additional £200,000 cost of this decision and there is no consequential impact on funding from the GLA.

#### **6. Legal Comments**

- 6.1 No particular legal implications arise from the proposal.

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

<b>Activity</b>	<b>Timeline</b>
Pay the grant to London Borough of Hackney	March 2017

**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**

**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:**

Tim Somerville has drafted this report in accordance with GLA procedures and confirms that the Finance and –if relevant- Legal teams have commented on this proposal as required, and this decision reflects their comments.

**Corporate Investment Board:**

The Corporate Investment Board reviewed this proposal on 20 March 2017.

**HEAD OF FINANCE AND GOVERNANCE:**

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

**Signature:**



**Date:**

20.03.17