

REQUEST FOR DIRECTOR DECISION – DD1068

Title: Agreement to instruct Quod Ltd to provide expert planning advice regarding the outstanding Olympic compensation claim in relation to Clearun Ltd

Executive Summary:

Patrick Gladwell, David Halpern and Clearun Ltd ('The Claimants') had their claim for compensation referred to the Upper Tribunal (Lands Chamber) in January 2010 by the London Development Agency.

'The Claimants' have put forward three different valuations for the land value dependent on what planning permission they believe could have been obtained. Planning matters and policy are fundamental to settling this claim. The Greater London Authority requires expert planning advice so it can be properly advised and represented.

This decision seeks approval for Quod Ltd to enter into a formal contract with the Greater London Authority to provide expert planning advice.

Permission to increase expenditure with Quod Ltd is requested and needs approval.

Decision:

That the Executive Director approves the instruction to Quod Ltd to provide expert planning advice to the Greater London Authority and associated expenditure to provide such services with regard to the compensation claims of Patrick Gladwell, David Halpern and Clearun Ltd ('The Claimants').

AUTHORISING 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 David Lunts

Position Executive Director – Housing and Land

Signature

Date

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

1.1 'Clearun Ltd' is a family owned waste transfer and skip hire company occupied 151 Marshgate Lane Stratford London E15. The freehold of this site was owned by Patrick William Gladwell who was Principal of Clearun Ltd. This site was circa 1.1 acres of concreted land with a waste transfer sorting shed, vehicle repair workshop and portakabins on it. This site was situated in the London Borough of Newham and was compulsorily acquired for the Olympic Games and subsequent legacy. The site was identified as plot 477 and part plot 478 in the Olympic CPO.

1.2 'The Claimants' claim for compensation has been referred to the Upper Tribunal (Lands Chamber) for determination.

2. Issues for consideration

a) Links to strategies and Mayoral and corporate priorities

The interests in the ownership of the claimant related to plots within the CPO and needed to be acquired, along with others, to provide a clear and usable site for the Games and for legacy. The Mayoral and corporate priority "Making the most of London 2012" and "Improving the supply and access to Housing" as well as "Leaving a legacy of wonderful open spaces" are all relevant to the content of this report as legacy, public open space and housing could not be achieved without securing the land and therefore paying the compensation.

b) Impact assessments and Consultation

The period for consultation regarding the CPO was set by the Secretary of State when the CPO powers were first applied for in 2005 and objectors had the right to make their views known to the Secretary of State's inspector who held a Public Inquiry to listen to the objectors and to the LDA's responses.

'The Claimants' objected to the Olympic CPO and made representations to the Public Inquiry. Negotiations with 'The Claimants' have taken place.

The Greater London Authority requires expert planning advice so it can be properly represented in proceedings and in the litigation at the Upper Tribunal (Lands Chamber).

3. Financial Comments

The financial comments about this decision are included in the part 2 confidential section.

4. Legal Comments

The legal comments about this decision are included in the part 2 confidential section.

5. Investment & Performance Board

The overall strategy for managing the CPOs and settlements was agreed at IPB in February 2012.

6. Background/supporting papers

None

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Information on this decision will be included in the Mayor's report and decision list. The form will be available publically from then. Any facts and advice that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Is the publication of this approval to be deferred? YES

If yes, for what reason:

The decision is deferred until a contract is in place.

Until what date: 1 August 2013

Is there a part 2 form – YES

ORIGINATING OFFICER DECLARATION:

Tick indicates
approval (✓)

Drafting officer:

David Clarke MRICS 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:

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

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Executive Director, Resources

I have been consulted about the proposal and confirm that financial and legal advice have been taken into account in the preparation of this report.

Signature

Date