

MDA No.	1	1	2	5
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Title: Public land disposal and regeneration

Executive Summary

At the Regeneration Committee meeting on the 9 October 2019, the Committee held a discussion with invited guests on public land disposal and regeneration.

At the meeting the Committee agreed;

That authority be delegated to the Chairman, in consultation with the Deputy Chair, to agree any output from the meeting.

Following consultation with the Deputy Chair, the Chairman of the Regeneration Committee agreed to send a letter to the Mayor of London containing recommendations on public land disposal and regeneration.

This form provides further information regarding the delegation at the meeting and includes a copy of the letter sent to the Mayor in **Appendix 1**.


Decision

That the Chairman, in consultation with the Deputy Chair, agreed a letter to the Mayor on public land disposal and regeneration.

Assembly Member

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	10/03/2020*
Printed Name			

* Approved by e-mail on 27 February 2020.

Decision by an Assembly Member under Delegated Authority

Notes:

1. The Lead Officer should prepare this form for signature by relevant Members of the Assembly to record any instance where the Member proposes to take action under a specific delegated authority. The purpose of the form is to record the advice received from officers, and the decision made.
2. The 'background' section (below) should be used to include an indication as to whether the information contained in / referred to in this Form should be considered as exempt under the Freedom of Information Act 2000 (FoIA), or the Environmental Information Regulations 2004 (EIR). If so, the specimen Annexe (attached below) should be used. If this form does deal with exempt information, you must submit both parts of this form for approval together.

Background and proposed next steps:

At the Regeneration Committee meeting on the 9 October 2019, the Committee held a discussion with invited guests on public land disposal and regeneration.

The Committee formally resolved:

That authority be delegated to the Chairman, in consultation with the Deputy Chair, to agree any output from the meeting.

Following consultation with the Deputy Chair, the Chairman of the Regeneration Committee agreed to send a letter to the Mayor of London containing recommendations on public land disposal and regeneration.

This form provides further information regarding the delegation at the meeting and includes a copy of the letter sent to the Mayor in **Appendix 1**.

Confirmation that appropriate delegated authority exists for this decision

Signed by Committee
Services



02/03/20

Date

Print Name:

J A Baker

Tel:

x2825

Financial implications NOT REQUIRED

NOTE: Finance comments and signature are required only where there are financial implications arising or the potential for financial implications.

Signed by Finance

Date

.....

Print Name

Tel:

.....

Legal implications

The Committee has the power to make the decision set out in this report.

Signed by Legal *ES* Date 04/03/2020

Print Name Emma Strain, Monitoring Officer Tel: X 4399

Supporting detail/List of Consultees:

Navin Shah AM

Public Access to Information

Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually 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 it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? No

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form - NO

Lead Officer/Author

Signed *J Simpson* Date 9/3/20

Print Name *J SIMPSON* Tel: x 1241

Job Title *SENIOR POLICY ADVISER*

Countersigned by Executive Director *E Williams* Date 06.03.20

Print Name Ed Williams Tel: X4399

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Sadiq Khan
Mayor of London
City Hall
The Queens Walk
London
SE1 2AA

9 March 2020

Dear Sadiq,

Regeneration Committee investigation – Public Land Disposal

In October 2019, the London Assembly Regeneration Committee examined the processes for the disposal of surplus public land, with a focus on three of London's public landowners: the Metropolitan Police, the London Fire Brigade and the NHS. We spoke to senior estate management representatives from these three bodies and a major housing association, alongside representatives from Mayor's Office for Police and Crime, Transport for London (TfL), and the GLA Housing and Land team.

Guests provided insight into the processes for identifying surplus public land and bringing this to market for development, the challenges they face in doing this and their experience of support provided by the GLA and other bodies. In this letter we set out some of our findings from the investigation, together with recommendations as to how public land disposal in London could be better supported.

Maximising the potential of the brownfield land register

The London Land Commission produces a register of publicly owned land and property¹, which was conceived as a platform for identifying public land available for development. The site itself states that your team is "working to improve the content of the register, including investigating the potential to identify surplus brownfield land which could come forward for redevelopment." Despite assurances given in responses to MQTs², dating back to 2017, it appears that the improvements to the database to facilitate development have not materialised and the map remains essentially a static resource that is updated on an annual basis. The Committee calls on you to prioritise making the land register map of greater use to developers, planners and other interested parties, by converting it into a live resource of available public land in London.

¹ <https://maps.london.gov.uk/LLC/>

² <https://www.london.gov.uk/questions/2018/5492>

Recommendation 1

That you prioritise making the brownfield land register map a live resource of available public land to encourage development.

Reviewing the London Development Panel

The Committee acknowledges that the reconstituted London Development Panel 2, a framework for use by UK public sector bodies, free of charge, to deliver schemes in Greater London only, has only been in place since 2018 and that it built upon the learning gathered from the first iteration of the Panel. We are still concerned, however, that it is not meeting the needs of London's public landowners. Guests' experiences of using the Panel were mixed. One of the bodies represented said that they had tried to make use of it but abandoned their attempts due to lack of interest from potential developers, which was further compounded by the statutory best value rules by which public landowners are bound. They therefore took their usual open market route for disposing of the surplus land. Given this, the Committee urges you to work more closely with the public landowners in London to develop the panel into a platform that meets their specific needs to facilitate bringing surplus land to market.

Recommendation 2

That you engage with London's public landowners to gather their views on how the London Development Panel can be improved to meet their land disposal needs.

Sharing good practice in public land disposal

The session demonstrated that London's public landowners were facing similar challenges to disposing of surplus land. However, they were taking separate approaches to managing these issues. Whilst there were no problems identified with individual bodies taking their own approach, the Committee believes that there is more that the GLA could do to gather and disseminate best practice in relation to public estate management in London. Thanks to the reforms put in place to TfL estate management in response to the Housing Committee's Homes Down the Track³ report in 2017, TfL introduced a number of strategic and operational improvements to the way surplus land is identified for development and planning aligned with boroughs and other partners. This learning would be invaluable for other bodies in similar circumstances. However, it was not clear whether any of this had been shared outside the confines of the TfL.

The Committee calls on you establish a mechanism to encourage the sharing of good practice in public land disposal amongst London's public landowners. This would need to draw on TfL's experience, which has seen a transformation in its approach to surplus land management in recent years and could be in the form of, for example, a learning forum.

³ https://www.london.gov.uk/sites/default/files/housing_committee_-_homes_down_the_track_report.pdf

Recommendation 3

That you establish a learning forum to encourage the sharing of good practice in public land management, drawing on TfL's experience.

Strengthening the co-ordination and transparency of London's NHS estates

The Committee recognises the complexity of NHS estate management in London given the diversity of landowners and the interdependency between different services. We acknowledge the role taken by London Estates Board and the London Estates Delivery Unit, to provide greater clarity and co-ordination on major decisions around NHS estates. Whilst there has been progress, the Committee believes that more needs to be done, especially as the Board transitions into a new decision-making role on capital investments and key business cases in London.

The Committee was disappointed that the NHS representatives were unable to share any information on surplus NHS land in London and gave "commercial sensitivity" as the reason for this. The other public landowners were happy to share their information to quite a level of detail and did not feel bound by commercial confidentiality, despite the obvious operational sensitivities about these services in London. The Committee supports the principles of openness and transparency in the public interest and as the London Estates Board evolves into its decision-making role, it needs to ensure that it also applies these principles to its processes and to the information it holds on surplus land. Greater transparency would benefit the development of NHS estate in London, by ensuring that the relevant stakeholders are better informed and engaged in the process.

Recommendation 4

As Chair of London Health Board, that you encourage the London Estates Board to prioritise greater transparency of decision making and information on available NHS land, as it moves into its new phase of making decisions on capital investment in London.

The Committee believes that the work of the London Estates Board and its Delivery Unit was still very much focused on the large hospital and mental health trusts in London and overlooked the vast primary care estate in the capital. There are thousands of relatively small primary care facilities across the capital, from local GP surgeries to larger walk-in centres. However, there does not appear to be a strategic approach to how this estate is being managed and rationalised. There is a role here for the London Estates Board, which should develop a work programme aimed specifically at the primary care estate and build the necessary relationships to identify, pool together and publicise available primary care land in London. Sir Robert Naylor, in his 2017 independent review of NHS property and estates⁴, made the case for this type of locally driven delivery and was praised for his work.

⁴ Naylor, Sir R, NHS Property and Estates: why the estate matters to patients, Department of Health 2017
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/607725/Naylor_review.pdf

Recommendation 5

As Chair of London Health Board, that you encourage the London Estates Board to develop a primary care estate work programme that will build relationships with the relevant stakeholders to identify, pool and publicise available primary care land in London.

Expanding the Small Sites Programme

The Small Sites programme⁵ aims to provide a streamlined service to encourage public sector landowners to bring small sites forward for housing-led development and facilitate interaction with smaller, local developers. The programme initially focused on TfL small sites and in its second phase expanded to include local authorities. The Committee urges substantial further expansion to small sites owned by the London Fire Brigade, the Metropolitan Police, the NHS and the G15 group of housing associations. This programme would be of particular use to primary care landowners, whose sites are numerous and predominantly smaller in size, and would align with the creation of a primary care specific work programme outlined above.

Recommendation 6

That you expand the Small Sites programme to incorporate all public landowners in London, such as the London Fire Brigade, the Metropolitan Police and the NHS, to include primary care sites in due course.

I would be grateful to receive a response to our findings and recommendations within three months from the date of this letter. Please could you send your response to Sheenagh Simpson, Senior Policy Adviser for the Regeneration Committee, (sheenagh.simpson@london.gov.uk).

Yours sincerely,



Tony Devenish AM
Chair of the Regeneration Committee

⁵ <https://www.london.gov.uk/what-we-do/housing-and-land/land-and-development/small-sites/making-small-sites-available-small-builders>