

DMPC Decision – PCD 1314

Title: Enfield Patrol Base Rent Review

Executive Summary:

MOPAC holds a 10 year lease for the Enfield Patrol base running from 30 January 2016 until 29 January 2026. The lease is subject to a rent review on the fifth year anniversary. This paper seeks approval for the revised rent agreed with the landlord. The cost of the revised rent is funded from within the Metropolitan Police Service (MPS) budget.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve agreement of the revised rent payable by the MPS for the occupation of Enfield Patrol Base following negotiations by Montagu Evans & Jones Lang LaSalle (JLL) on the January 2021 Rent Review

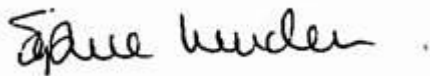
Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Date 02/11/2022



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

1. Introduction and background

- 1.1. MOPAC occupy Units 17-19 at the Great Cambridge Industrial Estate under a lease, which commenced on 30th January 2016 for a term of 10 years with a rent review in the 5th year.

2. Issues for consideration

- 2.1. This site forms part of the retained MPS estate. Following negotiations with the landlord a revised rent has been agreed. The detail of the rent review is set out in the restricted section of this paper.

3. Financial Comments

- 3.1. The negotiated rent level will be funded from within the MPS existing budget.

4. Legal Comments

- 4.1. In carrying out its functions, MOPAC may, under paragraph 7, Schedule 3 of the Police Reform and Social Responsibility Act 2011 “do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office”.
- 4.2. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above.

5. GDPR and Data Privacy

- 5.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 5.2. This report does not use personally identifiable data of members of the public therefore there are no GDPR issues to be considered.

6. Equality Comments

- 6.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. There are no equality implications arising from this proposal.

7. Background/supporting papers

- Appendix 1 MPS Report - Rent Review – Enfield Patrol Base, Units 17-19, Great Cambridge Industrial Estate, Lincoln Road, Enfield, London

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

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

If yes, for what reason:

Until what date:

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA 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	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of the report.	✓
GDPR/Data Privacy GDPR compliance issues are covered in the body of the report .	✓
Drafting Officer Alex Anderson has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The interim MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

Date 01/11/2022

Manakucherd.

**Rent Review – Enfield Patrol Base, Units 17-19, Great Cambridge Industrial Estate,
Lincoln Road, Enfield, London,**

**Portfolio and Investment Board – September 2022
MOPAC Investment Advisory Monitoring – October 2022**

Report by the Director of Property Services on behalf of the Deputy Commissioner

**Part 1 – This section of the report will be published by MOPAC. It is
classified as OFFICIAL – PUBLIC**

Summary

This report focuses on the conclusion on the outstanding January 2021 rent review at Enfield Patrol Base, following negotiations by Montagu Evans (acting for MOPAC) & Jones Lang LaSalle (acting for SEGRO(Landlord)) and seeks approval to the revised rent as set out in Part Two.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

1. **Confirm agreement of the revised rent payable by the MPS for the occupation of Enfield Patrol Base following negotiations by Montagu Evans & Jones Lang LaSalle (JLL) on the January 2021 Rent Review.**

Time sensitivity

A decision is required from the Deputy Mayor by October 2022 to prevent any delay that could jeopardise the current commercial position negotiated and agreed.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. The subject property is located on Great Cambridge Industrial Estate, an established estate located on Lincoln Road, close to the A10.
2. The freeholder is SEGRO (Great Cambridge Industrial Estate) limited.
3. MOPAC occupy Units 17-19 under a lease, which commenced on 30th January 2016 for a term of 10 years with a rent review in the 5th year. The passing rent is £354,500pa which equates to £9.50sqft, based on an agreed floor area of 37,309sqft.

4. The subject unit makes up a terrace and was originally let with dividing walls in place and effectively consists of three separate units. The property is of steel portal frame construction with metal clad elevations under a metal insulated roof. The units provide predominantly warehouse accommodation with ancillary offices.

5. Due to a conflict of interest, Montagu Evans were appointed to represent MOPAC in place of Knight Frank.

Financial, Commercial and Procurement Comments

1. The proposed increased costs will be funded from within MTFP revenue budgets.
2. A more detailed breakdown of the financial impact is attached at Part Two.

Legal Comments

1. The delegated approval under the MOPAC Scheme of Consent & Delegation falls to Director of Property Service and does not specifically require approval from Management board via PIB. However, given the significant increase in annual rent, which exceeds the Director of Property Services' delegated authority limit of £500,000, approval is required prior to MOPAC signing the rent review memorandum.

2. The MOPAC Scheme of Consent & Delegation is silent on approvals for rent reviews. The lease has already been approved by MOPAC and contractually entered into. The rent review is a function of the agreed and legally binding lease terms and cannot be avoided or refused. Montagu Evans have concluded the rent review with the landlord by negotiation in accordance with established commercial and legal practice and require the signing of the Rent Review Memorandum to confirm this.

3. Property Services wish to have the Memorandum signed as a matter of urgency as the landlord is pressing for this matter to be resolved. This property is on the retained list and Property Services wish to maintain a strong and positive relationship with the landlord. A delay to the signing of the memorandum may undermine this relationship, potentially to the detriment of our commercial position.

Equality Comments

1. There are considered to be no equality or diversity issues arising from this paper.
2. The following five key objectives agreed by the London Recovery Board:
 - To reverse the pattern of rising unemployment and lost economic growth caused by the economic scarring of Covid-19
 - Narrow social, economic and health inequalities
 - Help young people to flourish with access to support and opportunities
 - Support our communities, including those most impacted by the virus
 - Accelerate delivery of a cleaner, greener London

3. The MPS is fully aware of the implications and requirements under The Anchor Institution Charter, which does not apply in this instance.

Privacy Comments

1. There are no privacy issues identified through the Data Protection Impact Assessment (DPIA) completed for this work. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

2. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

3. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

4. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

Real Estate Implications

1. This property forms part of the retained estate.

Background/supporting papers

1. Rent Review report – Montagu Evans. Included in Part 2.
2. Rent Review Memorandum. Included in Part 2.

Paper Author: Robert Phelps, Estate & Asset Management Client Lead, PSD

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Rent Review - Enfield Patrol Base, Units 17-19, Great Cambridge Industrial Estate, Lincoln Road, Enfield, London,

Exempt under Article 2(2) (a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).

The paper will cease to be exempt after 5 years.