

REQUEST FOR MAYORAL DECISION – MD1423**Title: Further Alterations to the London Plan (FALP) – approval for next stages****Executive Summary:**

This MD seeks the Mayor's agreement to the next statutory steps in the process for the preparation of the Further Alterations to the London Plan (FALP) following the receipt of the FALP EiP Inspector's report. It also seeks approval to pay the EiP Inspector's fees and expenses, and ahead of the next stage of FALP preparation, financial approval for statutory notices and printing the final FALP.

Decision:

That the Mayor

- (i) considers the report of the Inspector for the Examination in Public into the Further Alterations to the London Plan (Annex A)
- (ii) approves arrangements for publication of the Inspector's report
- (iii) agrees his response to the Inspector's recommendations (Annex B)
- (iv) notes the FALP Integrated Impact Assessment (Annex C) and the FALP Habitats Regulations Assessment screening report (Annex D)
- (v) approves the "intend to publish" version of the Further Alterations to the London Plan (Annexes E and F) for the purposes of recommendation (vi) below
- (vi) agrees that a letter should be sent to the Secretary of State for Communities and Local Government stating his intention to publish the Further Alterations to the London Plan, together with a copy of the alterations as he proposes to publish them (Annexes E and F) and his response to the Inspector's recommendations (Annex B)
- (vii) agrees that subject to the Secretary of State indicating his agreement that the Further Alterations to the London Plan should be published as proposed, the Alterations should be laid in front of the London Assembly for the purposes of section 42B of the Greater London Authority Act 1999 (as amended)
- (viii) authorises expenditure of up to £51,000 for the EiP Inspector's fees and expenses; up to £2,500 for placing statutory notices; and up to £25,000 for printing the Further Alterations to the London Plan.

Mayor of London

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: 12 December 2014

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

Decision required – supporting report

1 Introduction and background

- 1.1 On 18 December 2013 the Mayor signed MD1295 agreeing the draft Further Alterations to the London Plan (FALP) for public consultation. This took place between 15 January and 10 April 2014, and some 330 consultation responses were received. On 7 July the Mayor published 'Suggested Changes' to the FALP. These were put forward in response to suggestions from consultees and included correcting errors, updates to data and clarifications.
- 1.2 An examination in public (EiP) was conducted by Mr A Thickett, the independent planning inspector appointed by the Secretary of State, and this sat in City Hall for eleven days between 1 and 18 September 2014. Throughout and shortly after the EiP, and in response to discussions with participants that took place in hearings, the Mayor put forward to the Inspector a number of 'Further Suggested Changes' to FALP. The Suggested Changes and the Further Suggested Changes to FALP were published in consolidated form on 28 October 2014¹. The EiP Inspector submitted his report to the Mayor on 18 November 2014. Publication of the Inspector's report is the responsibility of the Mayor, and this MD proposes that the report be published immediately.
- 1.3 This MD addresses the next statutory steps in the finalisation of FALP and seeks the Mayor's agreement to his response to the EiP Inspector's findings and recommendations.
- 1.4 The MD asks the Mayor to note the formal assessments (attached) which were published together with the consultation FALP (the Integrated Impact Assessment and the Habitats Regulations Assessment). It is not considered that there is a need to update these assessments as a result of the intend to publish version of the FALP, and as such the Mayor's approval is sought to send FALP as he intends to publish it to the Secretary of State for his consideration. Following this consideration, and subject to no Direction being given by the Secretary of State, this MD seeks the Mayor's approval to lay this version before the London Assembly.
- 1.5 Approval is also sought to pay the EiP Inspector's fees and expenses of £51,000 and, looking ahead to FALP publication/adoption early next year, this MD seeks financial approval for statutory notices of up to £2,500 and printing costs of up to £25,000.

2 The FALP EiP Inspector's report

Headline

- 2.1 Overall, provided the suggested changes are incorporated, and the Mayor accepts his recommendations, the EiP Inspector finds the FALP to be sound and that it should be adopted (published). The inspector's report is attached as **Annex A** to this MD.

The inspector's conclusions and recommendations

- 2.2 The Inspector concludes that the London Plan as changed by FALP provides an appropriate basis for the strategic planning of Greater London, provided that the Suggested Changes (published by the Mayor in July 2014) and the Further Suggested Changes (published by the Mayor in September and

¹ FALP EiP Library document FA/EX/64b

http://www.london.gov.uk/sites/default/files/EX64b_FALP%20CONSOLIDATED%20CHANGES%2028%20October%202014.pdf

October 2014) are incorporated into FALP, and that his recommendations are accepted. The Inspector summarises his recommendations as:

- committing to an immediate full review of the London Plan
- removing references to London Boroughs being required carry out their own assessments of objectively assessed housing need
- allowing London Boroughs to set their own income criteria with regard to intermediate housing.

2.3 The inspector finds that the statutory requirements under the GLA Act to publicise and consult on the draft FALP have been met and exceeded (paragraph 5).

Duty to co-operate (the Duty)

2.4 The Mayor has argued since 2012 that the Duty does not apply to the preparation or alterations of the London Plan. This view (which has been supported by advice from Leading Counsel) was endorsed by the EiP inspector who conducted the REMA examination in 2012, upheld by the Secretary of State in endorsing the REMA in 2013, and reflected in the London Planning Statement, published by the Mayor in May 2014. However, and notwithstanding his view that the Duty does not apply, the Mayor is committed to working with planning authorities in the South East and East of England to secure sustainable development and management of growth in London and the wider the wider south east, and to co-ordinate approaches to other strategic issues of common concern. The Mayor's position at the EiP, therefore, was that, even though he did not consider the Duty to apply, the Duty had in substance been complied with.

2.5 The FALP EiP Inspector takes a different view of the applicability of the Duty, however. He concludes (in paragraph 7 of his report), that whilst the preparation of FALP is an activity in its own right, it must also 'prepare the way' for and support the preparation of Development Plan Documents (DPDs). This interpretation aligns the FALP with an activity which, under amendments to the Planning Acts introduced by the Localism Act 2011, would place the Duty on the Mayor. He concludes (paragraph 8) that in his view "the Duty does apply to the preparation of the spatial development strategy for London", noting that both the SHMA and the SHLAA support the preparation of DPDs.

2.6 Looking at the Mayor's FALP preparation and consultation activities with a range of bodies in London, the Inspector concludes that the "the Mayor has satisfied the Duty with regards to bodies in London" (paragraph 9). He also accepts that the Mayor has been involved in cross boundary co-operation with authorities outside London since 2012 (paragraph 10).

2.7 In respect of waste, the Inspector considers that the Mayor did not engage constructively with adjoining waste planning authorities in formulating FALP (paragraph 11). Although it was put to the EiP by GLA officers that there was on-going engagement with the representative of waste authorities outside London through activities of the London RTAB (the regional technical waste advisory body for London), the Inspector did not accept that this was sufficient to constitute 'constructive engagement' in the terms of National Planning Policy Guidance.

2.8 Nevertheless, the Inspector concludes that that this failure (as he found it) to comply with the Duty is not fatal and does not mean that the FALP is unsound because the FALP is not a DPD, and the GLA is not a local planning authority. Although not expressly spelt out in his report, this is understood to be a reflection of the fact that the London Plan is prepared under a separate statutory regime to DPDs, and that the provisions of section 20 of the Planning and Compulsory Purchase Act 2004 do not apply. In the Inspector's view two factors outweigh the perceived failure to comply with the Duty: (i) bringing forward the waste target dates will lessen the overall burden on waste management facilities outside London, and (ii) "the serious adverse impact of not increasing housing delivery targets" (paragraph 83).

Issue 1: environmental assessment

- 2.9 The EiP inspector considers that the depth and coverage of the Integrated Impact Assessment (IIA) is proportionate, that it includes a fair and thorough assessment of proposed options to the strategy proposed in the FALP, and that it complies with the regulations (paragraph 16). He also gives the Habitats Regulations Assessment (HRA) a clean bill of health (paragraph 17).

Issue 2: should the boroughs be required to undertake their own housing needs assessments?

- 2.10 In the Inspector's non-technical summary of his recommendations, he states that references to boroughs being required to carry out their own assessments of objectively assessed housing need should be removed from the Plan. He suggests (paragraph 23) that, other than some 'fine tuning' regarding local need relating to the size and type of property and tenure, there is no need for them to duplicate the Mayor's assessment of overall housing need (the SHMA). However, his specific recommendations are more nuanced and selective recommending removing part of what is effectively a 'reminder' to boroughs about a central axiom in national planning policy: the importance of boosting supply significantly to meet need within the housing market area. This entails retaining the 'supply' element of national policy but deleting the explicit reference to 'need'. His recommendations do not remove the references to local and sub-regional assessments in paragraphs 3.19, 3.45, 3.47 and Policy 3.8 of the FALP.
- 2.11 His reasoning for this stance is that it is the role of the Mayor's London Plan to identify housing need and guide housing provision as these are "undisputedly strategic matters in London" (paragraph 20), particularly as London is considered to be a single housing market area for planning purposes (paragraph 21). He considers the Mayor's estimate of London's objectively assessed housing need for this area to be robust. He also concludes that, because the London Plan is part of the Development Plan for all boroughs, there is no need for boroughs to repeat the London Plan on all matters (e.g. housing need) as this would lead to unnecessary duplication and confusion (paragraph 19).

Issue 3: will FALP enable boroughs to meet full, objectively assessed needs for market and affordable housing?*Housing need and delivery*

- 2.12 The Inspector is satisfied that the Mayor is justified in carrying out his own population projections, which he considers to be thorough, based on sound methodology and on logical assumptions (paragraph 25). Given demographic uncertainties, he considers the Mayor's decision to plan on the basis of the Central scenario to be reasonable (paragraph 27). He also considers the SHMA and GLA household projections provide "a reasonable and best available" assessment of housing need for London (paragraph 30).
- 2.13 The Inspector is not persuaded that boroughs will deliver the additional 6,600 homes per annum (pa) over and above the 42,000 pa minimum target in order to meet London's strategic need for some 49,000 new homes pa. This is despite the requirements of Policy 3.3 which states boroughs should develop their own housing targets, drawing on minimum targets in the London Plan, augmenting these with extra capacity where possible. His reasoning in this is as follows: first, he does not consider there to be a mechanism in the FALP to distribute the 6,600 in terms of 'how' and 'where' it would be provided (paragraph 33). Second, he is not convinced boroughs will need to increase their targets to be in general conformity with London Plan targets, particularly as these are based on the SHLAA's estimate of housing capacity (paragraph 34).
- 2.14 Third, he is not persuaded (paragraph 35) that boroughs will have to provide additional housing as a result of the requirements imposed by the duty to cooperate (DTC). This is because national guidance on the DTC suggests the degree of cooperation required between London boroughs is

limited where strategic issues have already been addressed in the London Plan. Further, he suggests that as the SHLAA identifies the housing capacity for each borough, it is difficult to see how co-operation between boroughs will increase supply. Hence he has recommended that reference to the DTC be removed from paragraph 3.19i of the FALP (Inspector's recommendation IRC1). Fourth, he expresses 'significant concerns' whether higher densities can or should be always sought, in terms of the qualitative impact on the environment and quality of life (paragraph 34).

Strategic Housing Land Availability Assessment (SHLAA)

- 2.15 The Inspector considers the SHLAA provides a reasonable estimate of capacity (both for small and large sites), recognising it is a "huge undertaking" (paragraph 36). He considers the delivery of housing targets (42,000 homes pa) will be a substantial challenge given the findings of the Mayor's Barriers to Delivery reports and trends in housing completions, which on average have been less than half those of approvals in terms of units pa (paragraph 38). His report recognises the potential for delays and long lead-in times on large brownfield sites and Opportunity Areas (paragraph 39).
- 2.16 The Inspector recognises clearing London's backlog housing need over a shorter (10 year) timescale would increase London's housing requirement to 62,000 homes pa (paragraph 40). He considers that even to achieve 49,000 homes pa, densities will need to be increased and has reservations about this in terms of local character, townscape and its social and environmental impacts. He comments that meeting housing need will require innovative solutions, but "care must be taken not to damage [London's] environment such that it becomes an unpleasant place to visit, live and work" (paragraph 42).

Affordable housing

- 2.17 The Inspector considers the London Plan's affordable housing target (17,000 homes pa) can be achieved without putting the [overall] delivery of housing at risk, being supported by appropriate evidence in terms of viability. He accepts, as was stated by the Mayor at the EiP, that meeting the full need for affordable housing (25,600 pa) would be very challenging in the short to medium term, but welcomes the approach of the FALP which seeks the maximum reasonable amount of affordable housing, subject to viability (paragraph 44).
- 2.18 For the sake of clarity, the Inspector recommends the reinstatement of deleted text which suggested eligibility criteria for intermediate housing should be set locally to recognise individual characteristics of local housing markets, and suggests that the FALP thresholds should be the default position where local criteria are not set (inspector's recommendation IRC2). In his view, this would ensure compliance with the NPPF's definition of affordable housing (which specifies such provision should be for households whose needs are not met by the market) and would prevent what he refers to as "affordable housing tourism" (paragraphs 46 and 47). However, the Inspector agrees with the Mayor that the pan-London thresholds should apply following three months after the point of initial marketing, in order to ensure homes are delivered and not left empty. His recommendation also clarifies that local and pan-London eligibility requirements would apply at the point of re-sale or re-let.

Housing for older people, student accommodation, housing standards review, spaces and places

- 2.19 The Inspector considers that it is correct for the FALP to provide strategic guidance to boroughs on housing for older people, recognising that FALP includes indicative benchmarks for specialist housing for older people by tenure which should inform local plans. He concludes that it is right that the FALP should require London boroughs to identify and address the needs of the elderly (paragraph 50).
- 2.20 The Inspector is satisfied that projections of demand for student accommodation in the FALP are 'supported by reliable evidence.' He does not object to the principle of dispersing student housing

from central areas and of boroughs securing an element of student accommodation that is affordable. He is content that detailed mechanisms for securing this are not a matter for FALP (paragraph 52). Officers confirmed, in a subsequent note to the Inspector, that more detailed guidance on securing affordable student accommodation will be provided through the Housing SPG, following further engagement with the Mayor's Academic Forum.

- 2.21 The Mayor's proposal to undertake a further minor alteration to the London Plan to align his housing standards with forthcoming national standards is noted by the Inspector (paragraph 53).
- 2.22 Although he acknowledges that the London Plan includes policies to protect local character, heritage assets, open spaces and community facilities, the Inspector expresses a concern that a strategy to accommodate growth within London's boundaries and without intruding on Green Belt will "place unacceptable pressures on the city's communities and environment" (paragraph 54).

Housing conclusion

- 2.23 Despite his general conclusion that the FALP provides an appropriate basis for planning London, the Inspector considers that "the evidence strongly suggests that the existing London Plan strategy will not deliver sufficient homes to meet objectively assessed need" (paragraph 56). He also states that the strategy has "significant and potentially serious implications" for delivery and for existing communities in terms of housing intensification (paragraph 55). He does not believe the Mayor can rely on the NPPF or DTC to make boroughs provide more housing (above minimum targets) and has recommended (IRC1) the deletion of these statements from paragraphs 3.18 and 3.19i of the FALP. However, the Inspector has not recommended changes to Policy 3.3 which will still require boroughs to 'close the gap between need and supply in line with the NPPF'.
- 2.24 Hence, he recommends (inspector's recommendation IRC3) that the London Plan strategy is reviewed as soon as the FALP is adopted in 2015, rather than in 2019/20 as set out in the FALP. In carrying out this full review, the Inspector advises the Mayor to engage local planning authorities beyond the GLA boundaries in the evolution of the city.
- 2.25 In advocating an early review (paragraph 22), the Inspector has explicitly recognised that, given London's housing need, it is preferable to have FALP housing targets in place (42,000 pa) than to delay this and revert back to the existing 2011 London Plan target (32,000 pa).
- 2.26 As he puts it in paragraph 55 of his report, "Despite my reservations ... I conclude that, subject to a commitment to an immediate review, the FALP should be adopted as not to do so would perpetuate the existing under delivery by not requiring boroughs to increase supply".

Issue 4: will FALP enable boroughs to meet the need for employment?

- 2.27 The inspector endorses the FALP's historic trend-based methodology for employment projections (paragraph 59) and its approach to the release of surplus industrial land (paragraph 61). He supports the proposed change to Policy 4.3 to allow boroughs to support small scale offices in CAZ (paragraph 63). Subject to incorporating the suggested changes, he concludes that the FALP's strategies and policies will enable London boroughs to meet the need for employment in Greater London (paragraph 64).

Issue 5: will FALP enable boroughs to meet the need for retail development?

- 2.28 Whilst acknowledging that retail forecasting is not an exact science, the inspector endorses the FALP's approach to comparison goods floorspace projections, and upholds its conclusion that retail growth will not be as high as that projected in the 2011 London Plan (paragraph 66). He accepts FALP's position on the impact of this on town centres (paragraph 68) and notes that the strengthening of the Plan's position on public houses (in FALP paragraph 4.48A) was welcomed by

most EiP participants (paragraph 69). He considers that FALP's evidence based approach to town centre classifications is justified and appropriate, and did not accept participants' advocacy of Earls Court and West Kensington as a District Centre, Canary Wharf as a Metropolitan Centre (paragraph 71). He upholds the FALP on changes to centres designation in Bromley and Kingston upon Thames (paragraph 72)

- 2.29 Subject to incorporating the suggested changes, he concludes that the FALP's strategies and policies will enable London boroughs to meet the need for retail development in Greater London (paragraph 73).

Issue 6: is FALP's aim of achieving waste self-sufficiency by 2026 realistic?

- 2.30 The Inspector notes that the waste policies were subject to a "host" of suggested changes and further suggested changes, the majority of which related to terminology and were welcomed by the Environment Agency and most participants (paragraph 74). He welcomes the bringing forward of targets to speed up waste planning in London, encourage the adoption of waste plans, and promote the drive to self-sufficiency (paragraph 75).
- 2.31 He notes the independent validation of FALP's waste data, but urges the Mayor to commit to a comprehensive analysis to inform the further review of the Plan (paragraph 76). He considers that bringing forward the targets to bring pressure to bear on London's waste planning authorities is justified (paragraph 77).
- 2.32 On apportionment, he accepts that the (unchanged) methodology has been found sound and that the latest data is used. However, he has some sympathy with boroughs whose waste planning functions may go to adjoining MDCs, and recommends (inspector's recommendation IRC4) that in such circumstances the responsibility for meeting a borough's waste apportionment is shared (paragraph 78).
- 2.33 He concludes that the FALP's approach to waste generally complies with the October 2014 amendment to the NPPG which replaces PPS10 (paragraph 79). He upholds the level at which the carbon intensity floor (the CO2 performance standard for London waste to energy facilities to meet) is set in FALP, and notes that the Mayor has committed to review this in the full Plan review (paragraph 80), and he notes that the FALP's 'demonstrable steps' approach to the use of heat generated by waste is appropriate (paragraph 81).
- 2.34 In summarising his conclusions on waste, the Inspector refers back to his opinion (in paragraph 12) that the failure to meet the Duty in respect of engagement on waste issues is not fatal for two reasons: (i) bringing forward the waste target dates will lessen the overall burden on waste management facilities outside London, and (ii) "the serious adverse impact of not increasing housing delivery targets" (paragraph 83).

Issue 7: will FALP enable the Mayor, boroughs and others deliver the infrastructure necessary to support the level of growth envisaged?

Implementation

- 2.35 The inspector notes that the SHLAA is supported by a viability assessment which concludes that some form of housing development will be viable in almost all London boroughs; that the FALP includes policies to facilitate infrastructure provision; that the Mayor is committed to working with infrastructure providers, and with boroughs and communities on new MDCs and other delivery vehicles; and that he is developing a long term infrastructure plan (paragraph 84).

Opportunity areas

- 2.36 The inspector accepts the various changes put forward to Opportunity Areas (OAs) – which he notes are an established feature in the London Plan, designed to drive regeneration – and sees no need to recommend any changes to any of the proposed alterations to OAs (paragraphs 85 and 86). He endorses the proposed change that deals with the process of new OAs coming forward, but notes that any additional OA would require specific consultation as a plan alteration (paragraph 87).

Transport

- 2.37 The inspector endorses the FALP's approach to cycling and walking, noting that the full review would present an opportunity for the Mayor to develop further proposals (paragraph 89). He supports the revised cycle parking standards, noting that the evidence before the EiP supports them (paragraph 90).
- 2.38 The inspector considers the Mayor's encouragement to a restraint based approach to car parking provision in inner London and other locations which benefit from good access to public transport to be justified – noting that a representor made a "very good point" that relaxing restraints on the provision of car parking in inner London would constrain the ability to maximise the delivery of much needed housing and increase its cost in an already expensive market (paragraph 91). He notes that FALP already recognises the need for car parking flexibility in town centres and will allow boroughs to tailor standards to their areas as appropriate. He concludes that the FALP on car parking is flexible and strikes an appropriate balance (paragraph 92).

Energy, water and digital connectivity

- 2.39 The inspector notes the establishment of the London Electricity High Level Working Group and is satisfied that the FALP provides strategic guidance and support for the provision of energy infrastructure (paragraph 94). He is satisfied that the Mayor's approach to demand side energy management is appropriate at this time (paragraph 95). The Inspector endorses the FALP on strengthening the prudent use of water, requiring all new development to be water efficient and encouraging the retrofitting of efficiency measures (paragraph 96), and he supports the use of more flexible terminology proposed in the FALP's approach to digital connectivity (paragraph 97).

Overall conclusion and recommendations

- 2.40 The Inspector notes that the consultation version of FALP had a number of deficiencies which have been rectified by the July 2014 suggested changes, and the further suggested changes which were put forward during and after the EiP. In conclusion, he recommends that the FALP are not adopted without four additional recommended changes (IRC1 -IRC4) (paragraph 98).

These four changes are set out in full at the back of Annex A to this MD, but include::

- IRC1
- amending FALP paragraph 3.18 (advice to boroughs on how to make sure that their local plans are found sound on the issue of meeting housing need) by removing a reference to boroughs having to demonstrate that they have met their full, objectively assessed needs for market and affordable housing; and
 - amending FALP paragraph 3.19i (a new paragraph – proposed by the Mayor in the further suggested changes which seeks to clarify how a range of policies in the Plan can be used by boroughs to demonstrate effective local contributions to meeting London's overall need for 49,000 additional homes per annum) by removing references to local needs assessments, addressing the gap between housing supply and need, and exercising their duty to co-operate with other local planning authorities.
- IRC2
- amending FALP paragraph 3.62 (advice to boroughs on eligibility criteria for intermediate housing) by partly reverting to pre-FALP (i.e. 2011 London Plan) text on local criteria setting; and by inserting new text to make clear that, where local criteria

are set, the three month period from initial marketing after which homes must be offered at unrestricted rent levels applies to new, re-sale or re-let homes.

- IRC3 • adding new text committing the Mayor to commence a full review of the London Plan in 2015:
 - to the end of FALP paragraph 0.16 (circumstances under which the London Plan will be altered or replaced), and
 - to replace the last sentence of FALP paragraph 8.21 (looking to the future).
- IRC4 • amending FALP paragraph 5.80 (advice to boroughs on meeting waste apportionments) by inserting new text that requires MDCs (Mayoral Development Corporations) to co-operate with boroughs to ensure that boroughs' apportionments are met.

2.41 The Mayor's attention is drawn to **recommendation (i) of this MD** which asks him to consider the Inspector's report.

3 Publishing the Inspector's report

- 3.1 Under Regulation 8(9) of the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 (the 'SDS Regulations'), the Mayor must publish the FALP Inspector's report within eight weeks of receiving it. The report must be made available at locations where the consultation FALP was put 'on deposit', and a copy sent to each London borough council. A copy will also be placed on the GLA's website.
- 3.2 It is proposed that the FALP Inspector's report is published as soon as possible – on or before Monday 15 December (as set out in section 11 of this report below).
- 3.3 The Mayor is recommended to approve these arrangements for publishing the FALP Inspector's report (**recommendation (ii) of this MD**).

4 The Mayor's response to the Inspector's recommendations

- 4.1 The Inspector's four recommendations (IRC1-4) are set out in full in an appendix to his report to the mayor (Annex A to this MD) and summarised by officers in paragraph 2.40 above. Each of the Inspector's recommendations is considered in turn below and advice is given to the Mayor on how he might wish to respond.

IRC 1 (amendments to FALP paragraphs 3.18 and 3.19i)

- 4.2 Though the Inspector recommends deletion of the NPPF phrase "full, objectively assessed needs for market and affordable housing in the housing market area" he accepts that FALP should retain the NPPF phrase "as far as is consistent with the policies set out in the Framework". Officers suggest that this recommendation can be accepted without undermining the thrust of FALP policy to seek to meet need locally and strategically through Policy 3.3 (on housing supply) and Policy 3.8 (on meeting need) and the links between them explained in supporting text (paragraph 3.19).
- 4.3 Similarly, his recommended deletion of references proposed in Further Suggested Changes (FSC) 3.1 and 3.3 to local assessments of needs will not undermine the thrust of FALP policy because the policies themselves (3.3 and 3.8) remain unchanged. In the same vein, his recommended deletion of the reference to Boroughs' Duty to Cooperate can also be accepted because this is a statutory duty

which must in any case be discharged by local planning authorities. More generally, these Further Suggested Changes were only introduced during the EIP to address concerns expressed by some participants over the need for clarification on the implementation of the range of the Plan's housing policies. As a matter of implementation they could be addressed in guidance rather than the body of the Plan – the Inspector has not recommended changes to the policies themselves or to other relevant parts of the supporting text.

- 4.4 In summary, the Inspector's recommendation IRC1 can be accepted.

IRC 2 (amend FALP paragraph 3.62)

- 4.5 The Inspector's recommended changes to FALP's refinement of supporting text to Intermediate Housing policy places it more clearly in the context of national planning policy without compromising the Mayor's intent in proposing the Alteration – to ensure efficient use of public resources and uptake of housing stock in a way which will meet local and strategic need. It is therefore suggested that the Inspector's recommendation IRC2 be accepted.

IRC 3 (amend FALP paragraphs 0.16 and 8.21)

- 4.6 FALP already commits the Mayor to completing a full review of the Plan by 2019/20 if this is necessary (paragraph 3.16a) and it was anticipated at the EIP that this process would start in 2016/17. In view of the uncertainty around London's future growth and around the capacity of the Plan's existing strategies and philosophy to accommodate it, the Inspector recommends that a full review should commence in 2015. In practice work on the full review has already started and it is therefore suggested that the Inspector's recommendation IC3 should be accepted.

IRC4 (amend FALP paragraph 5.80)

- 4.7 In designating Mayoral Development Corporations the Mayor already works with relevant boroughs to address waste apportionment requirements. The Inspector's recommendation that the Mayor should cooperate with Boroughs in this will formalise the process. It is therefore recommended that the Inspector's recommendation IC4 should be accepted.
- 4.8 The implications of accepting the changes recommended by the Inspector have been assessed by officers, taking account of potential Integrated Impact Assessment and consultation requirements. It is considered that accepting the recommendations will not require any additional assessments or consultation.
- 4.9 **Annex B** sets out the suggested formal Mayoral response to the Inspector's recommendations – that each of them should be accepted. The Mayor's attention is drawn to **recommendation (iii) of this MD** which asks him to agree his response to the Inspector's recommendations as set out in Annex B.

5 FALP next steps

Process and next steps

- 5.1 Having agreed his response to the Inspector's report (section 4 of this MD above), the next step is for the Mayor to agree any consequential changes to the draft FALP. This version of the FALP is known as the 'intend to publish' FALP. In arriving at his decision to approve the 'intend to publish' FALP the Mayor must pay due regard to the formal assessments carried out on the FALP – the Integrated Impact Assessment (IIA) and the Habitats Regulations Assessment screening report (HRA), including any further assessment resulting from the Inspector's report.
- 5.2 Under SDS Regulation 9(2)(a) the Mayor must then send to the Secretary of State:

- a statement of his intention to publish the FALP
- a copy of the FALP as intended to be published, and
- where he proposes not to accept any of the Inspector's recommendations, a statement of reasons for not accepting that recommendation.

- 5.3 Under SDS Regulation 9(2)(b), but subject to the Assembly's power to reject FALP (see below), the Mayor may only publish FALP six weeks after submitting the statement of intention to the Secretary of State, unless the Secretary of State has directed otherwise.
- 5.4 Under section 42B of the Greater London Authority Act 1999 Act (an amendment made by the Localism Act 2011), where the Mayor has prepared and is ready to publish a draft of any of his statutory strategies (including a revised version of the strategy), and before he publishes the strategy, he must lay a copy of the draft before the London Assembly in accordance with GLA standing orders. This may be either the 'intended to publish' version sent the Secretary of State, or a further version containing any changes directed by the Secretary of State.
- 5.5 The Mayor cannot adopt/publish FALP within the period of 21 days beginning with the day on which the draft FALP is laid before the Assembly. Within these 21 days the Assembly has the power under section 42B to reject the draft FALP. The Assembly may not amend or modify FALP – they can only reject it. A motion to reject requires agreement of at least two thirds of the Assembly members voting (abstentions not counted) at a meeting of the whole Assembly.
- 5.6 Assuming they are not rejected by the Assembly, the FALP can then be officially published. On publication, the FALP will formally constitute part of the Mayor's Spatial Development Strategy, and will form part of the development plan for Greater London.

FALP assessment

- 5.7 In taking his decision to approve the 'intend to publish' FALP the Mayor should pay due regard to the formal assessments – the Integrated Impact Assessment (IIA) and the Habitats Regulations Assessment screening report (HRA), both published on 15 January 2015. These are attached to this MD as **Annex C** and **Annex D**.
- 5.8 At the time of their preparation and publication earlier this year, officers evaluated each proposed Suggested and Further Suggested Change and confirmed that no further formal assessment nor consultation was required. As reported in paragraph 7.11 below, officers have also evaluated the changes proposed by the EiP Inspector and have concluded that neither further assessment nor consultation is required.
- 5.9 The Mayor's attention is drawn to **recommendation (iv) of this MD** which asks him to note the FALP Integrated Impact Assessment (Annex C) and the FALP Habitats Regulations Assessment screening report (Annex D).

Approving the 'Intend to publish' FALP

- 5.10 The 'intend to publish' FALP is made up of the following:
- draft FALP, published for public consultation on 15 January 2014,
 - amended by the suggested changes, published on 7 July 2014 and the further suggested changes, published in September and October 2104 – all published together as the Consolidated Suggested Changes on 28 October 2014
 - amended by the EiP Inspector's recommendations, as agreed in this MD

5.11 The ‘intend to publish’ FALP is attached to this MD and is presented as follows:

- **Annex E** – a ‘clean’ version of the ‘intend to publish’ FALP, showing how it would look at final publication stage
- **Annex F** – a version of the ‘intend to publish’ FALP showing the alterations

5.12 In Annex F, the alterations and changes are shown as follows:

- New or altered text from the January 2014 consultation draft FALP is shown in **blue bold** with deleted text is shown in ~~blue strikethrough~~. Where maps, figures and table are altered, complete replacements are shown with **bold blue titles**
- New or altered text from the July 2014 Suggested Changes is shown in **red bold** with deleted text is shown in ~~red strikethrough~~
- New or altered text from the September and October 2014 Further Suggested Changes is shown in **green bold**, **purple bold** or **orange bold**, and deleted text is shown in ~~green bold strikethrough~~, ~~purple bold strikethrough~~ or ~~orange bold strikethrough~~
- New or altered text as recommended by the FALP EiP Inspector is shown in **bold with red highlight** while deleted text is shown in ~~struckthrough with red highlight~~

5.13 In addition, officers propose a small number of minor edits and updates. For these, new or altered text is shown in **yellow highlight** and deleted text is shown ~~struckthrough with yellow highlight~~. The Mayor’s attention is drawn in particular to FALP paragraph 0.16F which refers to the prospective additional alteration on car parking, and to the clarification at the foot of Table A4.1 on types of housing accommodation that can be counted, for monitoring purposes, towards housing targets – a clarification requested by CLG officers.

5.14 The Mayor is recommended to approve the ‘intend to publish’ FALP as set out in Annex E and Annex F **recommendation (v) of this MD**

Submitting the ‘intend to publish’ FALP to the Secretary of State

5.15 Paragraph 5.2 above sets out the process for submitting the FALP to the Secretary of State. The Mayor is recommended to agree that a letter should be sent to the Secretary of State for Communities and Local Government stating his intention to publish the Further Alterations to the London Plan, together with a copy of the alterations as he proposes to publish them (Annexes E and F) and his response to the Inspector’s recommendations (Annex B) **(recommendation (vi) of this MD)**

Submitting the ‘intend to publish’ FALP to the London Assembly

5.16 Paragraphs 5.3 and 5.4 above explain the process for submitting the FALP to the London Assembly. The Mayor is recommended to agree that subject to the Secretary of State indicating his agreement that the Further Alterations to the London Plan should be published as proposed, the Alterations should be laid in front of the London Assembly **(recommendation vii) of this MD)**.

Publishing/adopting the FALP

5.17 Following the consideration of FALP by the Assembly, further approval will be sought from the Mayor to publish the FALP.

Financial approvals

5.18 The Mayor is responsible for the cost of the Examination in Public. Authorisation is sought to reimburse the Planning Inspectorate for the EiP Inspector’s fees and expenses up to £51,000 and, looking ahead to FALP publication/adoption early next year, this MD also seeks financial approval

for statutory notices up to £2,500 and printing costs up to £25,000 (**recommendation viii) of this MD**).

6 Equality comments

- 6.1 The Mayor and GLA are subject to the public sector equality duty, as set out in Section 149 of the Equality Act 2010. The 2010 Act includes a single public sector equality duty (“Equality Duty”) bringing together race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. These are the grounds upon which discrimination is unlawful and are referred to as ‘protected characteristics.’
- 6.2 The Equality Duty requires the Mayor when exercising his functions to have *due regard* to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.3 Having *due regard* to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. The steps involved in meeting the needs of disabled persons include, in particular, steps to take account of disabled persons' disabilities. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding. Compliance with these duties may involve treating some persons more favourably than others.
- 6.4 These duties apply to the Mayor’s decision whether to approve the ‘intend to publish’ FALP for the purposes of formal submission to the Secretary of State CLG and the London Assembly, and at the next stage, to publish them as alterations to the London Plan.
- 6.5 In light of these duties GLA officers have reviewed what is proposed in the ‘intend to publish’ FALP (Annexes E and F to this MD), and the Equalities Impact assessment included in the Integrated Impact Assessment (Annex C to this MD), and advise that there is nothing raised by such which has not been already addressed as part of the statutory process.
- 6.6 The courts have emphasised that “*due regard*” requires an active and engaged analysis of the relevant material with the specific statutory considerations in mind, but the Duty does not require that the considerations raised in the analysis are decisive in the particular case and finally, that the weight to be given to the requirement that “*due regard*” is to be had is for the decision maker to decide.

7 Other considerations

Key Risks and issues

- 7.1 Detailed advice to the Mayor on the risks inherent in the FALP’s specific interpretation of national planning policy as it applies in the unique circumstances of London was presented in MD1295

(approval of the draft FALP for public consultation), which the Mayor signed on 18 December 2013. In recommending the FALP be adopted subject to his recommendations being included, it is evident that the EiP Inspector is content with the FALP's approach. As he puts it in paragraph 55 of his report, "Despite my reservations ... I conclude that, subject to a commitment to an immediate review, the FALP should be adopted as not to do so would perpetuate the existing under delivery [of housing] by not requiring boroughs to increase supply".

- 7.2 The main risk associated with this final stage in the preparation of the FALP is that the Secretary of State may not agree with the Mayor's responses to the Inspector's recommendations, and may direct the Mayor to make further changes to the FALP. To minimise this risk, officers have held informal meetings with officials from the Department for Communities and Local Government. Discussions will continue to take place to ensure that, as far as possible, the risk that the Secretary of State will exercise his powers to direct changes is minimised. In addition, the London Assembly's power to reject a Mayoral strategy poses a further risk. There is also the risk of statutory challenge following the publication/adoption of FALP.
- 7.3 Legal advice (including advice from Leading Counsel) has been taken throughout the process for the adoption of the FALP in order to minimise these risks and to ensure that the reasons for accepting the Inspector's recommendations are clear and sufficient.
- 7.4 The London Plan has been, and will continue to be, tightly project managed to ensure that key deadlines are met and that expenditure stays within budget.

Links to Mayoral strategies and priorities

- 7.5 The FALP proposes alterations to the London Plan, the Mayor's Spatial Development Strategy. This sets out the Mayor's policies for the development and use of land in London. It also incorporates the spatial – geographical and locational – aspects of his transport, economic development, housing, environmental and other strategic policies for London in a single, comprehensive framework. It provides the basis for implementation of these strategies and policies through the planning system, to the extent that this is appropriate.

Impact assessments and consultations

- 7.6 In preparing or altering the London Plan, the Mayor has legal duties to consider the following:
- Economic development and wealth creation (GLA Act 1999, as amended);
 - Social development (GLA Act 1999, as amended);
 - Protection and improvement of the environment (European Directive 201/42/EC on Strategic Environmental Assessment, The Environmental Assessment of Plans and Programmes Regulations 2004, GLA Act 1999, as amended);
 - Health inequality and promoting Londoners' health (GLA Act 1999, as amended);
 - Community safety (Crime and Disorder Act 1998, Police and Justice Act 2006); and
 - Equality of opportunity, elimination of discrimination and the promotion of good community relations (GLA Act 1999, as amended, Equality Act 2010).
- 7.7 The GLA adopts an integrated approach to demonstrate how these duties have been considered in the form of an Integrated Impact Assessment (IIA). This methodology enables any common themes to be considered together. It covers strategic environmental and sustainability appraisal and community safety, health impact and equalities impact assessments. An IIA was prepared for the FALP by independent consultants AMEC. The IIA conforms to the requirements of an environmental report under the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), and is an iterative process. The IIA also includes a specific Equalities Impact Assessment.

- 7.8 Regulation 102 of the Conservation of Habitats and Species Regulations 2010 (as amended), which implements Article 6(3) of the Habitats Directive (92/43/EEC), requires an appropriate assessment also known as a Habitats Regulation Assessment (HRA) to be undertaken in respect of any plan or project which, either alone or in combination with other plans or projects, would be likely to have a significant effect on a European Site, and is not directly connected with the management of the site for nature conservation. An HRA for FALP was carried out by AMEC who assessed that the alterations were not likely to have any significant environmental effects on the network of Natura 2000 protected sites, subject to the cross-referencing of some additional policies to the existing biodiversity policy (London Plan Policy 7.19).
- 7.9 Detailed advice was given to the Mayor in MD1295 on the impact of the IIA and HRA recommendations on the development of FALP policy ahead of public consultation. The IIA and the HRA were published on 15 January 2014 together with the consultation draft FALP. Careful consideration was given to the proposed changes brought forward during the EiP process. The changes were not considered to significantly change the effects of the policies and therefore no further formal assessment or consultation was required.
- 7.10 The FALP EiP Inspector states that the IIA's "depth and coverage is proportionate to the extent to which the further alterations change the aims and objectives of the London Plan and seems to me to be a fair and thorough assessment of the proposed alternatives. I am, therefore, satisfied that the IIA complies with the regulations" (FALP Inspector's report paragraph 16). With respect to the HRA, the Inspection concluded that its "conclusions are not meaningfully challenged and I have neither heard nor read anything to suggest that they are not robust." (paragraph 17).
- 7.11 Careful consideration has been given to the effect of the Inspector's recommendations and the Mayor's proposed response to them outlined in this report and in Annex B. Officers conclude that the proposed changes to FALP arising from accepting the Inspector's recommendations do not require further assessment. This will be considered again in the light of any further changes that are made as a result of this approval process, or arising from a ministerial direction.
- 7.12 There is no further requirement for public consultation. The GLA Act (as amended) and associated regulations set out the requirements for public engagement in preparation or alteration of the London Plan. Under this legislation, public consultation was undertaken in January to April 2014 and the FALP will be laid before the London Assembly at the appropriate time.

8 Financial comments

- 8.1 Mayor's approval and agreement is sought for the next statutory steps in the preparation of the Further Alterations to the London Plan (FALP).
- 8.2 As part of this, approval is being sought for expenditure of up to £51,000 for the EiP Inspector's fees and expenses; up to £2,500 for placing statutory notices; and up to £25,000 for printing the Further Alterations to the London Plan
- 8.3 This will be funded from the 2014-15 London Plan budget. Any changes to these proposals, including budgetary implications will be subject to further approval via the Authority's decision-making process. All appropriate budget adjustments will be made.
- 8.4 The Planning team within the Development, Enterprise & Environment Directorate will be responsible for managing this expenditure and ensuring all associated activities relating to expenditure adhere to the Authority's Financial Regulations and Contracts & Funding Code.

9 Legal comments

- 9.1 The Mayor is required to prepare and publish a spatial development strategy (known as the London Plan) under section 334 of the Greater London Authority Act 1999 (“the Act”). The Strategy must include his general policies in respect of the development and use of land in Greater London and must deal only with matters, which are of strategic importance. However, in making that determination, it is immaterial whether or not the matter affects the whole of Greater London.
- 9.2 The Mayor has a duty under Section 340 of the Act to keep this strategy under review and can under section 341(1)(a) of the Act at any time prepare and publish amendments (or more formally “alterations”) to the Plan to this end. Section 341 of the Act sets out the procedure to be followed for the preparation and publication of the London Plan; section 341(3) has the effect that the procedure for preparing a replacement London Plan shall also be used for its alteration; this has been rigorously followed.
- 9.3 The Mayor was required under Section 338 of the Act to cause an Examination in Public to be held by persons appointed by the Secretary of State for the purpose and as such this was duly held at City Hall from 1 to 18 September 2014. The Inspector’s report was received on 18 November 2014. Under the Regulations the Mayor must publish the Inspector’s report, within eight weeks of its receipt, make it available for public examination and send a copy to each London borough. This report therefore seeks approval to publish the Inspector’s report.
- 9.4 The next stage is for the Mayor to send to the Secretary of State a statement of his intention to publish the Further Alterations to the London Plan (FALP), a copy of the text of the FALP which he intends to publish, and where he proposes not to accept any recommendation contained in the Inspector’s report, a statement of his reasons for not accepting that recommendation. This MD therefore seeks approval to send the copy of the FALP he intends to publish, with the other documents, to the Secretary of State.

Direction

- 9.5 The Secretary of State then has 6 weeks, or such longer period as he may require, in order to consider the FALP. He may at any time before the Mayor publishes the FALP give the Mayor a Direction under Section 337(7) of the Act requiring him to modify the intended to publish version before it is formally published if it appears to him that it is expedient to do so for the purpose of avoiding:
- (a) any inconsistency with current national policies or relevant planning guidance, or
 - (b) any detriment to the interests of an area outside Greater London,

- 9.6 If such a Direction is given, the Mayor must not publish the FALP unless he has satisfied the Secretary of State that he has made the modifications necessary to conform with the Direction, or the Direction is withdrawn.

Assembly’s power to reject alterations

- 9.7 The Mayor must then lay the FALP he is ready to publish before the Assembly in order for it to consider whether or not to reject it within the 21 day period allowed. The Alterations that the Mayor lays for this purpose may be the one he sent to the Secretary of State or one that includes changes in accordance with any Direction.
- 9.8 If no successful London Assembly resolution to reject the Further Alterations is passed, the Mayor may proceed to publish them. The FALP shall then become operative on the date on which they are so published. They will then formally constitute part of the Mayor’s Spatial Development Strategy

and of the development plan for Greater London. Further details concerning publication will be provided later in the process. Approval to proceed to this stage will be sought in due course.

Matters to which the Mayor should have regard

- 9.9 Under section 41 of the 1999 Act the Mayor must have regard to the need to ensure that the Alterations are consistent with national policies, European Union and other obligations of the United Kingdom, consistency with other statutory Mayoral strategies, the resources available for the implementation of the revised Strategy and the desirability of promoting and encouraging the use of the River Thames safely for the provision of passenger transport services and for the transportation of freight. In formulating the Alterations, regard must be had to the national waste management plan, the objectives of preventing major accidents and limiting their consequences, the need to (in the long term) maintain appropriate distances between establishments and residential areas, areas of public use and places of natural sensitivity, and in the case of establishments not increasing the risk to people from dangerous substances.
- 9.10 In addition, under the Crime and Disorder Act 1998, the Greater London Authority has to do all it reasonably can to prevent crime and disorder. An assessment of community safety impacts of the FALP was carried out as part of the IIA and officers do not consider that the Inspector's report raises any issue not addressed by that assessment.
- 9.11 The Mayor is also required to have regard to the economic development and wealth creation, social development and improvement of the environment in Greater London. The Mayor must also have regard to and include such of the available policies and proposals relating to the subject matter of the London Plan as he considers best calculated to promote improvements in the health of persons in Greater London, promoting the reduction of health inequalities between persons living in that area, as contribute towards the achievement of sustainable development and contribute towards the mitigation of, or adaptation to, climate change in the UK. These considerations are assessed in the IIA for FALP.
- 9.12 The Mayor and GLA are also subject to the public sector equality duty, as set out in Section 149 of the Equality Act 2010. This duty is addressed in section 6 of this MD above.
- 9.13 These duties apply to the proposed FALP and the Mayor's decision to approve the 'intend to publish' FALP for submission to the Secretary of State and subsequently to the London Assembly publish (with or without modifications).
- 9.14 An IIA and an HRA of the FALP were undertaken as detailed above in section 7 of this MD. These examined the likely impacts of the proposed policies and conformed to the legal requirements regarding Sustainability Appraisal, the Environmental Assessment of Plans and Programmes Regulations 2004 and the Habitats Regulations. An Equalities Impact Assessment was included within the IIA. The IIA and HRA reports were made publicly available during consultation and are considered by GLA officers to contain an adequate analysis of the material to which the Mayor must pay "due regard" to in making the decision to approve the intended to publish version of the FALP. Officers do not consider the changes made during the EiP process required further formal assessment. This view was endorsed by the Inspector in his report. Accordingly, the Mayor is asked to give particular attention to the report. Officers do not consider that the Inspector's report raises any issue not addressed by the IIA or HRA.
- 9.15 A final Sustainability Statement will be published alongside the published FALP.

10 Investment & Performance Board

- 10.1 Not applicable – proposed decisions on the London Plan and alterations to it are considered by the Chief of Staff and Deputy Mayor for Planning at his Regular Planning Meetings and decisions are taken by the Mayor through Mayoral Decision Forms which are considered in full with his advisers and signed by the Mayor at his Planning and Spatial Development Strategy Meetings.

11. Planned delivery approach and next steps

- 11.1 Contingent on this MD being signed off by the Mayor by Friday 12 December 2104, the remaining steps to the publication/adoption of FALP are as follows:

Monday 15 December 2014	<ul style="list-style-type: none"> publish the EiP Inspector's report submit the 'intend to publish' FALP to the Secretary of State CLG
Friday 23 January 2015	<ul style="list-style-type: none"> end of six week period within which the Secretary of State may direct the Mayor not to publish FALP
Monday 26 January 2015	<ul style="list-style-type: none"> assuming the SoS is content, submit the 'intend to publish' FALP to the London Assembly
Friday 13 February 2015	<ul style="list-style-type: none"> end of three week period within which the Assembly can meet to consider FALP
week beginning Monday 16 February 2015	<ul style="list-style-type: none"> assuming the Assembly does not vote to reject FALP by a two thirds majority of those present at the meeting, Mayor receives a further MD recommending the publication/adoption of FALP commission statutory notices to be placed in London Gazette and London Evening Standard FALP to the printers
week beginning Monday 9 March 2015	<ul style="list-style-type: none"> publish/adopt FALP

Appendices and supporting papers:

Annex A	Report of the Inspector for the Examination in Public into the Further Alterations to the London Plan
Annex B	Mayor's response to the FALP EiP Inspector's recommendations
Annex C	FALP Integrated Impact Assessment
Annex D	FALP Habitats Regulations Assessment screening report
Annex E	Intend to publish FALP ('clean' version, showing how it would look at final publication stage)
Annex F	Intend to publish FALP (showing the alterations)

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

If YES, for what reason:

Until what date: (a date is required if deferring)

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 to confirm the following (✓)

Drafting officer:

Richard Linton 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:

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

✓

Sponsoring Director:

Fiona Fletcher-Smith has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Sir Edward Lister has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

Date

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

Date