

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD1421

Title: Designation of Old Oak and Park Royal Mayoral Development Area and Corporation

Executive Summary:

As described in MD1354, the Mayor has now consulted on his plans to designate a Mayoral development area at Old Oak and Park Royal with the aim of establishing a Mayoral development corporation (MDC) in that area, using powers granted by the Localism Act 2011 and becoming operational with planning powers on 1 April 2015. The MDC would act as the agency responsible for planning and driving the regeneration of Old Oak, Park Royal and the surrounding area. The proposed name of the MDC is the "Old Oak and Park Royal Development Corporation" (OPDC).

This form seeks approval of the following: the publication of the report on the statutory consultation on the Mayor's proposals, which includes his statements to the London Assembly and the three borough councils of Brent, Ealing and Hammersmith and Fulham, as to those of their comments he has not accepted; that the OPDC is to exercise plan making and development management powers (but not powers to give discretionary business rate relief); the laying before the London Assembly of the Mayor's final proposals for the designation of land at Old Oak and Park Royal as a Mayoral development area; and subject to the Assembly not rejecting those proposals in accordance with the 2011 Act within 21 days of laying formal designation of that area as a Mayoral development area under the Act the subsequent notification of the designation (including his decisions about planning powers and the OPDC name) to the Secretary of State; the proposed composition of the Board; and Board member remuneration requirements being delegated to the Head of Financial Services.

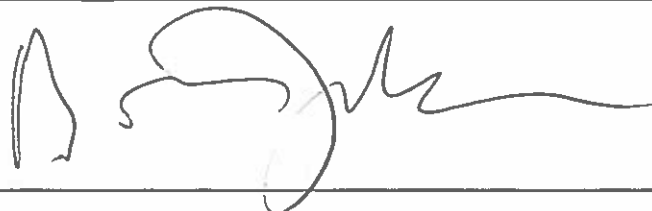
Decision: That the Mayor approves:

1. The publication of a "Statement of response to public consultation on the proposed establishment of the Old Oak and Park Royal Development Corporation" (Appendix A) to respond to comments in accordance with section 197(3)(d) of the Localism Act 2011 ("the 2011 Act");
2. The laying before the London Assembly, in accordance with section 197(3)(e), of the 2011 Act, by a letter that the Mayor proposes to designate a Mayoral Development Area, incorporating a map with the boundary of the proposed Mayoral development area;
3. The exercise by OPDC of all the powers mentioned in section 202 (2) to (5) of the 2011 Act in relation to the whole of the proposed Mayoral development area;
4. The recommendation that the OPDC is not to exercise powers to give discretionary relief to non-domestic rates under section 214 of the 2011 Act;
5. Subject to the consideration period expiring without the Assembly having rejected the Proposals in accordance with section 197(5), the formal designation of the area referred to in the Proposals as a 'Mayoral Development Area' and (after the 30 December 2014) to sign the designation instrument;
6. In consequence of 5 above, to publicise the designation and formally notify the Secretary of State of the area's designation, the MDC's name, and that the MDC should exercise full planning powers described in 3 above, but not be awarded powers to grant business rate relief, and the other matters as required by section 197 on the basis of the contents of this Form; and
7. The proposed Board composition and that the setting of Board member remuneration be delegated to the GLA's Head of Financial Services.

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:

8/12/14

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

Decision required – supporting report

1. Introduction and background

- 1.1 The Localism Act 2011 provides the legislative basis for the Mayor of London to designate Mayoral development areas (MDAs) and to establish Mayoral development corporations (MDC) to drive regeneration in those areas. To assist them in pursuing this purpose, the 2011 Act gives MDCs wide powers relating to infrastructure, regeneration, development and other related activities. In addition the Act allows the Mayor to grant further powers enabling the MDC to perform some or all of the functions of the local planning authority for the area, and also to grant discretionary relief to non-domestic (business) rate payers.
- 1.2 It is proposed that the area of Old Oak and Park Royal be designated as a mayoral development area leading to the establishment, by the Secretary of State, of a Mayoral development corporation to be called the Old Oak and Park Royal Development Corporation (OPDC). The proposal is for the OPDC to come into legal existence on 1 April 2015, able to exercise full planning powers throughout its area from that date.
- 1.3 The London Plan 2011 identifies Park Royal as an Opportunity Area. In 2011 the Mayor adopted the Park Royal Opportunity Area Planning Framework, which covered both the areas of Old Oak and Park Royal. This planning framework was primarily focussed on the retention and protection of Strategic Industrial Land.
- 1.4 MD1354 authorised a public consultation on the proposal to establish a new Mayoral development area at Old Oak and Park Royal, and the creation of a MDC for the area. The proposals were published on 18 June 2014, for 14 weeks with a deadline of 24 September 2014 for responses.
- 1.5 The consultation materials included a detailed report, map and a questionnaire. Responses could be submitted by post, by email or using a dedicated online form on TfL's consultation website. The specific statutory consultees identified in the 2011 Act were directly contacted along with those on a database of residents, business, local groups, public authorities and service providers. The consultation was advertised on the TfL page of the Metro newspaper. 55,000 leaflets were posted out across the local area. A press release and dedicated page on the GLA website also publicised the consultation. Detailed consultation meetings were held with statutory consultees (including relevant Members of Parliament, London Assembly members, the three London borough councils of Brent, Ealing and Hammersmith and Fulham in whose area the MDC would fall), as well as with existing landowners; central Government departments; and transport providers. A series of wider consultation events were held with local resident, business and interested groups.
- 1.6 309 written responses to the above consultation were received, including from statutory consultees, including the three affected boroughs, the London Assembly planning committee, on behalf of the London Assembly, and individual London Assembly Members and MPs.
- 1.7 Following comments received during the initial consultation the Mayor proposed two adjustments to the boundary of the Mayoral development area, and a supplementary consultation on a revised boundary was carried out on those proposals from 5 November 2014 to 26 November 2014. The consultation proposed two amendments to the boundary;
 - Firstly, it was proposed to exclude land to the west of the A406, located in the London Boroughs of Brent and Ealing. This land includes the industrial areas of Northfields, Water Road, Abbeydale Road, Queensbury Road, North Circular Road, Brent Crescent and Park Avenue. The

reason is that this area is considered to be part of the Councils' emerging regeneration plans for Alperton.

- Secondly it was proposed to remove Hammersmith Hospital, the Wormwood Scrubs prison and the Linford Christie stadium because it is recognised that these three sites relate more closely to communities to the south of Wormwood Scrubs and development proposals around White City and Wood Lane.

- 1.8 It is proposed to proceed with a boundary that excludes the above two areas. The issue of the final proposed boundary of the Mayoral development area at Old oak and Park Royal is dealt with in sections 2.21 and 3.14 of the 'Statement of response to public consultation'.
- 1.9 As part of this supplementary consultation all statutory consultees, as well as all those who responded to the first consultation, were notified in writing or by email (where contact details were provided) of the proposed changes to the boundary. Consultation information was made available on the GLA website and adverts were placed in three local papers. A total of 246 comments were received responding to this supplementary consultation on the proposed boundary revision.
- 1.10 Appendix A is a copy of the report ("the Statement of response to public consultation") to the Mayor prepared by officers on the outcome of the statutory public and stakeholder consultation, including the initial and supplementary ones. The Statement responding to public consultation summarises the representations and provides a response. It also includes responses to the comments of the Assembly and the three borough councils, which fulfil the requirement under s 197(3)(d) of the 2011 Act to publish a statement giving reasons where any of their comments were not accepted by the Mayor. The report sets out the full analysis of the consultation.

Proposed OPDC structure, powers and governance

- 1.11 The Mayor's designation of a Mayoral development area obliges the Secretary of State for Communities and Local Government to bring forward a statutory "Establishment Order" which brings the MDC into legal existence as a statutory corporation. It is proposed this happens on 1 April 2015. The resulting OPDC will have a board and, as the Mayor proposes it will exercise full planning powers, it will have a planning committee, both of which will require member appointments.
- 1.12 Schedule 21 of the Localism Act 2011 makes provision for appointments to the MDC's Board, and for the terms of such appointments. The Board must consist of a minimum of six people. Appointments to the Board are to be made by the Mayor and he appoints one of them to be its Chair. The Board must consist of at least one elected member of each of the three relevant London borough councils (Brent, Ealing and Hammersmith & Fulham). The Mayor may also choose to appoint any other members to the Board as he considers appropriate. The issues of board and planning committee composition are dealt with in sections 2.4 and 2.20 of the Statement of response to public consultation. It is proposed that the MDC Board should comprise the following members, which takes account of comments received during public and stakeholder consultation:
- Mayor (or chair designate subject to London Assembly confirmation)
 - Elected Member Brent Council
 - Elected Member Ealing Council
 - Elected Member Hammersmith & Fulham Council
 - Greater London Authority representative
 - Transport for London representative
 - Department for Transport representative
 - High Speed 2 representative
 - Network Rail representative
 - Chair of the MDC Planning Committee

- Local business community representative
- Residential community representative
- Expert regeneration representative
- Expert education representative
- Independent business representative

- 1.13 In appointing Board members the Mayor must have regard to the desirability of appointing a person who has experience, and has shown some capacity in a matter relevant to the carrying out of the OPDC's functions, and must also be satisfied that the person will have no financial or other interest likely to affect prejudicially the exercise of that person's functions as a member. It is proposed that OPDC Board members be remunerated and that the Board's composition be reviewed every two years. GLA Officers will bring forward proposals for individual Board appointments in due course, including their terms and conditions, including remuneration.
- 1.14 The OPDC will have a planning committee as it is proposed that it will exercise the powers of a local planning authority for the preparation of local plans and development management. The Planning Committee does not have to be drawn exclusively from the Board and, with the Mayor's consent, can include non-Board and/ or non-elected representatives. The Planning Committee would have representatives from each of the three borough councils and also non-elected representatives; and the Board will be asked to appoint its chair. The final composition of the OPDC's Planning Committee will be agreed by the MDC Board, following consultation with the Mayor; his consent to the appointment of any non OPDC Board members to the Planning Committee will be sought at that point.
- 1.15 The 2011 Act gives all MDCs standing powers to secure the regeneration of its area including functions relating to infrastructure, regeneration, streets, business, financial assistance and land acquisitions including CPO powers.

OPDC's planning powers

- 1.16 The 2011 Act allows the Mayor to choose whether to confer planning powers on the OPDC. The consultation proposed that the OPDC will have all the powers of a local planning authority in relation to development management and plan making, throughout the whole of Mayoral Development Area, and also powers in relation to enforcement and statutory undertakers. The Mayor proposes that the OPDC exercise all the powers mentioned in section 202 (2) to (5) of the 2011 Act in relation to the whole of the proposed Mayoral Development Area. This issue is dealt with in sections 3.20 and 3.21 of the Statement of response to public consultation. It is proposed that these powers take effect on 1 April 2015, the date when the OPDC is to be established. The planning powers will be secured by a statutory "Planning Functions Order" made by the Secretary of State for Communities and Local Government. The Order will also set out transitional arrangements with regards how and when planning functions will be passed to the OPDC from the current borough local planning authorities. The Act requires the Secretary of State to have regard to the Mayor's representations on these points. As a consequence of becoming the local planning authority the OPDC will be able to set a community infrastructure levy (CIL) and the Planning Functions Order will contain transitional provisions dealing with this aspect.
- 1.17 Separate from the Planning Functions Order it is proposed that the OPDC will enter into arrangements with the three affected boroughs for them to continue to exercise certain agreed planning functions on its behalf through a scheme of delegation. (These schemes of delegation will be agreed in principal before the MDC comes into existence, and will not form part of the Planning Functions Order itself).

Powers to give discretionary relief from non-domestic rates

- 1.18 The Mayor can choose to give an MDC powers to grant discretionary relief from non-domestic rates. He did not propose doing so in the statutory consultation and this remains the case. This matter is dealt with in section 3.1 of the Statement of response to public consultation.

Mayoral statement regarding certain respondents' comments

- 1.19 The Assembly and the three London boroughs within whose area the proposed OPDC will fall were consulted on the Mayor's proposals in accordance with the requirements of the 2011 Act and each provided comments, which are reported in the Statement of response to public consultation. The Act states that if the Mayor does not accept any of their comments then he is obliged to publish a statement of his reasons for his non-acceptance (section 197(3)(d)). The Statement of response to public consultation at Appendix A contains a response to comments of the four bodies mentioned and (to the extent the Mayor disagrees with them) it constitutes the Mayor's formal statement of reasons to each for the purpose of that statutory provision.

Designation of the Mayoral development area

- 1.20 In order to give effect to the Mayor's proposals for the OPDC, the Mayor must formally designate a Mayoral development area at Old Oak and Park Royal, London. The designation of the Mayoral Development Area leads to the creation of the MDC for that area. The area of the proposed Mayoral Development Area is shown in the proposed boundary plan included in Appendix C.
- 1.21 The 2011 Act sets out, at section 197(3), a number of conditions that must be met before the Mayor may designate a Mayoral development area:

a. the Mayor considers that designation of the area is expedient for furthering any one or more of the Greater London Authority's principal purposes

It is considered that designating the Mayoral development area is expedient for furthering all three of the Greater London Authority's principal purposes under section 30 of the GLA Act 1999 (as amended): that is promoting economic development and wealth creation, social development and the improvement of the environment in Greater London – and this requirement is met. The reasons for that conclusion arise from the objectives listed in paragraph 2.2 below, as well as the other benefits that will flow from the creation of the MDC. This issue is dealt with in section 2.1 of the Statement of response to public consultation at Appendix A. Although the precise objectives for the OPDC are to be subject to confirmation by its Board, the Mayor remains of the view that the fulfilment of its objectives and other benefits are expedient for furthering the economic development and wealth creation, social development and the improvement of the environment in the area of the proposed Mayoral development area

b. the Mayor has consulted persons specified in the 2011 Act, has had regard to any comments made in response by the consultees and, in the event that the Mayor does not accept comments made by the London Assembly or an affected local authority, the Mayor has published a statement giving the reasons for the non-acceptance

These requirements have been met by the consultations carried out in June to September 2014, and in November 2014, by which the Mayor has consulted all the persons required by the 2011 Act. The Statement of response to public consultation at Appendix A fulfils the requirement to have regard to responses, and in particular that under section 197(3)(d) to provide a written statement if the Mayor

does not accept any comment submitted by the Assembly or any of the three London boroughs affected (Brent, Ealing and Hammersmith and Fulham).

c. the Mayor has laid before the London Assembly, in accordance with the standing orders of the GLA, a document stating that the Mayor is proposing to designate the area and the 21 day consideration period for the document has expired without the London Assembly having rejected the proposal

It is proposed that the Mayor lays a document (in the form of the draft letter at Appendix B, which the Mayor is asked to approve) before the Chair of the London Assembly stating his formal proposals to designate the Mayoral development area at Old Oak and Park Royal. From the day he lays this document before the Assembly, there commences a statutory 21 day "consideration period" (which includes weekends and holidays) during which the Assembly may only reject the proposals for the purposes of the 2011 Act by a decision to that effect agreed to by at least a two-thirds majority of Assembly Members voting (abstentions and absentees not counted). The Assembly propose considering the Mayor's proposals at its plenary meeting on 17 December 2014, and the consideration period will formally expire on 30 December.

- 1.22 The Mayor is advised that provided conditions a and b above are met, and if the consideration period expires without the London Assembly having rejected the proposal in accordance with the Act – condition c - then the Mayor may proceed to formally designate the area as a Mayoral development area for the purposes of section 197(1) of the 2011 Act, by signing the designation instrument at Appendix D (with plan attached – the same as that at Appendix C). The designation instrument may only be signed by the Mayor after the close of the consideration period on 30 December 2014 and constitutes the formal designation of the Mayoral development area. The area to be designated is the locality shown bounded externally by the black line on the map attached to that document. The designation will come into legal effect the day after it is signed.
- 1.23 If the Mayor designates a Mayoral Development Area he must also, pursuant to section 197(6) of the Act:
- (a) publicise the designation;
 - (b) notify the Secretary of State of the designation; and
 - (c) notify the Secretary of State of the name to be given to the MDC: the Old Oak and Park Royal Development Corporation.
- 1.24 Subject to paragraph 1.21 above, approval is sought for the Mayor and officers to take these steps.
- 1.25 The publicity requirement will be discharged by the publication on the Greater London Authority website of this approval form, the designation instrument (Appendix D) and the Mayor's covering letter to the Secretary of State, which will happen on the date that letter is sent.
- 1.26 The letter of notification to the Secretary of State will cover the following matters and request that he brings forward a statutory instrument ("the Establishment Order") under sections 198 and 235 of the 2011 Act by which the OPDC be established on 1 April 2015:

The boundary of the Mayoral development area.

- 1.27 The proposed boundary is shown for identification purposes on the map at Appendix C.
- 1.28 Government officials will be provided with the technical mapping data required to generate additional copies required for the secondary legislation concerning the MDC and its area.

Planning powers to be granted to the MDC.

- 1.29 It is proposed that the OPDC should be the local planning authority for the whole of its designated Mayoral development area, and in relation to the whole of that area, is to have all the functions and powers described in section 202 (1) to (5) of the Act. These powers are to be exercisable from 1 April 2015. The Secretary of State is requested to bring forward a Planning Functions Order, as a statutory instrument, to give effect to his decision. It is not proposed that the MDC should have powers to grant discretionary relief from non-domestic rates, as described in section 214 of the Act.

MDC's statutory name.

- 1.30 The statutory legal name of the MDC will be set by the Secretary of State in the Establishment Order he makes establishing the MDC as a legal entity. He must use the name the Mayor notifies to him for that purpose. It is proposed to use the name Old Oak and Park Royal Development Corporation (OPDC).

Next steps

- 1.31 The MDC is created as a statutory corporation by the Secretary of State making an Establishment Order by statutory instrument to that effect which is subject to the negative resolution Parliamentary procedure. The Secretary of State must also make the Planning Functions Order by statutory instrument give effect to the Mayor's decision regarding its planning powers. The order takes effect on the date it is made unless it specifies a different commencement. It is proposed that the Mayor asks the Secretary of State that the OPDC: (a) be created on 1 April 2015 and (b) it be authorised to exercise its full planning powers from 1 April 2015.

2. Objectives and expected outcomes

- 2.1 As set out in Section 201 of the Act 'the objective of an MDC is to secure the regeneration of its area' and that an MDC 'may do anything it considers appropriate for the purposes of its object or for purposes incidental to those'. Within that context the Mayor proposes that aim or purpose of the OPDC would be to:

"Promote and deliver physical, social, economic and environmental regeneration at Old Oak and Park Royal. The Corporation would work to secure maximum benefits from the newly planned transport interchanges of High Speed 2, Crossrail and London Overground stations. The Corporation would plan for significant future growth at Old Oak; and for the protection and regeneration of the industrial areas of Park Royal. A central objective of the Corporation would be to secure high-quality sustainable development and investment for the benefit of the area and the communities that surround it."

- 2.2 The Mayor's proposed objectives for the future of the Old Oak and Park Royal areas were summarised in MD1354 and developed in the Consultation Document. The objectives below were consulted on as part of the public consultation on the proposed establishment of the OPDC and have been revised to take account of comments raised during the consultation. It is important to note that the one of the first tasks for the OPDC will be to consider this list of draft objectives, along with the comments received during the consultations, and to agree a final set of objectives and outcomes. These may include the following:

- Regenerate, develop and transform Old Oak to ensure the area becomes a major contributor to London's position, in a way that is sustainable, meets local needs and supports the strategic long-term priorities in the Mayor's London Plan (Further Alterations to the London Plan) and the Old Oak a Vision for the Future;
- Respect the role and importance of the three local authorities whose boundaries fall within the boundary of the proposed MDC, including assisting them in carrying out the duties and functions that remain their responsibility within the area.
- Work with key stakeholders, service providers and the local community to ensure the regeneration of Old Oak and Park Royal is accountable to Londoners, and is consistent with the principles of localism;
- Safeguard and plan for the regeneration of Park Royal as a Strategic Industrial Location, ensuring investment that will improve existing operations, maximise the area's industrial potential, and support the smooth transition of business and industrial relocations;
- Plan for Old Oak and Park Royal in a strategic and holistic way that includes an integrated approach with the boroughs planning policy, planning decisions and Community Infrastructure Levy (CIL);
- Maximise local and regional connections that will see Old Oak become the most connected station in London and the South East, and support delivery of, a new station on the Great West Mainline that would serve Crossrail 1, a new High Speed 2 (HS2) station, future London Overground station(s), local public transport including buses, cycling and highway improvements;
- Support delivery of 24,000 new homes at Old Oak and 1,500 across the Park Royal gateways including a mix of affordable, tenures and sizes;
- Promote economic growth and job creation with the potential for 55,000 additional new jobs at Old Oak and 10,000 new jobs at Park Royal;
- Ensure world class architecture, place making and urban design that deliver a well-connected, high quality part of London;
- Maximise opportunities presented by significant ownership of land and assets by transport authorities and public bodies, by co-ordinating the strategic development and stewardship of those assets; and
- Build confidence in Old Oak and Park Royal and attract long term investment by promoting it as a significant development opportunity.

3. Equality comments

- 3.1 In establishing the OPDC the Mayor must comply with the general duty to promote equality arising from section 149 of the Equality Act 2010, which includes a requirement that the Mayor to have due regard to the need to "encourage people who share a protected characteristic to participate in public life or in other activity in which their participation is disproportionately low". The establishment of the OPDC will not have any adverse consequences for protected groups and the OPDC itself will be under the same duty in exercising its own functions, including as follows.
- 3.2 The Mayor has taken these duties into account when making any decisions relating to the OPDC, including its establishment. The OPDC will ensure its work is inclusive and involves women, BAME or disabled groups (all protected groups whose participation in public life is disproportionately low).

- 3.3 One of the early work-streams of the OPDC will be the undertaking of an Equality Impact Assessment alongside its Local Plan, along with the preparation of a Community Charter to involve local residents and businesses in the preparation of local planning policy.
- 3.4 The OPDC will create a simplified and streamlined planning and regeneration framework for the Old Oak and Park Royal areas, which will endeavour to make engagement more accessible and accountable to the local communities by virtue of new engagement mechanisms that the MDC will put into place. The OPDC will pursue development and economic growth within a local planning framework. It will therefore be directly responsive to local communities than is currently possible in an area split across three local authorities, providing a central focus and coordination role.
- 3.5 It would give greater weight to the Mayor's commitments to the regeneration and planning for this area and would enable the Mayor to better embed his equality and inclusion policies to promote an accessible and inclusive environment.
- 3.6 By offering choices in employment and housing for households of all sizes and incomes, supported by appropriate social infrastructure the OPDC will ensure principles of inclusive design are secured across the redevelopment of the area.
- 3.7 Additionally, the Mayor, through the OPDC, would seek to influence the policies and practices of investors, developers, operators and employers in the Mayoral Development Area, to support those who are disproportionately affected by worklessness who face multiple barriers to work and social inclusion. For example:
- Setting targets for developing a more diverse supplier base, which would improve the opportunities for SMEs, social enterprises, and minority-owned businesses in the area to promote local economic growth;
 - Exploiting the opportunities that will come forward through the regeneration and development of the OPDC area, and initiatives in the wider area to develop targeted and tailored local employment programmes, and progression routes to help bring locally excluded groups closer to the labour market, and improve local employment rates.
- 3.8 In consulting on the proposals the Mayor has also had due regard to the general duty arising from the Equality Act 2010, and that there have been no barriers to women, BAME groups, and disabled people participating in the consultation process.

4. Other considerations

a) key risks and issues

- 4.1 The below table provides a summary of the risks and issues that have been identified for the future OPDC. These will be reviewed by the Board. As set out below, one of the biggest risks associated with not having an MDC in place will be the missed opportunity.
- 4.2 Without an MDC, the full development potential of Old Oak and Park Royal may not be realised in a timely and robust manner. The MDC will coordinate the planning of development across three Local Authorities into the control of one planning authority in a coherent and holistic way. It provides the framework for the production of a single Local Plan and the establishment of a Community Infrastructure Levy charging rate for the area that it covers. One delivery authority provides greater clarity for strategic partners, allowing for more effective engagement and accelerated delivery of new homes and jobs; providing a single point of contact for central government departments, giving the area greater prominence within central government and the ability to secure funding.

- 4.3 Whilst it is recognised that there is some local opposition to the establishment of the MDC, as was the case with the London Legacy Development Corporation (LLDC), this could be overcome through effective engagement with residents, as has been the case with the LLDC, which the OPDC will seek to emulate.

	Risk	Likelihood	Impact	Rating	Mitigation	Owner
1	The MDC does not follow the objectives and priorities as set by the Mayor	2	5	10	The Mayor appoints the board members and will determine its remit and performance	Governance, Finance
2	Unable to identify locations and deliver improved road access into Old Oak	2	5	10	Transport planning work is underway. The boundary will be drawn large enough to ensure future access is delivered.	Planning
3	Unable to deliver the long term regeneration plans for Old Oak	2	5	10	MDC will be resourced and structured to ensure a robust vision and plan is delivered	Planning
4	Future budget requirements for the MDC increase dramatically and are not self-sufficient	2	5	10	Future expansion will need to be self-sufficient and will need to be agreed by the board.	Planning, Governance, Finance
5	Unable to agree the scope and planning function of the MDC with regards to planning applications to be returned to the boroughs; and waste apportionment requirements	2	4	8	GLA is working with the boroughs to prepare a scheme of delegation and transitional arrangements. There will be a need for some level of future negotiation	Planning
6	Insufficient revenue resource allocated to enable the MDC to prepare the necessary plans to support regeneration	2	4	8	GLA Planning is identifying the necessary plans and preparing costs for consideration	Planning, Finance
7	The set-up of the MDC does not accord with legislation and cannot be established or is subject to a Judicial Review	1	5	5	GLA has experience in setting up the LLDC. Legal and QC advice will be sought at appropriate times during the process	Planning, Governance, Legal
8	Unable to ensure the timely establishment of the MDC in Parliament (i.e. due to early dissolution of Parliament)	1	4	4	Sufficient resource has been allocated and a realistic programme is in place	Planning
9	The London Assembly veto the Mayor's proposals to establish an MDC	1	4	4	Concerns raised by London Assembly at consultation stage will be addressed and there will be detailed engagement with relevant London Assembly members prior to public consultation	MDC

b) links to Mayoral strategies and priorities

- 4.4 The London Plan 2011 identifies Park Royal as an Opportunity Area. In 2011 the Mayor adopted the Park Royal Opportunity Area Planning Framework, which covered both the areas of Old Oak and Park Royal. This planning framework is primarily focussed on the retention and protection of Strategic Industrial Land and identifies an indicative capacity for 14,000 jobs and 1,500 homes.
- 4.5 The Further Alterations to the London Plan (FALP) separates out Old Oak and Park Royal into two distinct Opportunity Areas. The FALP continues to promote an industrial focus around the Park Royal area, but promotes a change of use at Old Oak to a more mixed-use residential development with an indicative capacity of 55,000 jobs and 24,000 homes. The FALP is planned for adoption in Spring 2015.
- 4.6 In June 2013 the Mayor of London consulted on 'Old Oak - A Vision for the Future', which provides more detail on the significant opportunity to develop a large quantum of new housing and employment uses in the Old Oak area to maximise the opportunity of a new High Speed 2 and Crossrail station being built in the area.

c) impact assessments and consultations.

- 4.7 As set out in the Further Alterations to the London Plan (2014) London's increasing population is placing increasing pressures on London's housing supply and economic growth. The Mayor's aspiration to achieve a high and sustainable quality of life across the capital can only be met if efficient use is made of the large areas of unused land across London where there is both the potential and need for development, regeneration and environmental infrastructure.
- 4.8 The Old Oak and Park Royal area is identified as a key strategic location. It is an area of particular market opportunity, responding to a future uplift generated by a new High Speed 2 and Crossrail station in the area and the subsequent re-designation of industrial land in Old Oak. However, the area suffers from:
- disparate land ownership;
 - a lack of housing to meet local and regional needs;
 - major environmental challenges and a lack of environmental infrastructure;
 - poor internal and wider connectivity
 - local infrastructure and access issues;
 - limited access to public transport;
 - significant marketing/inward investment challenges;
 - low quality public realm and amenity space; and
 - limited social infrastructure.
- 4.9 By pursuing development and economic growth within a more localised framework, the MDC will be able to conduct its business in a way that is more directly accountable and responsive to the diverse local communities in the area than is currently possible. The existence of the MDC will enable the Mayor to better embed his equality, inclusion, sustainable development, health, and community safety strategies in the planning and development of the area to promote a safe, sustainable, accessible and inclusive environment.
- 4.10 The Consultation Report includes an impact assessment that considers issues of equalities and inclusion, sustainable development, health and community safety.
- 4.11 The public consultation ran for 14-weeks from 18 June 2014 to 24 September 2014. Documents were made available on the websites of; GLA, TfL, and the three local Councils of Brent, Ealing and Hammersmith and Fulham. Consultation letters were issued to all residents and businesses within the proposed MDC's boundary and within the wider area. In addition, there was a press release and

other promotional events during the course of the 14-week consultation. As noted in paragraph 1.7 above, a supplementary consultation was held for three weeks in November 2014 proposing amendments to the boundary.

4.12 The Localism Act requires various persons who must be consulted before the Mayor designates a Mayoral development area. In the context of this particular proposal they are:

- the London Assembly;
- each constituency member of the London Assembly whose Assembly constituency contains any part of the area;
- each Member of Parliament whose parliamentary constituency contains any part of the area;
- each London borough council whose borough contains any part of the area; and
- Any other person whom the Mayor considers it appropriate to consult.

4.13 Detailed consultation meetings were held with statutory consultees including London Assembly members and the three London Councils of Brent, Ealing and Hammersmith and Fulham; existing landowners; central Government departments; and transport providers. A series of wider consultation events were held with local resident, business and interested groups.

5. Financial comments

5.1 OPDC work programme for 2014-15 to 2016-17 is being supported by an allocation of GLA budget.

5.2 The table overleaf summarises OPDC three-year spend profile and budget provisionally allocated to OPDC as part of 2015-16 budget setting process.

	2014-15 £000s	2015-16 £000s	2016-17 £000s	Total £000s
OPDC expenditure				
Staffing	244	588	588	1,416
Other Evidence/ Support plan/ Community Consultation	198	245	-	468
Support/ planning costs	86	90	130	306
Secretariat / Board / Planning committee costs	5	25	25	55
Contingency	50	100	100	250
Delivery model	100	80	-	180
Financing business case	50	100	-	150
Total expenditure	733	1,228	843	2,804
Potential OPDC income				
Pre-application meetings	-	(40)	(40)	(80)
Submitted planning applications	-	(175)	(175)	(350)
Total income	-	(215)	(215)	(430)
Net budget	733	1,013	628	2,374

- 5.3 Upon establishment of the OPDC a level of income from pre-application planning meeting fees and planning application fees has been assumed. In addition there will be income from Section 106 and CIL agreements in due course, but that income will be directly attributable to the required infrastructure identified in the evidence base.
- 5.4 The proposed Board composition is noted in paragraph 1.12 of this Mayoral Decision report. The Head of Financial Services would have delegated authority to agree any remuneration requirements for future Board members.
- 5.5 Any changes to this proposal and budgets will be subject to further approval via the Authority's decision-making process.
- 5.6 If at any stage of this programme there is a need for any consultancy work officers have to ensure that the requirements relating to consultancy services within the Authority's Financial Regulations and Expenses & Benefits Framework are adhered to.
- 5.7 Should there be a need to contract for work at any stage officers have to ensure that the requirements of the Authority's Contracts and Funding Code are adhered to.
- 5.8 OPDC team currently situated within the Development, Enterprise & Environment will be responsible for managing this work.

6. Legal comments

- 6.1 Relevant legal comments have been included in the body of this report. Under the 2011 Act a resolution of the Assembly to reject the Mayor's proposals is not binding unless passed by a two-thirds majority of votes cast. The Assembly has no power to amend his proposals. The Mayor may proceed with his proposals notwithstanding that the Assembly fails to positively approve them or rejects them by a lesser majority. The Mayor's appointment of the chair of the OPDC will be subject to the Assembly's confirmation procedures set out in Schedule 4A of the GLA Act 1999.

7. Investment & Performance Board (IPB)

- 7.1 The Board received an update on the proposed OPDC on 20 November 2014, which outlined ongoing consultation activity, timelines for approval submissions and proposed governance arrangements.
- 7.2 A discussion took place regarding the current budget and it was acknowledged that further funding may be required, and further income available, once plans had progressed further.
- 7.3 A query was raised as to what the approval process would be for establishing an MDC. It was noted that the London Assembly had the ability to reject the proposals by a two thirds majority. Any proposed amendments put forward by the London Assembly at that point would be for the Mayor to consider.
- 7.4 IPB agreed with the recommendations as set out in the report be agreed, as below:
- Endorse and recommend to the Mayor (subject to his review of consultation responses) the proposed establishment of the OPDC;
 - Note the powers to be exercised by the OPDC as a result of the above;
 - Note the outcome of public consultation, including consultation on the proposed revised boundary and proposed governance structure for the OPDC; and
 - Note the work programme.

8. Planned delivery approach and next steps

Staffing

- 8.1 An interim MDC team has been recruited and is in post, comprising the following interim positions Director, Head of Planning, three principal officers, two strategic planners, and one administrative support. The team continues to utilise shared services arrangements with the GLA group for finance, legal, and project support.

Work Programme

- 8.2 Work has started on evidence gathering to support the establishment of a local plan, planning framework and Community Infrastructure Levy (CIL), along with a transport study and modelling.
- 8.3 Consultation on a draft Opportunity Area Planning Framework (OAPF) and a Community Charter (CC) for Old Oak and Park Royal would commence in early 2015 with the aim of being finalised and adopted when the OPDC board is in place. Work on the Local Plan and Community Infrastructure Levy has also commenced, but consultation on these can only commence once the MDC is in place.

- 8.4 The OPDC has an important role to play in supporting delivery of the Mayor's regeneration vision. The OPDC must work with landowners and funding partners to appropriately incentivise delivery. Commercial and procurement advisors have been appointed to consider key options for a delivery model or models most suited to achieving the comprehensive regeneration of the OPDC area in line with the Mayor's vision. This work will inform the practicality, deliverability, viability and market attraction of various delivery options. It is necessary for the OPDC to understand the role it can play in supporting delivery given that it is not a landowner.

Activity		Timing
5	Proposal laid in front of London Assembly	8 Dec 2014
6	London Assembly meeting	17 Dec 2014
7	Mayor to designate proposed MDC	Dec 2014
8	Mayor to publish his MDC designation notice and notify Secretary of State	Dec 2014
9	Recruitment of MDC Board begins	January 2015
10	Statutory Instruments 'Establishment Order' and 'Planning Functions Order' laid before Parliament	21 Jan 2015
11	Mayor notifies Assembly of Chair-designate	Feb 2015
12	Assembly confirmation hearing for Chair-designate	Feb 2015
13	Appointment of board members	Feb 2015
14	Staff recruitment	1 February to 1 April 2015
15	21-day period for Parliamentary review expires	26 February 2015
17	Statutory Instruments (Orders) come into force; OPDC comes into existence with full planning powers	1 April 2015
18	First OPDC Board meeting	Early April 2015
19	First OPDC Planning Committee	When required

Appendices:

- MD766 and MD1354
- Appendix A – The Statement by the Mayor
- Appendix B – The letter to the chair of the London Assembly
- Appendix C – The Mayoral Development Area boundary plan
- Appendix D – The designation instrument

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?**

If YES, for what reason: This Mayoral Decision should not be published until the London Assembly have been formally notified of the Mayor's proposal.

Until what date: 9 December 2014

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:

Michael Mulhern 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:

Victoria Hills 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

M. J. Allen

Date

4.12.14

CHIEF OF STAFF:

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

Signature

Edward Lister

Date

4:12:2014

