

Subject: Draft New London Plan 2020

Report to: London Assembly (Plenary)

Report of: Executive Director of Secretariat

Date: 6 February 2020

This report will be considered in public

1. Summary

- 1.1 This report presents the Mayor of London's proposed draft new London Plan 2020, circulated separately as **Appendix 1**, for the Assembly's formal consideration, in accordance with Section 42B of the Greater London Authority Act 1999 (as amended).

2. Recommendation

- 2.1 **That the Assembly receives and, in accordance with Section 42B of the Greater London Authority Act 1999 (as amended), considers its response to the draft new London Plan 2020 and determines whether to use its power to reject the draft Plan.**

3. Background

- 3.1 Under Section 42B of the Greater London Authority Act 1999 (as amended) the Mayor must lay before the London Assembly any strategies or draft revisions to the strategies set out Section 41 of that Act. The Mayor's spatial development strategy, known as The London Plan, is listed in Section 41 of the Act.
- 3.2 Public consultation on the draft new London Plan took place between 1 December 2017 and 2 March 2018. The London Assembly's Planning Committee's response to the consultation is attached for Members and officers at **Appendix 2**. The Planning Committee's response is available from the GLA's website at:
https://www.london.gov.uk/sites/default/files/final_london_assembly_response_to_london_plan.pdf
- 3.3 The Examination in Public (EiP) of the draft new London Plan took place between 15 January 2019 and 22 May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8 October 2019, attached as **Appendix 3**.

- 3.4 The Mayor having considered the Inspectors' recommendations and, on 9 December 2019, issued to the Secretary of State for Housing, Communities and Local Government his intention to publish the new draft London Plan, attached as **Appendix 4**.
- 3.5 The Secretary of State for Housing, Communities and Local Government, responded to the Mayor of London on 23 December 2019 advising that he would be taking an additional four weeks to consider the Mayor's proposed London Plan and a response is be expected on or before Monday 17 February 2020. The letter is attached as **Appendix 5**.
- 3.6 The Greater London Authority (GLA) Planning Committee met on the 23 January 2020 to conduct a question and answer session on the London Plan namely, to look at issues of protection of the green belt, small sites, family homes, industrial sites.

4. Issues for Consideration

- 4.1 The Mayor published and laid before the Assembly the draft new London Plan on 28 January 2020 for formal consultation.
- 4.2 The draft new London Plan 2020 has been circulated separately as **Appendix 1**.
- 4.3 At its meeting 6 February 2019, the Assembly will receive an opening statement from the Mayor of London regarding the new draft London Plan 2020, and a statement from the Chair of the Planning Committee in relation to the Committee's response to the Examination in Public and the report of the planning inspectors. The Assembly will then put questions to Sadiq Khan, Mayor of London in relation to the Plan.

5. Legal Implications

- 5.1 Under the provisions of Section 42 of the Greater London Authority Act 1999 (as amended), the Assembly has the power to consider and potentially reject draft strategies within 21 days of their publication, including the date the draft strategy is laid before the Assembly. The 21-day period from 28 January 2020 ends on 18 February 2020.
- 5.2 A motion for the Assembly to reject a draft strategy must be considered at a meeting of the Assembly throughout which members of the public are entitled to be present and is not carried unless it is agreed to by at least two thirds of the Assembly Members voting.
- 5.3 Standing Order 3.19 (Assembly Consultation on the Mayor's Strategies and the Assembly's Power to Reject) is as follows:
 - A. In accordance with section 42(1) of the GLA Act, the Mayor is required to consult the Assembly when preparing or revising all those strategies listed at section 41 of the Act. Before publishing a strategy (or, in the case of the housing strategy, before submitting the draft to the Secretary of State) the Mayor must lay a copy of the draft strategy before the Assembly by submitting a paper copy of the draft strategy to the Chair of the London Assembly (copied to the Executive Director of Secretariat) [1].

B. The Mayor should submit a draft strategy to the Assembly in accordance with Standing Order 3.19 by not less than midday on the day that is six clear working days in advance of the relevant Assembly or committee meeting.

C. Noting that only the London Assembly itself may properly exercise the power to reject a strategy (as provided for at (F) below), the Assembly, or any relevant ordinary Committee of the Assembly to which the necessary authority has been granted by the Assembly (either through its terms of reference or otherwise through a formal decision), may provide a response to a consultation referred to in Paragraph A above.

D. The Mayor must not publish any final strategy that is relevant to this Standing Order (or, in the case of the housing strategy, submit the draft to the Secretary of State) if, within the period of twenty-one days beginning with the day on which the copy is provided to the Assembly in accordance with Standing Order 3.19B above, the Assembly resolves formally to reject the draft.

E. Any motion for the Assembly to reject a draft strategy must be considered at a meeting of the Assembly throughout which members of the public are entitled to be present.

F. If the Assembly votes by at least two-thirds of the Members present and voting, for the following motion:

The Assembly hereby resolves to reject Mayor's draft xxxxx strategy

the Mayor must not publish that strategy (or, in the case of the housing strategy, submit the draft to the Secretary of State), other than by way of providing a further revised version of that document to the Assembly.

G. The motion set out at (F) above may be moved by the Chair of the Assembly as part of the formal agenda for the relevant meeting of the London Assembly or, without notice, by any Member at a meeting of the London Assembly at which a draft strategy is considered. Standing Orders 3.3(A) and 3.12 shall be suspended in relation to such motions. However, the remaining rules set out at Standing Orders 3.3 to 3.15 in relation to the consideration of motions shall apply in the usual way. The motion, if moved, must be seconded prior to its consideration.

H. The Assembly may, during the debate, agree to amend the text of the original motion (as set out in paragraph F above) to include its reasons for passing the motion and any other relevant commentary that it wishes the Mayor to consider.

Notes and definitions

[1] This Standing Order applies where the Mayor has prepared, and is ready to publish, a draft of any of the strategies to which section 41 of the GLA Act applies (including a revised version of the strategy), but not to a revised version of a strategy containing only revisions which (a) are specified in a direction as to the contents of the strategy which is given to the Mayor under this Act (or which the Mayor considers are necessary in consequence of any revisions so specified); or are not so specified but the Mayor considers to be necessary to comply with such a direction (section 42B(1) and (2)).

[2] As required by section 42B(5). Abstentions do not count as a vote against, and so are excluded from the calculation of the two-thirds majority.

6. Financial Implications

6.1 There are no direct financial implications arising from this report.

List of appendices to this report:

Appendix 1 – Draft New London Plan 2020

Appendix 2 – London Plan Consultation Response

Appendix 3 – Report of the Examination in Public of the London Plan 2019

Appendix 4 – Letter to the Secretary of State, dated 9 December 2019

Appendix 5 – Letter to the Mayor of London, dated 23 December 2019

Local Government (Access to Information) Act 1985
List of Background Papers: None
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