

MAYOR OF LONDON

London Plan Guidance

Public London Charter

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London Plan Policy

[Policy D8 Public realm part H](#) and paragraph 3.8.9

Planning Application type and how the London Plan Guidance will be applied

All development in which new public space is provided. Applicants will be required to demonstrate through a management plan how the requirements of the Public London Charter principles will be met and agree to implementation of these measures through a legal agreement.

Who is this guidance for?

Planning authorities assessing planning applications with proposed public space.

Applicants, landowners and managers of a development containing new public space.

1 About this document

1.1 What is the Public London Charter?

- 1.1.1 The Public London Charter (the Charter) consists of eight principles that set out the rights and responsibilities for the users, owners and managers of new public spaces. The Charter aims to ensure that London's public spaces are safe, accessible, inclusive, attractive, well-connected and easy to understand, well maintained and serviced. It promotes public space that is open and offers the highest level of public access irrespective of land ownership, with landowners promoting and encouraging public use of public space for all communities.
- 1.1.2 Additional guidance is provided to support the application of each of the Charter principles. It gives further detail that can be used by the people creating and managing such spaces and Local Planning Authorities for how this policy should be applied when new public spaces are provided within new developments.
- 1.1.3 In line with the Good Growth objectives of the London Plan (in particular GG1 Building strong and inclusive communities) public spaces should be places that all Londoners - regardless of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation - can spend time in and enjoy, in comfort and safety both day and night, avoiding separation or segregation. The management of public space significantly affects how it is used and perceived by the public. Creating an inclusive environment therefore requires not only consideration of the physical design of a space, but also consideration of how it is managed and the rules that govern its access. The Charter aims to ensure that rules restricting the behaviour of the public in the spaces covered by the Charter are limited to those essential for the safe management of the space. These may change over time or in some instances may also require the introduction of temporary measures to ensure public safety, such as in times of public health emergencies.
- 1.1.4 The Charter does not provide direct guidance on the design of public space. However, good design includes an understanding of how a space will be governed long after planning permission has been granted and the development completed. For guidance on the design of internal, semi-internal and elevated public spaces in London see [Expanding London's Public Realm](#). Good design should help minimise the need for rules and their enforcement. Policy D8 Public realm in the London Plan sets out a framework of urban design principles for development providing public realm and should be followed to deliver high-quality public realm across London.

2 How the Charter should be secured in planning applications

- 2.1.1 The Charter applies to the public spaces proposed in a development. The applicant should agree with the local planning authority the physical parameters (boundary) of the public space that should be covered by the Charter and clearly show this in a plan of the development site, which should form part of the approved documents. For outline applications, where this level of detail is not agreed at the planning application stage, the local planning authority should condition any approval to require the parameters of the public space covered by the Charter be agreed as a reserved matter.
- 2.1.2 Applicants should demonstrate how a proposed scheme that includes public space will meet the requirements of the Charter principles through a management plan (see section 4).
- 2.1.3 A commitment to implement the requirements of the Charter's principles and an agreed management plan should be secured through a legal agreement linked to the planning permission (such as a s106 agreement). This will ensure that suitable contractual arrangements for its long-term management and maintenance have been put in place which are sustainable for the life of the development irrespective of land ownership changes. The local planning authority will need to be satisfied that these requirements have been met in order for a development to be occupied.
- 2.1.4 Example text for inclusion in a legal agreement:
- The landowner will agree to manage the public space (as defined) and set out in plan number... in accordance with the principles of the Public London Charter which is attached as Appendix...
- Any legal agreement being used for this purpose would need to meet the legal tests for a s106.
- 2.1.5 Management plans should also set out details about any restrictions on public access and the permitted duration of part or full closures. The local planning authority should determine the level of event activity deemed appropriate and it is acknowledged that this will vary depending on the nature of the public space and its context (see section 4.3 and 4.5).
- 2.1.6 It is expected that the landowner and management company (and their successors) will abide by the provisions of the management plan for the life of the development. If there are any changes, then the relevant local planning authority will need to be notified in writing. Any changes to management plans may require further consultation with relevant stakeholders and such changes should ensure that they adhere to the principles of the Charter.

- 2.1.7 Landowners of existing public spaces can choose to voluntarily commit to implement the principles of the Charter. However, the Charter can only be legally enforced for new public spaces through the legal agreement linked to the planning permission. It cannot be retrospectively enforced for public spaces that already exist or that were given planning permission without a legal agreement securing compliance with the Charter.

3 Public London Charter

The Public London Charter principles are:

Public welcome

Public space should be managed to be welcoming to all. It should be kept clean, well maintained and appropriately lit, offer shade and shelter, places to stop, rest and play, and provide public amenities that reflect local needs.

Openness

Public space should be open to all and offer the highest level of public access and use possible. It should be understood as a part of London's continuous public realm, irrespective of land ownership.

Unrestricted use

All users should be able to move through rest and relax freely and facilitate or take part in activities within public space that are permitted by law without causing a nuisance to others. Public space should only have rules restricting the behaviour of the public that are essential for safe management of the space.

Community focus

Public space should be managed to enable users to meet, associate, spend time with others, and celebrate their community. It should make provision for community-led and cultural activities that reflect the diversity of London's communities, as well as public art and other ways of celebrating diversity in the public realm.

Free of charge

Public space should primarily be offered for use by the public free of charge. A balance should be struck between free and unprogrammed use and ticketed or commercial events taking into account the needs of the local and wider community. Ticketed events should be announced in advance with reasonable notice and should minimise their impact on the accessibility and enjoyment of the space for other users.

Privacy and data

Public space should be managed to respect the privacy and private property of all users. Where smart technologies are justified, they must protect people and property in a way that is both legal and compliant with regulators' codes of practice.

Transparency

Compliance with the Public London Charter should be clearly signposted. Users should have easy access online and on site to the principles of the Charter together with details of the owner and management company of the space, and any rules that apply. Any rules and later amendments should be developed transparently and through public consultation with interested parties and relevant stakeholders.

Good stewardship

Public space should be managed on behalf of all Londoners. Day-to-day supervision should be informal, with both supervision and maintenance carried out in a manner that is considerate of all users. The enforcement of any restrictions on the use of public space should be appropriate and reasonable. Any staff engaged in supervisory activities should undertake appropriate training with an emphasis on equality, diversity and inclusion so that all people feel welcome.

4 Applying the Charter Principles

The following section provides some examples and information on how each principle can be implemented.

4.1 Public Welcome

- 4.1.1 London's public spaces are a shared amenity in a growing city where all and any citizens can come together to meet, to play, to exercise and to enjoy moments of tranquillity. Not all public spaces are destination locations - mostly they form an essential part of Londoners' everyday experience of the city. This informal use of public spaces means they need to be an amenity that can be used by people of all needs and backgrounds.
- 4.1.2 Achieving inclusivity will sometimes be dependent on providing different types of space or experience for different user groups. Providing all spaces or all parts of a public space for everyone can result in making some people feel excluded. The needs of particular groups need to be anticipated in the planning and management of the space, for example including shelter and places to stop and rest for older people or spaces for children to play. Engagement with local communities should inform how parts of a new space can be used.
- 4.1.3 In line with the [Healthy Streets](#) approach, public spaces should provide shade and shelter from high winds, heavy rain and direct sun, taking into account the likely impacts of the climate emergency on London's weather. Cleaning and repairs to hard and soft landscaping and furniture should be regularly carried out to maintain a welcoming environment in line with their levels of use. The provision and upkeep of amenities such as free drinking water fountains and publicly accessible toilets, including Changing Places toilets, in public spaces is strongly supported.
- 4.1.4 The [London Night Time Commission's Think Night report](#) published in 2019 highlights that Londoners are more active during the evening and at night than anyone else in the UK. Two-thirds regularly do everyday activities in the evening and at night like running errands, shopping and catching up with friends. One-third of London's workforce also work at night. The management of public spaces, their lighting and provision of public amenities play crucial roles in making evening and night time activities accessible and inclusive, and supporting the needs of night time workers. Where they exist, local night time strategies should be referred to when considering the design and management of public spaces. Key stakeholders, including local businesses and resident groups, should be involved in the design and management of public space to ensure their range of needs during the evening and night time are met. For guidance on creating diverse and inclusive night time plans see the [Mayor's Night Time Strategy Guidance](#).

4.2 Openness

- 4.2.1 As a default, all public spaces should be open 24 hours a day throughout the year. Where night time and other times of closures are proposed, the applicant should explain why closures are necessary and what measures have been explored to avoid the need for them. The local planning authority should consider whether any proposed closures are necessary and justified at the planning application stage. Any agreed closures and any measures taken to minimise these closures should be detailed in the planning permission or associated legal agreement and the management plan for the public space.

4.3 Unrestricted Use

- 4.3.1 The central premise of the Public London Charter is to ensure appropriate management and maintenance arrangements are in place for public space that maximise public access and minimise rules governing the space to those required for its safe management.
- 4.3.2 Restrictions on behaviour in public space can inadvertently target and exclude certain groups of users such as homeless people.¹ Excessive rules and petty restrictions of activities like non-commercial photography across some of London's public spaces can also make people feel excluded.² The Public London Charter promotes a contextual approach to the management of new public spaces. Permitting rules for safe management recognises that some public spaces – regardless of ownership – may require more restrictive rules. For instance, highly popular or high-profile public spaces may need tighter rules to maintain a safe environment and to minimise activities that could cause a nuisance to others. Any proposed rules should be set out in the management plan for the public space.
- 4.3.3 All rules should be developed in consultation with the local community, be based on robust evidence demonstrating their need, and be weighed against the impact on individuals, groups and the public generally.
- 4.3.4 Protest is often considered a key ingredient of genuinely public space. In England, public spaces are not “public forums” (as they are in the United States) and legally, freedom of association and freedom of speech can only be exercised as a right on public land. In practice, however, landowners should anticipate and allow peaceful protests or free expressions including public speech, canvassing, rallies and single event or single day demonstrations if they comply with specified criteria for safe management.

¹ [Public London: The Regulation, Management and Use of Public Spaces](#), Centre for London, (2019)

² Carmona M, UCL Presentation: The thorny issue of public space management

- 4.3.5 Particular consideration should be given to the needs of children and young people in line with the [Mayor's Making London Child-Friendly report](#). Landowners should ensure that their public space management practice creates an inclusive environment for these user groups. The updated Home Office statutory [guidance](#) on the Anti-Social Behaviour, Crime and Policing Act 2014 in public spaces is cautious about restricting activities that young people are most likely to engage in, including spending time in groups. As prohibitions could drive young people away into “out-of-the-way spaces” the principle in this guidance is reiterated: “It is important that public spaces are available for the use and enjoyment of a broad spectrum of the public, and that people of all ages are free to gather, talk and play games.”
- 4.3.6 Children’s play should not be restricted to designated play areas only but enabled as an informal activity across the wider public space. Where new dedicated play space is provided in public spaces, it should be accessible to any child in a certain age group.
- 4.3.7 Other allowable uses in a public space should include the following list of activities: non-commercial photography; busking in line with the [Busk In London Code of Conduct](#); dog walking on a lead; safe cycling, scootering, skateboarding and roller-skating or rollerblading; and consuming food and drink (including that which users bring into the space themselves such as picnics). Management plans should not normally restrict these and other similar activities.
- 4.3.8 Rules should be relevant to the use of the public space at different times of day and night. However, hours of darkness should not be used as a reason to unnecessarily restrict activity in the space.

4.4 Community Focus

- 4.4.1 The value of our public realm, and by extension our public spaces, for individuals and communities is extensive. It is important that local communities can have an active and meaningful role in the planning and delivery of activities (in line with Policy D8 Public realm part M). Landowners and managers of the public space should identify if there are any existing formal convening or stewardship groups for the area – for example ‘friends of’ groups (that are genuinely representative of the residents and communities living and working in the surrounding area) – or if there is a need for one to be established. These groups can be given an active and valuable role in the planning and delivery of activities and the curation of the public space and provide opportunities for community volunteer action. The management plan may be a useful tool for setting out detail in relation to the governance structure of such groups.

- 4.4.2 London's diversity is its strength.³ This diversity and its presence in the public realm are essential to the success of London's communities. However, our public realm is mainly a reflection of Victorian Britain and does not represent the achievements of women, Black, Asian and Minority Ethnic backgrounds, disabled and LGBTQ+ citizens. Until 2018, no women were depicted in Parliament Square. Only 14 per cent of those represented in the Blue Plaque scheme are women, and just four per cent of plaques honour black or Asian luminaries. In 2015, less than 30 per cent of the streets named after people in London were named after women.
- 4.4.3 The Public London Charter encourages greater diversity of visible representation across the public realm and the activities taking place, ensuring all users are considered. Developers of new public spaces should include cultural activities, appropriate public art and other ways of celebrating diversity in the public realm. They are encouraged to follow the recommendations of the [Mayor's Commission for Diversity in the Public Realm](#) to inform how public spaces can suitably reflect London's achievements and diversity.

4.5 Free of Charge

- 4.5.1 Public space should maximise overall accessibility and primarily be free to use and otherwise spend time in. Successful public spaces require resources for stewardship, maintenance, community involvement, security or events. In many cases, commercial activity is promoted to help meet these costs.⁴ Events can help to promote use of public space, and commercial elements and sponsorship can help meet running costs, but it is important that these are in line with the ethos of public space and do not compromise this principle.
- 4.5.2 Landowners and managers should seek to minimise the impact on the general use of the public space when planning temporary events or installation where there is a charge or other restrictions on access to the public space. These should be announced in advance and should not unreasonably compromise the accessibility and enjoyment of the space for other users, either through their frequency or the extent of the space that is used. An assessment of the impacts any closures would have, and the mitigation needed to address such impacts, should be undertaken and clearly set out in the management plan for the public space, in particular for

³ Forty per cent of Londoners were born outside of the UK, and over 300 languages are spoken here. Forty per cent of Londoners are from Black, Asian and Minority Ethnic backgrounds, and the city is home to a million European Union citizens, 1.2 million disabled people, and up to 900,000 people who identify as LGBTQ+. Over a fifth of London's population is under 16, and over the coming decades the number of Londoners aged 65 or over is projected to increase by 90 per cent.

⁴ [Public London: The Regulation, Management and Use of Public Spaces](#), Centre for London, (2019)

people with limited mobility or with certain neurodiverse conditions who may have difficulties navigating the changes in their environment.

- 4.5.3 Well-programmed and managed events, particularly those that are co-produced with the community and are free to access, can significantly increase people's accessibility to and enjoyment of public space and identification with it. These sorts of events should be encouraged to help ensure that spaces are more inclusive for all Londoners.

4.6 Privacy and Data

- 4.6.1 The public realm must be a welcoming place for all and the use of smart technologies in general should respect the privacy rights of citizens and be non-discriminatory.
- 4.6.2 There are a wide range of smart technologies used in the public realm, from sensors through to cameras and image processing, often using artificial intelligence. However, if technologies cannot meet the tests set out by the [UK Information Commissioner's Office](#) (ICO) as set out below, then they should not be used in London's public spaces.
- 4.6.3 The collection, analysis and sharing of data collected from the public realm can help to manage, plan, and improve the city and if used appropriately, can have significant benefits. This includes monitoring energy use, which can make developments more sustainable, and footfall data, which can help improve town centres and high streets or be used to reduce congestion. The use of security cameras and other surveillance can contribute to public safety and protect people, property and national security.
- 4.6.4 However, the ICO notes that the availability of automatically collected biometric data and personal data in public places (which are both required for Live Facial Recognition or LFR) creates the potential for bias and other harm, which could lead to some people being treated unfairly. This could have implications for equalities and inclusion in the public realm, either directly or because 'opting out' would mean not being able to use that public space.
- 4.6.5 People need to be able to trust the way personal data is used so that the technologies can provide genuine and inclusive benefits. The Data Protection Act (2018) closely regulates the collection and use of personal data. In line with this, landowners and managers of public spaces should be clear about why they are collecting any personal data and take a '[privacy by design](#)' approach, which ensures data protection and privacy compliance from the beginning. Users should be involved in this process where appropriate.
- 4.6.6 When using CCTV, landowners and managers should comply with the [Surveillance Camera Commissioner's Code of Practice](#). In addition, the

collection and processing of personal data and biometric data is covered by the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act (2018). As [set out by the ICO](#), the lawful use of LFR by non-law enforcement bodies – whether for safety, advertising or other purposes – has a high threshold in public places including where we shop, socialise or gather. Operators must show that its use is lawful, fair, necessary and proportionate, and assess the risks and potential impacts on the interests, rights and freedoms of individuals through a Data Protection Impact Assessment.

- 4.6.7 Data Protection Impact Assessments (DPIAs) should be shared with City Hall (emailed to smart@london.gov.uk) so they can be published on the London Datastore to promote transparency, compliance and good practice across the city. Landowners and managers of public space should also take the principles in the Mayor's [Emerging Technology Charter](#) into account before the use of new and emerging technologies in the public realm.

4.7 Transparency

- 4.7.1 Accountability requires transparency. Previously, the rules governing public spaces may not have been easily available to the public or, in some cases, even written down. Where rules are made available, they can be lengthy or not written in a way that is easily understandable. This creates a problem in terms of awareness of what is permitted and a lack of clarity about what may attract the attention of security staff. Such ambiguity can also expose people inadvertently to security interventions, with security staff taking action outside agreed parameters and few possibilities of recourse where this happens.⁵
- 4.7.2 The Charter makes it clear that those responsible for the management and maintenance of a public space must be transparent when it comes to the communication of rights and rules to all users of the space. This will give all stakeholders a clear understanding of what is expected of them in relation to either the management and maintenance or use of the space.
- 4.7.3 The manager of a public space must provide the details of the owner and management company of the space, along with the principles of the Charter and any site-specific rules that apply. A positive and welcoming sign strategy should be considered that sets out where particular activities are encouraged (for example marking cycle paths, picnic areas, play areas, etc).

⁵ [Public London: The Regulation, Management and Use of Public Spaces](#), Centre for London, (2019)

- 4.7.4 This information should be clearly communicated in an accessible format and manner. It should be kept up to date and made available both on site and online. Excessive on-site signage should be avoided.
- 4.7.5 Providing this information will assist in the longer-term monitoring of a public space's compliance with the Charter principles. It will enable a direct line of communication between users and other relevant stakeholders (such as stewards and maintenance staff) and the managers of a space, which can be used to report incidents of non-compliance with the Charter principles that the manager can then act to resolve.
- 4.7.6 Rules for public spaces should be developed through consultation and engagement with the wider community. There are ways to reinforce the voice of users in the process of managing public spaces whether publicly or privately-owned. One example is the [Blueprint Collective Youth Charter](#), an innovative project that puts the needs of young people at the heart of public space design and management. It shows how specific groups can be involved in order to establish meaningful collaborative processes that apply to the setting of the initial regulatory framework as well as to any later proposed changes.

4.8 Good Stewardship

- 4.8.1 Effective stewardship, with proportionate and considerate enforcement of any rules, has a significant impact on people's perceptions of how welcoming, accessible and enjoyable public spaces are. This should be taken into account when designing and implementing any management regime.
- 4.8.2 The intensity of enforcement across public spaces in London varies enormously, and research indicates that the spaces with greater security staff presence are those managed by commercial landowners. Spaces that give undue emphasis to safety and security concerns should be avoided. Good design can pre-empt and reduce anti-social behaviour and thus reduce the level of policing needed in the space. Londoners feel that some privately-owned public spaces appear more 'private' than others, because of the presence of security guards or signage that sets out a list of restrictions.⁶
- 4.8.3 To ensure inclusive and accessible public space, day-to-day supervision should not be officious but informal and friendly in manner. Supervision and maintenance activities should be carried out in a manner that is considerate of the users of the public space. The enforcement of any restrictions on use of the public space should be appropriate, reasonable and considerate (for

⁶ [Exploring London's Public Realm from the User Perspective](#), GLA (2019)

example finding ways where reasonable to enable people to continue using the space rather than asking them to leave).

- 4.8.4 Any staff engaged in supervisory activities should undertake appropriate training, including unconscious bias training. Youth engagement training is important for those managing space in London given the experience of exclusion young people often face in public spaces.
- 4.8.5 Businesses fronting a public space can play an informal role in fostering more familiar and community-friendly stewardship, particularly when they are there for a long time.
- 4.8.6 Some smaller new public spaces may offer opportunities to have greater community involvement in their stewardship. Sometimes these spaces can underperform in terms of multi-functionality and community benefits because they do not get the level of attention and scrutiny afforded to larger public spaces.
- 4.8.7 On-going monitoring of the stewardship of the public space should ensure it remains fit for purpose and demonstrate compliance with the Public London Charter.

5 Glossary

5.1 Definitions

Meanwhile use

Meanwhile uses are a range of temporary uses on land and property awaiting longer-term development.

Public spaces

Public spaces are generally intended to accommodate multiple uses (for example a square, park or other green space) rather than those other types of public areas which have an intended primary use (for example footpaths, streets, service areas).

Smart technologies

Technologies which enable the effective integration of physical, digital and human systems in the built environment to deliver a sustainable, prosperous and inclusive future for its citizens.

