

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2524

Title: Updated Planning Code of Conduct

Executive Summary:

As part of the Chief Officer's review of the registration and declaration of interests and gifts and hospitality, a commitment was made to review the various current Planning Codes of Conduct. The current version of the Planning Code of Conduct was approved in 2012.

A single new document ('unified planning code') is proposed which will replace the current three-part document with a single document applicable to elected and co-opted Members of the Authority, to staff exercising Mayoral delegated authority and to all staff.

This will be annexed both to the Code of Ethics and Standards for Staff, and the GLA Code of Conduct for elected members and will be published on the website.

The Mayor, acting jointly with the London Assembly, is now asked to adopt the revised Code.

Decision:

That the Mayor, jointly with the London Assembly, adopts the revised version of the GLA Unified Planning Code of Conduct as set out in Appendix 1.

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:

22/10/19

PART 1 - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The GLA's Planning Code of Conduct is an important part of the GLA's commitment to high standards of conduct. It is currently formed of three parts:
 - Planning Code of Conduct for elected and co-opted Members of the Authority
 - Planning Protocol for staff exercising Mayoral delegated authority
 - Planning Protocol for other staff.
- 1.2. The Planning Code of Conduct was approved in 2012. As part of the Chief Officer's review of the registration and declaration of interests, we committed to reviewing the Planning Code of Conduct.
- 1.3. It is proposed a single unified Planning Code of Conduct (the "Unified Planning Code") replaces the current three documents applicable to elected members (the Mayor and Assembly Members) and co-opted Members of the Authority, to staff exercising Mayoral delegated authority and to all staff, consultants or contractors engaged by the GLA to exercise or support Mayoral or Assembly planning functions.
- 1.4. All planning functions, decisions and actions exercised by the Mayor, and the Assembly in scrutinising them (including by committees and Assembly Members collectively or individually) should be exercised properly, lawfully and in good faith in accordance with the Nolan Principles of Public Life and with due regard to obligations of confidence where they exist.
- 1.5. The proposed Unified Planning Code bolsters the application of the Nolan Principles in the sphere of the GLA's planning functions to foster good practice and public confidence in how such matters are dealt with by all arms of the GLA: the Mayor, Deputy Mayors, London Assembly Members, professional planning officers and contractors.
- 1.6. The new Unified Planning Code is attached in Appendix 1. The current Planning Code of Conduct documents are provided for ease of reference in Appendix 2. In summary, the main differences between the new code and the old codes are as follows:
 - New statement of why the declaration of interests and connections is important.
 - Greater guidance on what to do/not do when an interest has been identified, including interests that technically speaking do not have to be registered.
 - Greater clarity that this applies to consultants and contractors.
 - Outdated references to pre-2012 standards regime have been removed and new references included (e.g. replacing personal and prejudicial with disclosable pecuniary and other interests).
 - More concise and logically ordered. The three separate documents had a lot of duplication and were also in inconsistent format. The new single document is less than half the length of the previous documents.

2. Objectives and expected outcomes

- 2.1. Adoption and publication of the Unified Planning Code will ensure that its provisions reflect up-to-date planning and local government legislation. It will ensure that the GLA continues to be in a strong position to comply with the Principles of Standards in Public Life as well as furthering its commitment to transparency and accountability.

3. Equality comments

- 3.1. Under Section 149 of the Equality Act 2010, as a public authority, the Mayor of London must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not. Protected characteristics under section 149 of the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (all except the last being "relevant" protected characteristics).
- 3.2. The potential implications of a change to the Planning Code for those with protected characteristics has been considered and it is concluded there are no issues arising.

4. Other considerations

- 4.1. The proposed Unified Planning Code, as a matter for joint determination by the Mayor and London Assembly, is also being submitted to the Assembly for consideration and adoption at its plenary meeting on 31 October 2019.
- 4.2. Adoption of a revised code will ensure that the GLA's planning responsibilities and policies as expressed through the London Plan are discharged in a fair and transparent manner that reduces the risk of the appearance of bias.
- 4.3. The Assembly's Planning Committee was consulted on the Unified Planning Code at its meeting of 18 September 2019 and all Assembly members were subsequently given the opportunity to comment. Comments during this process have been incorporated into a revised draft.
- 4.4. The draft document was reviewed by the Deputy Mayor for Planning, the Executive Director, Development, Enterprise & Environment and by the Chief Planner. It has also been reviewed by the Executive Director, Housing & Land and the Deputy Director, Housing & Land. Their comments were addressed.
- 4.5. No specific conflicts of interest have arisen in the consideration of this decision.

5. Financial comments

- 5.1. There are no direct financial implications arising from this decision.

6. Legal comments

- 6.1. The Mayor and the Assembly are under a statutory duty to promote and maintain high standards of conduct and must adopt a code of conduct for that purpose. The approval of the code (including documents appended to it, such as the Planning Code of Conduct) and any subsequent amendments is a function exercisable by joint agreement between the Mayor and Assembly.
- 6.2. The recommended Unified Planning Code bolsters the application of the Nolan Principles in the sphere of the GLA's planning functions to foster good practice and public confidence in how such matters are dealt with by all arms of the GLA: the Mayor, Deputy Mayors, Assembly and professional planning officers.

7. Planned delivery approach and next steps

- 7.1. The proposed revised Code will be appended to the Code of Conduct for GLA members (as well as the GLA Code of Ethics and Standards for staff). The Unified Planning Code will also be published on the intranet and on London.gov.uk.
- 7.2. The Monitoring Officer will write to all GLA Members and staff exercising Mayoral delegated authority with the revised version of the Unified Planning Code, as well as advising the GLA's Senior Leadership Team and publishing a blog to advise staff of the changes.

Appendices and supporting papers:

Appendix 1 - Proposed New Planning Code of Conduct

Appendix 2 - Previous codes

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the 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 it has been approved or on the defer date.

Part 1 - Deferral

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

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

Part 2 - Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included 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:

Andrew Nathan has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Emma Strain has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Jules Pipe has been consulted about the proposal and agree the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 21 October 2019.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. J. Ollé

Date

21.10.19

CHIEF OF STAFF:

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

Signature

P. Bower

Date

22-10-19

