

**MAYOR OF LONDON**

**PUBLIC  
LONDON**

**CHARTER**

**DRAFT**

**GOOD GROWTH BY DESIGN**

# PUBLIC LONDON

London's amazing network of public spaces is part of what makes the city so special – from our parks and squares, to our markets, roof gardens, waterways, riverbanks and streets. This public realm not only shapes the way our city looks, it also has a profound impact on how and where we meet, walk, exercise, play, shop, eat and socialise. The public realm has a key role to play in bringing people together, promoting social integration and creating a healthier, more liveable city.

London is one of the most diverse cities in the world, a place where everyone is welcome. 40 per cent of Londoners were born outside of the UK, and over 300 languages are spoken here. 40 per cent of Londoners are from Black, Asian and Minority Ethnic (BAME) backgrounds, and the city is home to a million EU citizens, 1.2 million disabled people, and up to 900,000 people who identify as LGBT+. 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. This diversity is essential to the success of London's communities.

The Mayor's new London Plan is underpinned by the concept of Good Growth – growth that is socially and economically inclusive and environmentally sustainable. This aims to build on the city's tradition of openness, diversity and equality, and help ensure strong and inclusive communities. In order to achieve this, those involved in planning and development must ensure that London's streets and public spaces are designed for people from all backgrounds to move around and spend time in comfort and safety, both day and night. This will help to create places where everyone feels welcome and that support communities to develop and thrive.

Good Growth takes a contextual approach to the development of the built environment – allowing for vitality and change whilst sustaining and strengthening the character of London's existing neighbourhoods. It is a partnership between the public and private sector – where a long-term approach to investment is undertaken to yield social, economic and environmental benefits.

## AIM OF THE CHARTER

In the new London Plan, the Mayor committed to develop a Public London Charter to set out the rights and responsibilities for the users, owners and managers of public spaces. This Charter aims to provide a basis for the delivery and management of public spaces in new development. It sets out eight principles for the owners, managers and users of public spaces to meet the objectives of the London Plan, which seeks to ensure that the public realm is safe, accessible, inclusive, attractive, well-connected and easy to understand, service and maintain. It advocates for public realm 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.

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 enjoy and use confidently and independently, 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 the consideration of the physical design of a space, but also consideration of how it is managed and the rules that govern its access. Rules restricting the behaviour of the public should be limited to those that are considered essential for safe management of the space.

By providing a benchmark, the Charter supports consistency of experience for all Londoners and visitors, to ensure that the public realm is accessible and inclusive. In signing up to the Charter, landowners agree to maintain and manage the public spaces they are responsible for in line with its principles through signing legal agreements linked to planning permission.

The Charter is not specifically about the design of public space. This is covered by Policy D8 Public Realm in the London Plan, which sets out a framework of urban design principles for development affecting the public realm. This framework enables a consistent approach across London to ensure development delivers high-quality public realm.

# PUBLIC LONDON CHARTER

DRAFT

The Public London Charter principles are:

## 1 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 and rest, and provide public amenities that reflect local needs.

## 2 Openness

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

## 3 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 at different times of day and night.

## 4 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.

## 5 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 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.

## 6 Privacy

Public space should be managed to respect the privacy and private property of all users. Where CCTV or other surveillance or data harvesting technologies are used, they should protect people and property in a way that is both legal and compliant with regulators' codes of practice; they should not be solely used to obtain biometric information.

## 7 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 regulations that apply. Any regulations should be developed transparently and through public consultation with interested parties and relevant stakeholders.

## 8 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 which 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 and with an emphasis on making people feel welcome.



.....  
Mayor of London

.....  
Chief Planner

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Landowner

# GUIDANCE AND BEST PRACTICE

This section is intended to set out key aspects of the evidence and rationale behind the Charter principles and provide supporting guidance including examples of best practice. This is a draft version which gives an indication of what will be contained in the final version of this section.

# 1

## PUBLIC WELCOME

London's public realm – its streets, squares, parks, green spaces and waterways as well as internal and elevated spaces – is the stage on which the city's social and cultural life is acted out. It is a shared amenity in a growing city and where all and any citizens can come together to meet, to play, to exercise and to relax. Its continued success is key to London remaining a world-class city. The quality of the public realm has a significant influence on quality of life because it affects people's sense of security and belonging, as well as having an influence on a range of health and social factors. Planning and managing welcoming public spaces must be at the heart of achieving a healthy, inclusive and prosperous city.

The London Plan requires the public realm to be based on an understanding of how public space in an area functions and create a sense of place, during different times of the day and night, days of the week and times of the year. 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 all.

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 climate change on London's weather. They should also provide sufficient places to stop and rest, as a lack of resting places can limit mobility for certain groups of people. This will benefit everyone, including local businesses, as more people will be willing to spend longer in public spaces that meet their needs. 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.

The London Night Time Commission's Think Night report 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. Public spaces should therefore be appropriately lit to provide a safe and attractive environment for the activities that reflect the function of these places.

## 2

# OPENNESS

London's public realm should be seen as a series of connected routes and spaces that help to define the character of a place that evolves as neighbourhoods develop and grow. Fostering an open and accessible network of well-designed and amenable streets and spaces must be at the heart of planning for a healthy, inclusive and prosperous city. Openness and accessibility are not only functions of the physical design of a public space but also of their management. The London Plan requires that public spaces should demonstrate an understanding of how people use the public realm, and the types, location and relationship between public spaces in an area, identifying where there are deficits for certain activities, or barriers to movement that create severance.

There are several legal mechanisms available to local authorities seeking to create a new public space, including amongst others adoption under Section 38 of the Highways Act 1980 or the creation of a walkway/footpath under Section 35 of the Highways Act 1980 or

agreements under Section 106 of the Town and Country Planning Act 1990. These give varying degrees of control to the local authority and the landowner: Section 106 agreements for example may allow for a public space to be shut occasionally to prevent a right of access by prescription.

While adoption as a public highway or designation as public right of way may not be appropriate when mandating new public spaces, local authorities and landowners should make sure that Section 106 agreements provide sufficient detail to secure the highest level of public access possible.

# 3

## UNRESTRICTED USE

The central premise of the Public London Charter is to ensure appropriate management and maintenance arrangements are in place for the public realm, which maximise public access and minimise rules governing the space to those required for its safe management.

Research shows that the most regulated public spaces in London are those owned and managed by commercial landowners. Where this type of 'corporatisation' of the outdoors occurs, Londoners are concerned that people can feel, or are, excluded from parts of their own city, and that the rules governing behaviour are weighted too heavily towards regulation and control. This includes 'needless petty restrictions' of activities like photography across some of London's public spaces. Restrictions on behaviour in public space can also inadvertently target and exclude certain groups of users such as vulnerable or homeless people.

The Public London Charter promotes a contextual approach to the management of new public spaces. Permitting regulation 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 regulations to maintain a safe environment and to minimise activities that could cause a nuisance to others. All rules should be developed in consultation, be based on robust evidence demonstrating their need, and be weighed against the impact on individuals, groups and the public generally.

Allowable uses in a public space may include the following non-exhaustive list of activities: non-commercial photography; peaceful political activities including canvassing, rallies and single event/day demonstrations; performing in line with the Busk In London Code of Conduct; dog walking; safe cycling; skating; and consuming food and drink (including that which users bring into the space themselves).



# 4

## COMMUNITY FOCUS

The value of our public realm for individuals and communities is extensive. It enables a sense of togetherness and provides opportunities for meeting people (including new people); this is especially true when community or cultural events are taking place. Easily accessible outdoor spaces – parks as well as more urban public spaces – contribute to an increased sense of well-being, in particular for young families, those without gardens, and older people who might be lonely and less likely to leave their local area on a regular basis. Londoners value public spaces that provide distinctiveness to a specific area, for instance by hosting a particular offer or event. This is often a source of civic pride and provides a sense of identity for those who live there as well as a boost to the local economy.

The diversity of activity in London's public realm has been growing – such as markets, cultural and community events – putting citizens' needs at the centre of our public spaces. The London Plan requires that developments should create an engaging public realm, with

opportunities for social activities, formal and informal play and social interaction during the daytime, evening and at night where appropriate. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm, as well as creating spaces for longer-term community and cultural use. It is important that local communities can have an active role in the planning and delivery of activities, where appropriate.

London's diversity is its strength. However, our public realm is mainly a reflection of Victorian Britain and does not represent the achievements of women, BAME, disabled and LGTB+ 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 4 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. The Public London Charter encourages greater diversity of visible representation across the public realm and the activities taking place, ensuring all users are considered. This should include cultural activities, as well as public art and other ways of celebrating diversity in the public realm.

## 5

# FREE OF CHARGE

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. 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 the principle of maximising overall accessibility to the space. Londoners say they value the fact that public space provides easily accessible, and free, outdoor space, to be used how they want.

The intensity of management and programming can help to maintain the quality of the environment, but it can also result in a strong commercial focus. The process can be self-reinforcing: the more intense the management regime, the higher the costs associated and the greater the imperative for commercial activity, creating vibrant but highly programmed spaces from which some users may feel excluded.

Striking a balance is therefore important. Landowners and managers should seek to minimise the impact on the general use of the public space when planning temporary commercial events that may come with a cost. 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 appropriate mitigation measures required, in particular, for people with limited mobility, should be undertaken.

Well-programmed and managed events, particularly those that are co-produced with the community and are free to access can significantly increase people's enjoyment of public space and identification with it. These sorts of events should be encouraged.

# 6

## PRIVACY

Digital connectivity supports smart technologies in terms of the collection, analysis and sharing of data on the performance of the built and natural environment, including for example, water and energy consumption, air quality, noise and congestion. Development should be fitted with smart infrastructure, such as sensors, to enable better collection and monitoring of such data. As digital connectivity and the capability of these sensors improves, and their cost falls, more and better data will become available to improve monitoring of planning agreements and impact assessments, for example related to urban design. Further guidance will be developed to make London a smarter city.

CCTV and other surveillance, data harvesting and emerging technologies in public and private space can be valuable tools which contribute to public safety and security, protecting both people and property. However, as technologies develop the issue of personal data collection becomes increasingly important. Some landowners

are already collecting personal data in the private areas of their estate, including biometric data using facial recognition technology that enables the analysis of photographic images to store details of individuals' distinct facial characteristics. How private landowners could use these emerging tools to influence and possibly restrict the behaviour of public space users is of concern. Some research indicates that automated systems can be vulnerable to bias, as they may misidentify women and members of BAME communities. This could have implications for equalities and inclusion in the public realm, given that 'opting out' would mean staying away from a public space.

Landowners and managers of public spaces should therefore be explicit about the purpose of any data collection and provide evidence of how the collection of personal information achieves the stated outcome. To this end, landowners should comply with the Surveillance Camera Commissioner's code of practice and data protection regulations, including publishing any impact assessments undertaken.

# 7

## TRANSPARENCY

Accountability requires transparency. But in some cases, the rules governing public spaces are not written down, let alone easily available to the public; and when they are available to see, they are often long and indigestible. 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, giving security staff a lot of latitude in how rules are enforced, with few possibilities of recourse. Further guidance on the communication of rights and regulations will be developed to form part of this guidance. It will also cover different types of information that should be provided, such as establishing a clear events framework that sets out how people can go about hosting a public event.

Unlike public byelaws or Public Space Protection Orders, rules set by private landowners for public spaces are usually drawn up without public consultation or engagement with the wider community, and there is no formal process for variations after the space opens. This

lack of consultation may create a bias as it is often difficult to perceive other users' perspectives, and how regulations might affect them.

There are ways to reinforce the voice of users in the process of managing public spaces -whether publicly or privately-owned. Innovative projects such as the Yellow Charter by the Blueprint Collective, Quintain and the London School of Economics, which puts the needs of young people at the heart of public space design and management in Wembley, show how specific groups can be meaningfully involved. The guidance for the Charter will be developed further to show best practice examples of engaging with different types of stakeholders.

# 8

## GOOD STEWARDSHIP

Effective stewardship, with proportionate and considerate enforcement of any regulations, 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.

The intensity of enforcement across public spaces in London varies enormously, and research indicates that the more heavily policed spaces are those managed by commercial landowners. In some recent developments, a 'whole estate' approach to policing is being applied to private estate and public space in the same way, providing a higher level of security but also running the risk of over-zealous control of behaviour in the public space. Londoners feel that some privately-owned public spaces appear more 'private' than others, because of the presence of security guards or signage, which set out more obvious restrictions.

To ensure inclusive and accessible public space, day-to-day supervision should be informal, and both supervision and maintenance activities carried out in a manner which is considerate of the users of the public space. This could be achieved in several ways: estate managers could have their ground staff responsible for cleaning and gardening also assume supervisory functions in public spaces, reducing the need for dedicated security personnel. Encouraging the longevity of some businesses fronting a public space (where these are under the same ownership as the public space) could also foster more familiar and community-friendly stewardship. The enforcement of any restrictions on use of the public space should be appropriate and reasonable. Any staff engaged in supervisory activities should undertake appropriate training – including unconscious bias training – and be considerate i.e. finding ways where reasonable to enable people to continue using the space rather than asking them to leave.

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.

The draft Public London Charter has been developed through the Public London initiative within the Good Growth by Design programme, with support by the Mayor's Design Advocates and in consultation with representatives from local authorities, developers and landowners, and civic interest groups.

Research on Londoners' views on the public realm (GLA City Intelligence: Exploring London's Public Realm from the User Perspective, 2019) and analysis of management arrangements for public spaces in recent developments (Centre for London: Public London: The Regulation, Management and Use of Public Spaces, 2019) has provided further evidence to develop the Charter.

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