

Subject: Minor Alterations to the London Plan

Report to: London Assembly (Plenary)

Report of: Executive Director of Secretariat

Date: 10 February 2016

This report will be considered in public

1. Summary

- 1.1 This report presents the Mayor of London's Minor Alterations to the London Plan for the Assembly's consideration and decision of whether to use its powers under Section 42B of the Greater London Authority Act 1999 to reject the Plan.

2. Recommendations

The Assembly is recommended to:

Part A:

- 2.1 **Put questions to the following on the Minor Alterations to the London Plan:**

- **Sir Edward Lister, Chief of Staff and Deputy Mayor for Policy and Planning; and**
- **Stewart Murray, Assistant Director – Planning, Greater London Authority (GLA).**

Part B:

- 2.2 **Receive and, in accordance with Section 42B of the Greater London Authority Act 1999 (as amended), consider its response to the Minor Alterations to the London Plan as set out at Appendices 6 and 8;**
- 2.3 **Consider the motion submitted in the name of the Chair:**

"That the Assembly notes the answers to the questions asked."

3. Background

- 3.1 Under Section 42B of the Greater London Authority Act (GLA) 1999 (as amended), the Mayor must lay before the London Assembly any strategies or draft revisions to the strategies set out in 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 The current London Plan was formally published and adopted in July 2011. Since then, a number of alterations have been made to the Plan including early alterations formally published on 11 October

2013 (those revisions having been formally considered by the London Assembly at its Extraordinary Plenary meeting on 3 September 2013) and Further Alterations to the London Plan formally considered by the London Assembly at its Plenary meeting on 6 February 2015.

- 3.3 On 11 May 2015, the Mayor published for public consultation two sets of Minor Alterations to the London Plan (MALP) – on Housing Standards and on Parking Standards. These minor alterations were proposed to bring the London Plan in line with new national housing standards and car parking policy.
- 3.4 In summary, these changes affected:
- Housing: new national space standards for new homes and ‘optional’ building regulations on water and access standards;
 - Parking: maximum residential parking standards in parts of outer London with low public transport accessibility.
- 3.5 On 19 May 2015, the Chair of the London Assembly wrote to the Chair of the Planning Committee asking the Committee formally to respond to the consultation on the Assembly’s behalf. On 16 June 2016, the Planning Committee discussed with a range of experts various aspects of the Mayor’s proposals to revise the London Plan. The Committee submitted its response the consultation on 22 June 2015.^[1]
- 3.6 An Examination in Public on both sets of minor alterations took place in City Hall from 21-22 October 2015 to allow a Planning Inspector (appointed by the Secretary of State for Communities and Local Government) to examine matters arising from the public consultation. The Assembly was represented at the Examination by the Chair of the Planning Committee.
- 3.7 On 15 December 2015, the Inspector published his report to the Mayor. The report concluded that the Mayor’s final proposals (as amended by changes tabled before and during the Examination), along with the Inspector’s recommendations, made the Mayor’s proposals acceptable.
- 3.8 On 16 December 2015, the Mayor considered the Inspector’s report, agreed to accept all of its recommendations and approved ‘intend to publish’ versions of the Housing Standards and Parking Standards MALPs for submission to the Secretary of State and to the London Assembly.

4. Issues for Consideration

- 4.1 The Mayor published and laid before the Assembly the Minor Alterations to the London Plan (as detailed below) on 25 January 2016 for formal consultation.
- 4.2 The Mayor submitted to the Assembly the following documents as his final proposals to amend the London Plan, attached as appendices to this report:
- Letter from Sir Edward Lister on behalf of the Mayor in which he formally ‘lays before’ the London Assembly a copy of the Minor Alterations to the London Plan, **Appendix 1**;

^[1] <https://www.london.gov.uk/moderngov/documents/s48314/15-06-22-Appendix%201%20-FINAL-Assembly-MALP-response.pdf>

- The MALP EiP Inspector's Report, **Appendix 2**;
- The Mayor's response to the EiP Inspector's recommendations, **Appendix 3**;
- Letter from the Mayor to the Secretary of State for Communities and Local Government dated 16 December 2015, **Appendix 4**;
- The Minor Alterations to the London Plan in relation to Housing Standards, as intended to be published (with alterations marked) **Appendix 5**;
- The Minor Alterations to the London Plan in relation to Housing Standards, as intended to be published ('clean' version) **Appendix 6**;
- The Minor Alterations to the London Plan in relation to Parking Standards, as intended to be published (with alterations marked) **Appendix 7**;
- The Minor Alterations to the London Plan in relation to Parking Standards, as intended to be published ('clean' version) **Appendix 8**.

4.3 At this meeting, the Assembly will put questions to the following in relation to the MALP:

- Sir Edward Lister, Chief of Staff and Deputy Mayor for Policy and Planning; and
- Stewart Murray, Assistant Director – Planning, Greater London Authority (GLA).

4.4 They will be accompanied by Strategic Planning Managers John Lett, Jennifer Peters and Richard Linton.

4.5 Following the question and answer session the Assembly will consider and debate the proposals.

4.6 In accordance with Section 42B of the GLA Act, the London Assembly has the power to reject draft strategies within 21 days of their submission to the Assembly. The 21 day period includes the date on which the draft strategy is laid before the Assembly. Although a formal motion to reject the Proposal is not included in the Recommendations to this report, such a motion may be moved by way of an amendment to the motion set out at Recommendation 2.3 or by way of a separate, standalone motion, without notice, by any single Assembly Member during the meeting.

4.7 The full, current London Plan is available from the GLA website: <https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-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 25 January 2016 ends on Thursday 16 February 2016.

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 - Letter from Sir Edward Lister on behalf of the Mayor in which he formally 'lays before' the London Assembly a copy of the Minor Alterations to the London Plan

Appendix 2 - The MALP EiP Inspector's Report

Appendix 3 - The Mayor's response to the EiP Inspector's recommendations

Appendix 4 - Letter from the Mayor to the Secretary of State for Communities and Local Government dated 16 December 2015

Appendix 5 - The Minor Alterations to the London Plan in relation to Housing Standards, as intended to be published (with alterations marked)

Appendix 6 - The Minor Alterations to the London Plan in relation to Housing Standards, as intended to be published ('clean' version)

Appendix 7 - The Minor Alterations to the London Plan in relation to Parking Standards, as intended to be published (with alterations marked)

Appendix 8 - The Minor Alterations to the London Plan in relation to Parking Standards, as intended to be published ('clean' version)

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