

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3096

Title: GLA Group Capital Spending Plan for 2023-24

Executive Summary:

The Mayor is required under sections 122 and 123 of the Greater London Authority Act 1999 (the “GLA Act” as amended) to prepare a capital spending plan for the following financial year for the five functional bodies; these are the London Fire Commissioner (LFC), the Mayor’s Office for Policing and Crime (MOPAC), the London Legacy Development Corporation (LLDC), Transport for London (TfL) and the Old Oak and Park Royal Development Corporation (OPDC). The Mayor is also required under the GLA Act to send the plan for the forthcoming financial year to the Secretary of State for Levelling-Up, Housing and Communities, the London Assembly and functional bodies before 28 February. For completeness the capital spending plan for the core Greater London Authority is also included within this Form so that the proposed capital expenditure for the entire GLA Group – as it will be constituted in 2023-24 – is presented and approved in one place.

The draft capital spending plan for 2023-24 was issued for consultation on 16 December 2022 alongside the Mayor’s Consultation Budget Document. Revised versions of the capital spending plan were presented in the Mayor’s draft consolidated budget for 2023-2024 which was considered by the Assembly on 26 January and final draft budget for 2023-24 which was considered by the Assembly and approved without amendment on 23 February.

A copy of the final approved capital spending plan for 2023-24 will be placed on the GLA website at: www.london.gov.uk/budget.

Decision:

The Mayor is requested to approve the Capital Spending Plan for 2023-24 for the GLA Group and to note that the approved plan will be sent to the Secretary of State for Levelling-Up, Housing and Communities, the London Assembly and each functional body before 28 February 2023.

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:

13/2/23

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

Decision required – supporting report

1. Introduction and background

- 1.1 The Mayor is required to prepare a capital spending plan for each financial year for the functional bodies and to send it to the Secretary of State (for Levelling-Up, Housing and Communities), the London Assembly and functional bodies before 28 February in the financial year preceding that to which the capital spending plan relates in accordance with section 123 of the GLA Act. This report seeks the Mayor's approval for the capital spending plan for 2023-24.

2. Objectives and expected outcomes

- 2.1 The draft capital spending plan for 2023-24 was issued for consultation on 16 December 2022 alongside the Mayor's Consultation Budget Document. The responses to the consultation received, including from the Budget and Performance Committee of the London Assembly, were noted by the Mayor and taken into account before he finalised his budget and capital spending plan for 2023-24.
- 2.2 The capital spending plan figures in the Final Draft Budget considered by the Assembly at its plenary meeting on 23 February 2023 included revised capital expenditure figures for the GLA and MOPAC. The final capital spending plan for 2023-24 proposed for approval is unchanged from the version considered by the Assembly on 23 February. The borrowing limits and statutory prudential indicators for 2023-24 which the Mayor is required to set for the GLA and functional bodies will be submitted for approval by the Mayor before the end of March 2023 as part of the approval of the wider Treasury Management Strategy. Under section 123 of the GLA Act the capital spending plan must be sent to the Secretary of State, the London Assembly and each functional body before 28 February.
- 2.3 The borrowing limits and statutory prudential indicators for 2023-24 which the Mayor is required to set for the GLA and functional bodies will be submitted for approval by the Mayor before the end of March 2023 as part of the approval of the wider Treasury Management Strategy.
- 2.4 A copy of the final approved capital spending plan for 2023-24 will be placed on the GLA website at: www.london.gov.uk/budget.

3. Equality comments

- 3.1 As public bodies, the GLA and the functional bodies must comply with section 149 of the Equality Act 2010, which provides for the "public sector equality duty". This duty requires each public body to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic and those who do not. The relevant protected characteristics covered by section 149 are: age; disability; gender reassignment; pregnancy and maternity; race; sex; religion or belief; and sexual orientation. Observance of the duty may involve, in particular, removing or minimising any disadvantage suffered by those who share a relevant protected characteristic, taking steps to meet the needs of such people and encouraging them to participate in public life or in any other activity where their participation is disproportionately low, including tackling prejudice and promoting understanding. In limited circumstances this may involve treating people with a protected characteristic more favourably than those without the characteristic.
- 3.2 The duty has applied to the formulation and approval of the GLA's and functional bodies' individual budgets and capital spending plans. Part 3 to the final draft budget provided detailed advice on the

equalities implications of the Mayor's final draft budget relevant to their proposed capital spending plans.

- 3.3 How the GLA Group capital spending plan for 2023-24 will impact on specific persons who share a protected characteristic will be dependent on the specific decisions of the GLA and the functional bodies in regard to their individual capital programmes. In exercising their functions, including when making policy and spending decisions, the bodies are required to comply with the public sector equality duty. Compliance is necessarily iterative and on-going. It includes carrying out a process to identify and actively consider potential detrimental impacts (if any) that may arise for individual protected groups and what mitigations (if any) could be implemented to address them at a level proportionate to the decision being taken. The GLA and functional bodies will continue to carry out this process at a budget and capital spending plan level, and in the implementation of their individual strategies, policies, programmes, projects and expenditure.

4. Other considerations

Consultation responses

- 4.1 As set out above, the Mayor consulted on the 2023-24 budget – including the capital spending plan – with the London Assembly, London boroughs, the Corporation of London and other key stakeholders between 16 December 2022 and 13 January 2023. The consultation was placed on the GLA's website and sent to the bodies and key stakeholders mentioned above.
- 4.2 The Mayor has considered the comments from respondents to the consultation including the London Assembly Budget and Performance Committee and taken them into account before finalising his capital spending plan for 2023-24.

Risks

- 4.3 There are no further implications for risk management as these have been addressed as part of the budgetary process.

Conflicts of interest

- 4.4 There are no conflicts to declare from anyone involved in the drafting or clearance of this decision form.

5. Financial comments

- 5.1 These are highlighted so far as they are relevant in the capital spending plan for 2023-24.

6. Legal comments

- 6.1 The Mayor is required, under section 122 of the GLA Act, each financial year to prepare a capital spending plan (the Plan) for each functional body which must be sent to the Secretary of State, the London Assembly and each functional body before 28 February. Section 122 sets out the required contents of Sections A to D of the Plan in terms of estimates of receipts, borrowing and expenditure, and this appears in Table 1 of the Plan.
- 6.2 In preparing the Plan the Mayor may take into account such factors as appear to him to be appropriate and the other matters listed in section 124 of the GLA Act. These are: (1) the minimum amount of grant which the GLA is to pay to the body for the year under section 120 of the GLA Act and (2) the amounts to be transferred to the body under section 32(5) of the Local Government Act 2003 (Mayor's power to transfer expenditure grant made under section 31).

- 6.3 In particular the Mayor may take account of: (a) the capital spending plans for such financial years which have ended as he may determine; and (b) the amounts of each functional body's total capital spending specified in section C of each of those plans which have been met as follows: the amount met out of capital grants made to the body; the amount met out of grants under section 31 of the Local Government Act 2003 (expenditure grant) made to the body; the amount met out of the body's capital receipts; the amount met by borrowing or entering into or varying credit arrangements; and the amount met by making a charge to a revenue account.
- 6.4 The Mayor fulfilled the requirement to consult the Assembly and each functional body by 15 January 2023. The Mayor must consider their comments (if any) before determining the final Plan. The final capital spending plan for the forthcoming financial year must be approved before 28 February, when copies must be sent to the Secretary of State, the Assembly and functional bodies, and a copy must be kept at City Hall for inspection by the public for the next six years.

7. Planned delivery approach and next steps

Activity	Timeline
In accordance with the GLA Act the capital spending plan for 2023-24 will be sent to the Secretary of State for Housing, Communities and Local Government, London Assembly and the functional bodies <i>before</i> 28 February.	27 February 2023 (last working day to meet 'before 28 February' statutory deadline)

Appendices and supporting papers:

Appendix 1: The Mayor of London's Capital Spending Plan for 2023-24

The following documents were referred to in the preparation of the final capital spending plan for 2023-24:

- Section 9 and Appendices A to F of the Mayor of London's Consultation Budget Document for 2023-24 published on 16 December 2022.
- Section 9 and Appendices A to F of the Mayor of London's Draft Consolidated Budget for 2023-24 considered by the London Assembly on 26 January 2023.
- Section 9 and Appendices A to F of the Mayor of London's Final Draft Budget 2023-24: Explanation of Final Draft Proposals considered by the London Assembly on 23 February 2023.
- 2023-24 budget submissions for GLA, MOPAC, LFC, TfL, LLDC and OPDC.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 approval or on the defer date.

Part 1 Deferral:

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

If YES, for what reason:

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

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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:

Martin Mitchell has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

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

✓

Mayoral Adviser:

David Bellamy has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal. The proposal originates from Finance.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 20 February 2023.

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature:

D. Gallie

Date:

20/02/2023

CHIEF OF STAFF:

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

Signature:

D. Bellamy

Date:

20/02/2023

