

GREATER **LONDON** AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2429

Title: Orchard Wharf Tower Hamlets Planning Performance Agreement

Executive Summary:

In June 2019 the Mayor agreed a standing delegation to the Assistant Director Planning to enter into bespoke Planning Performance Agreements (PPAs) for complex planning schemes up to a cap of £250,000 on a cost recovery basis from the developer to cover GLA officer, and if required consultant, costs. The delegation was to be exercised through an ADD decision form for each PPA.

A PPA for £40,000 exclusive of VAT has been agreed with the developer of Orchard Wharf.

Decision:

That the Director, Built Environment approves:

- 1) The Planning Performance Agreement for expenditure of £40,000 exclusive of VAT in respect of the Orchard Wharf scheme; and
- 2) The receipt of £40,000 exclusive of VAT on a cost recovery basis from the developer Regal London.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT

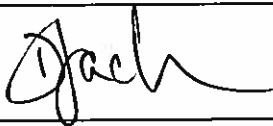
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Debbie Jackson

Position: Director Built Environment

Signature:



Date:

25/2/20

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1 Introduction and background

- 1.1 Planning Performance Agreements were formally introduced into the planning system on 6 April 2008 and are principally aimed at major planning applications that need substantial amounts of officer time and negotiation throughout the life of the scheme and allow officers to improve the quality of schemes that are eventually submitted as planning applications and determined. They also allow the GLA to charge for officer time taken up by the larger scale strategic schemes.
- 1.2 A Mayoral decision (MD2475) on 11 June 2019 gave delegated authority to the Assistant Director to enter into Planning Performance Agreements (PPAs) up to a cap of £250,000.

2 Objectives and expected outcomes

- 2.1 The principal objective is to maintain an effective high-quality strategic planning service at a time of pressure on resources and growing external and corporate demands by ensuring there are sufficient resources to deal with pre-application advice and applications including call ins by the Mayor. The expected outcomes are:
 - a continuation of the ability to deal with increasing workloads particularly the pre-application service by having sufficient resources in place; and
 - allowing the GLA planning function to keep up with high and rising levels of demand for advice whilst delivering an efficient fit for purpose strategic planning function for the Mayor.

3 Equality comments

- 3.1 Under section 149 of the Equality Act 2010, in making these decisions “due regard” must be had 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 include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender, sexual orientation (and marriage or civil partnership status for the duty to eliminate unlawful discrimination only). In this instance the proposals have been considered and are not expected to have any impacts on those with protected characteristics as distinct from anyone else.

4 Other considerations

- 4.1 *Mayoral strategies and priorities:* pre-application advice is fundamental to the implementation of the Mayor’s London Plan which seeks to ensure that the city meets the challenges of economic and population growth with much needed housing and commercial floorspace along with other associating social infrastructure and transport infrastructure to enable the development. The Mayor’s comments and decisions on referable planning applications is a key implementation tool of the London Plan. The pre-application service helps to ensure subsequent applications deliver London Plan objectives.
- 4.2 *Risk Management issues:* regular monitoring of income will be necessary to ensure the costs of providing the service are covered and the income is spent within the Regulations associated with the Local Government Act.
- 4.3 *Conflicts of Interest:* There are no conflicts of interest to note for any of those involved in the drafting or clearance of the decision.

5 Financial comments

- 5.1 Approval is being sought for the receipt and expenditure of up to £40,000 on a bespoke Planning Performance Agreement for Regal London.
- 5.2 As outlined in the Local Government Act 2003, income derived from charging fees cannot exceed the costs of providing the service therefore this agreement will encompass a cost recovery element for GLA officer, and where necessary consultant costs. Any surpluses obtained from this agreement will be placed in the Authority's Pre-application and Smoothing reserves at the end of the financial year (in line with Section 93 of the Local Government Act).
- 5.3 The GLA will incur all expenditure and usually recovers the costs in the following manner; a partial upfront payment is made by the developer and in this instance, will likely to be received in 2019/20 with the balance to follow in 2020-21.

6 Planned delivery approach and next steps

Activity	Timing
Completion of Planning Performance Agreement.	February 2020
From February to July programmed pre-application meetings between the developer, Tower Hamlets Council, the GLA and TfL.	February - July 2020
Planning Application submission.	July/August 2020

Appendices and supporting papers:

None

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

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:

John Finlayson has drafted this report in accordance with GLA procedures and confirms the following:

✓

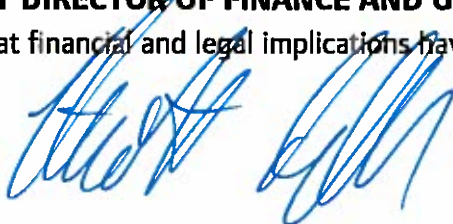
Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 24 February 2020.

ASSISTANT DIRECTOR OF FINANCE AND GOVERNANCE:

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

Signature



Date

24/2/20