

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2662

Title: London View Management Framework London Plan Guidance funding allocation

Executive summary:

This Director's Decision seeks approval of expenditure to cover costs associated with the production of the London View Management Framework (LVMF) London Plan Guidance (LPG) and associated tools and online material. The LVMF LPG will support the implementation of London Plan Policies HC1 Heritage Conservation and Growth; HC2 World Heritage Sites; HC3 Strategic and Local Views; HC4 London View Management Framework; and D9 Tall Buildings.

Decision:

That the Executive Director of Good Growth approves the expenditure of up to £145,000 from the 2024-25 London Plan Programme budget, to commission specialist consultancy to support a review of the London View Management Framework guidance.

AUTHORISING DIRECTOR

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: Philip Graham

Position: Executive Director, Good Growth

Signature:



Date:

04/12/2023

PART I – NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. The Spatial Development Strategy for London (the London Plan) designates 27 strategic views across the capital which make a significant contribution towards the image and character of the city and provides a policy framework to ensure their protection and enhancement. The London View Management Framework (LVMF) has remained a constant element of the Mayor's strategic planning strategy since the first London Plan in 2004, helping to protect and shape London's skyline.
- 1.2. The 27 strategic views are highly valued by Londoners and visitors alike, and contribute towards the capital's rich heritage. Each view is observed from public spaces; in many cases, these spaces are also highly valued for their cultural, social and historical importance. The views provide opportunities to witness, appreciate and understand London's character and nature, especially its skyline, from a series of locations that each afford a unique vista.

Policy context

- 1.3. The London Plan 2021 Policies HC3 Strategic and Local Views and HC4 London View Management Framework set the policy framework for managing the 27 strategic views designated in the Plan. The LVMF guidance primarily supports the implementation of these policies, as well as HC1 Heritage conservation and growth; HC2 World Heritage Sites; and D9 Tall Buildings. Together, these policies provide protections for London's defining skyline, heritage and character, and essential safeguards to its strategic landmarks and World Heritage Sites.

Updating London View Management Framework Guidance

- 1.4. In 2012, the Mayor published the LVMF Supplementary Planning Guidance (SPG) and it has been an effective tool at managing London's skyline. This update will take account of new developments since 2012, in particular it will include: extending the length of the background of the viewing corridors (Protected Vistas); reflecting the greater emphasis of the importance of high-quality design in the London Plan 2021; and responding to the increased use of new technologies such as 3D modelling.
- 1.5. A commitment to review the LVMF SPG is provided in the London Plan under Policy HC3 Part C.

2. Objectives and expected outcomes

- 2.1. Key elements of the project include reviewing and updating the management guidance for each of the views; assessing the accessibility of the viewing locations, including night-time implications; and refining the wider setting consultation areas and background areas of the Protected Vistas.
- 2.2. The expected outcomes of the project are to:
 - strengthen the implementation of the London Plan and help safeguard views of London's World Heritage Sites and strategic landmarks
 - increase consistency of approach with regard to the strategic views in plan-making and planning decisions across London
 - to provide greater certainty for development close to the strategic views to ensure consistency in decision making.
- 2.3. The project scope will not seek to add or remove any strategic views. For further details, please see the project procurement brief in Appendix 1.

3. Equality comments

- 3.1. The public sector equality duty (PSED) under section 149 of the Equality Act 2010 (the Act) requires the identification and evaluation of the likely potential impacts, both positive and negative, of decisions on those with protected characteristics. The Mayor is to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; and advance equality of opportunity, and foster good relations, between people who share a protected characteristic and those who do not. In particular, this may involve removing or minimising any disadvantage suffered by those who share a relevant protected characteristic and taking steps to meet the needs of such people. In certain circumstances, compliance with the Act may involve treating people with a protected characteristic more favourably than those without one.
- 3.2. To assess the possible impacts of this project on those with protected characteristics, a scoping Equality Impact Assessment has been carried out. This concluded that the project is unlikely to have a significant impact on any persons with protected characteristics. Nevertheless, several impacts were identified, including the accessibility of assessment points at viewing locations to older people; very young children; people with the protected characteristic of pregnancy and maternity; and those with a disability. This is particularly apparent given that some assessment points are located up steep hills or accessible via steps. In addition, the current LVMF SPG assumes that a viewer's eye level is approximately 1.6m, which is above that of a child or a wheelchair user.
- 3.3. The project will therefore include assessment of the accessibility of viewing locations during the day and at night-time. Any potential safety considerations of the viewing locations at night will also be considered.

4. Other considerations

Key risks and issues

- 4.1. One issue to note in any review of the existing guidance is the variety of opinions regarding the current provisions of the LVMF, which can be somewhat divisive. On the one hand, many amenity groups have advocated for enhanced protections for the existing views, as well as the consideration of new strategic views. On the other hand, the LVMF is considered by some to be placing overly onerous constraints on development, especially within central London. We must therefore ensure that a diverse range of groups are consulted when updating the guidance, and that all communications regarding the project must recognise this diversity of opinion in order to manage expectations of the public and stakeholders.
- 4.2. There are several key risks to the delivery of this project, outlined in the table below:

Possible risk	Actions to remove/reduce risk
Issue in securing quality assurance or outcomes required in commissioned work	Project procurement brief and contract will be robustly drafted with early involvement from TfL Legal and Collaborative Procurement Services
Negative feedback, press or reputational damage during formal consultation period	Early, targeted engagement and stakeholder meetings/ involvement in advance of formal consultation launch will ensure that the initial draft will have the benefit of user testing and refinement in advance of formal consultation.
Failure to secure authoritative and robust outputs from the study	Robust outputs will be secured through regular meeting with the consultants (see attached specification) and tight control and oversight up to sign-off.
New guidance will fail to address ongoing issues with implications of relevant policies	Robust, early engagement with key stakeholders (such as GLA and borough planners, professional practitioners, World Heritage Sites and Historic England) has informed the scope and extent of brief.

	Initial engagement, together with robust formal consultation, will also allow for further refinement.
Insufficient resources to achieve project objectives and/or scope creep	Project procurement brief has been robustly drafted to ensure that it is tightly defined. It also includes a contingency for risk allowance.
Receive criticism related to not seeking to add or remove any views.	Clarity will be provided early in the project that a new LPG will not seek to add or remove any views. This will aim to address any misinterpretations related to this aspect.

Links to other Mayoral strategies and priorities

- 4.3. The project supports the Mayor's statutory role to prepare and monitor the London Plan. Whilst this project primarily falls within the remit of the London Plan, issues of heritage, promotion of London's World Heritage Sites and enhancing the public value of the designated views (including as public spaces) are also of significant importance to the Mayor's Culture Strategy.
- 4.4. The project supports the Mayor's priority of making sure Londoners from all walks of life can enjoy arts and culture. This includes an appreciation of London's unique heritage and built form.
- 4.5. London Plan Objective GG1 states that those involved in planning and development must seek to ensure changes to the physical environment to achieve an overall positive contribution to London. This objective also notes the importance of using the special features that Londoners value about a place (such as cultural, historic or natural elements) so they can be used positively to guide and stimulate growth, and to create distinctive, attractive and cherished places.
- 4.6. London Plan Objective GG5 aims to promote and support London's rich heritage and cultural assets, and its role as a 24-hour city.

Conflicts of interest

- 4.7. There are no conflicts of interest to note for any of the officers involved in the drafting or clearance of this decision form.

5. Financial comments

- 5.1. Approval is sought for expenditure of up to £145,000 to procure and appoint specialist consultancy services to undertake a comprehensive review and audit of the current planning guidance; undertake targeted engagement; and provide reporting and recommendations to the GLA. It also includes a contingency. The decision also requests approval to commence procurement for these projects; and award the subsequent contracts to the tenderers submitting the most economically advantageous tender quote, having regard to the criteria set out in the Request for Quotation document as part of the procurement pack.
- 5.2. The total funding for the projects of up to £145,000 will be met from the London Plan 2024-25 budget, subject to approval as part of the Mayor's budget-setting process. There is sufficient budget within the draft budget to cover this expenditure; however, should there be any changes to the planned budget following the budget-setting process, then funding will be identified from within the wider Planning unit budget to resource this.

6. Legal comments

- 6.1. There is no statutory power that expressly deals with the development of the London Plan Guidance (LPG) in the Greater London Authority Act 1999 (as amended) (the GLA Act). However, the LPG is developed in accordance with the general power in section 30 of the GLA Act,¹ which gives the GLA the power to do anything that it considers will further any one or more of its principal purposes,

¹ <https://www.legislation.gov.uk/ukpga/1999/29/part/II>

namely promoting economic development and wealth creation in Greater London; promoting social development in Greater London; and promoting the improvement of the environment in Greater London. The London Plan Guidance will further all three principal purposes to some extent, in particular promoting social development and the improvement of the environment.

- 6.2. Section 334 of the Act requires the Mayor to prepare and publish a spatial development strategy (known as the London Plan). Section 339 of the Act requires the Mayor to keep the London Plan under review, especially matters that may be expected to affect the development of Greater London or the planning of its development. In addition, section 34 of the GLA Act contains a general power to do that which “is calculated to facilitate, or is conducive or incidental, to the exercise of any functions of the Authority”. The decision to procure specialist services to develop the LPG may reasonably be regarded as facilitating, being conducive or incidental to, the exercise of the Mayor’s power under section 30, 334 and 339 of the Act.
- 6.3. The LPG will be the subject of legal advice throughout the process.
- 6.4. The Mayor and the GLA are subject to the PSED; this is considered in detail in section 3, above.
- 6.5. The services required must be procured in consultation with TfL Procurement, who will determine the detail of the procurement strategy to be adopted in accordance with the GLA’s Contracts and Funding Code. Officers must liaise with TfL Procurement in this regard, and to ensure all necessary contract documentation is put in place and executed before commencement of services.
- 6.6. To the extent that the proposals in respect of which decisions are sought involve the making of commitments which extend beyond the current mayoral term, officers must ensure that the terms of all agreements entered into in respect of the expenditure do not have the effect of fettering discretion of any successive administration, considering in particular London elections taking place in May 2024. Accordingly, officers must ensure that all agreements which involve making such commitments include a GLA right to terminate at any point for convenience (at no cost to the GLA) and all such agreements are managed in such a manner, and any deliverables come up milestones and or outputs requirements are structured so as to mitigate risk of the GLA incurring abortive expenditure (which might be reasonably taken to fetter, practically, the exercise of such discretion).

7. Planned delivery approach and next steps

- 7.1. This project will be carried out according to the timetable below:

Activity	Timeline
Procurement of contract	December 2023 – January 2024
Delivery start date	February 2024
Consultancy work: Phase one – Technical analysis and production of draft material	February – May 2024
Consultancy work: Phase two: Targeted engagement	June – July 2024
Consultancy work: Phase three: Production of final material and report	July – September 2024
Public consultation on draft LPG (including preparation time)	October – March 2025
Consultancy work: Phase four: Post-public consultation amendments on the graphics and illustrations.	April – June 2025
Approval process for LPG adoption	July – September 2025

Appendices and supporting papers:

Appendix 1: Procurement brief.

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 be published either 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? YES

If YES, for what reason: Part 1 contains confidential information on the about the project's procurement process and budget allocation. The contract is subject to competitive tender quotes; to ensure that competition is not distorted, and value for money is obtained, the DD should not be published until after the contract has been awarded.

Until what date: 1 March 2024

Part 2 – Sensitive information

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

Alan Smithies has drafted this report in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service:

Lucinda Turner has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Financial and Legal advice:

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

Corporate Investment Board

A summary of this decision was reviewed by the Corporate Investment Board on 4 December 2023.

✓

INTERIM CHIEF FINANCE OFFICER:

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

Signature:



Date:

04/12/2023