

GREATER **LONDON** AUTHORITY

REQUEST FOR MAYORAL DECISION – MD3454

Appointment of legal advisers for the London Plan

Programme: Making Best Use of Land

Executive summary:

This decision seeks approval to spend £350,000 for specialist legal advice (including the appointment of Counsel) to support the preparation and examination of the draft London Plan.

Decision:

That the Mayor approves spending £350,000, between 2025-26 and 2027-28, for specialist legal advice to support the preparation of the draft London Plan.

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:

10/12/25

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 publish a spatial development strategy (the London Plan), and to keep it under review.
- 1.2. The National Planning Policy Framework (NPPF) states that the London Plan, as a spatial development strategy, should be reviewed at least every five years to determine whether it needs updating. The NPPF introduced this requirement in 2019. The current London Plan will be five years old on 5 March 2026. A review was undertaken in July 2024, after which a new London Plan was deemed necessary. A new London Plan is now being prepared.
- 1.3. Preparation of the London Plan requires:
 - an evidence base to support policy development – spend for this was approved under MD3301
 - a statutory public consultation on the draft Plan – this is planned for Summer 2026
 - an examination in public by independent inspectors followed by other statutory processes, including its submission to the Secretary of State and laying it before the London Assembly.
- 1.4. This decision form seeks approval to spend up to £350,000 for the appointment of Counsel, and other specialist legal advice, to support the preparation of the draft London Plan. This will ensure that the Plan meets all the necessary legal and procedural requirements. It will also provide necessary support at the examination in public. This will supplement internal legal resourcing and expertise. Ensuring the published plan is sound will also mitigate the risk of a successful legal challenge.

2. Objectives and expected outcomes

- 2.1. The preparation and publication of the London Plan must meet certain legal and procedural requirements, as set out in section 4 (below).
- 2.2. The London Plan is high profile; and is central to many Mayoral manifesto commitments and Mayoral delivery programmes, within both the GLA and TfL, including Making Best Use of Land. It also sets housing targets for London boroughs' own Local Plans. It is therefore important to secure additional legal support – which can be drawn down on a flexible, as-needed basis – to:
 - advise on legal and procedural risks, and on the drafting of emerging policies from January 2026
 - provide support throughout the examination in public.
- 2.3. There is significant risk in not securing this advice, given the very high degree of scrutiny and challenge that the London Plan can expect through its examination in public. It is common for other parties to appoint their own Counsel to attend examination in public hearings, and argue for changes that support their clients' interests.
- 2.4. This is particularly important, given the wide-ranging nature of the policy issues that the London Plan covers; and the extent to which it directly and indirectly affects stakeholder interests in land and development. The Plan is also being developed in the context of government's planning reforms. These include ongoing policy changes; changes to the process of strategic spatial plan-making (which is being rolled out across the country); and changes at the procedural level, specifically relating to the examination of spatial development strategies. These factors are all relevant to the contents and detailed drafting of the London Plan; and the relevant legal tests that it must meet.

- 2.5. The timely appointment of legal advisers is critical, given these complexities and the timescales for preparing the London Plan if it is to meet the Mayor's objectives for publication of the final plan in the first half of 2028.
- 2.6. As with any such matters, the risk is that a legal challenge to the London Plan could add significant delay to the process. While this risk cannot be eliminated, it can be reduced with appropriate support from specialist legal advisers.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010 (the Equality Act), as a public authority, the Mayor/the GLA must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and to advance equality of opportunity, and foster good relations, between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 3.2. The draft London Plan will be subject to an Integrated Impact Assessment (IIA) (which will include an Equalities Impact Assessment). The legal advice will include review of supporting documents, such as the IIA, to ensure that the Plan has regard to the Mayor's legal duties.

4. Other considerations

Key risks

- 4.1. The London Plan is independently examined by planning inspectors employed by the Planning Inspectorate. Whether the Plan is proven to be sound – and can therefore be adopted – depends on whether it meets the 'tests of soundness', and other legal tests.
- 4.2. Previous London Plans have been prepared over a four-year period. In this case, recognising the urgency of the housing crisis in London, the aim is to have a plan in place in early 2028. This will reduce the usual timeframe by almost a year. This has meant developing the evidence base in a much shorter period. Some of the evidence has been delayed, due to:
 - the need to await decisions, following the Mayoral election, about the scale of plan-making (and therefore the required evidence base)
 - seeking to take account of the government's programme of planning reform, including the 'environmental outcomes reporting' regime
 - the need to ensure key items of evidence were not out of date by the time of the examination in public.

Planning reforms

- 4.3. The Levelling Up and Regeneration Act came into effect on 26 October 2023; this included proposals for how plans will be examined, which would be set out in forthcoming Regulations. As yet, the detail – particularly as it affects spatial development strategies such as the London Plan – is not yet known; nor is it known when these proposals will come into effect. There are further relevant planning reforms, including the rolling-out of strategic planning and the requirement for spatial development strategies across the country (as set out in the Planning and Infrastructure Bill). These reforms will require further regulation and guidance – although much of this is likely to be modelled on London, rather than changes being made to London's system.
- 4.4. Other government planning reforms – such as anticipated further changes to the NPPF, and proposed National Development Management Policies (expected to be consulted on in December 2025) – may

generate additional work (including evidence base work). With these reforms, elements of the draft Plan may also need to be amended. Ensuring the London Plan process is properly informed by specialist legal support will be key to supporting this process.

Links to delivery plans and other strategies

- 4.5. The London Plan is the key framework for the Making Best Use of Land programme. It sets out an updated strategic planning framework to shape the future of our city – taking account of the government’s definition of London’s housing need. The London Plan brings together the locational aspects of the other statutory Mayoral strategies, with which it must be consistent. It will also seek to reflect the priorities of the London Growth Plan; and is being developed with input from relevant GLA teams to ensure that Mayoral priorities are reflected.

Impact assessments and consultation

- 4.6. In preparing or altering the London Plan, the Mayor has legal duties to consider the following:
- economic development and wealth creation (Greater London Authority Act 1999 (GLA Act))
 - social development (GLA Act)
 - protection and improvement of the environment (GLA Act; Levelling Up and Regeneration Act 2023)
 - the Environmental Assessment of Plans and Programmes Regulations 2004 (GLA Act)
 - health inequality and promoting Londoners’ health (GLA Act)
 - community safety (Crime and Disorder Act 1998; Policy and Justice Act 2006)
 - equality of opportunity, elimination of discrimination and the promotion of good community relations (GLA Act; Equality Act).
- 4.7. The London Plan team is preparing an integrated approach to demonstrate how these duties have been considered, in the form of an IIA. Due to legislative changes introduced (but as yet unimplemented) by government, a new Environmental Outcome Reporting framework is expected to replace the existing environmental assessment regime, meaning the specific IIA requirements are currently not known. Specialist legal support will be instrumental in supporting this assessment, which is being prepared alongside the London Plan.
- 4.8. The London Plan team is working with boroughs to share findings of evidence-base projects (where possible, before publication). The team is also involving boroughs directly in key aspects of the Plan’s development – e.g. LAND4LDN and the strategic Green Belt review.
- 4.9. There are no actual or perceived conflicts of interest with any person involved in the drafting or clearance of this form.

5. Financial comments

- 5.1. Approval is requested to spend up to £350,000 on specialist legal advice in support of the London Plan. Spend will occur between 2025-26 and 2027-28. The expected spend profile is set out in the table at paragraph 5.4, below.
- 5.2. This expenditure will be funded from the London Plan budget, within the Planning Unit’s approved budget for 2025-26; and the indicative plan for 2026-27 and 2027-28.
- 5.3. A contingency of 10 per cent has been provided across all projects to cover unforeseen additional costs; and/or to allow headroom for any small contract extensions that may be required.

5.4. All relevant budget adjustments will be made.

Project	Budget			
	2025-26	2026-27	2027-28	Total
Legal advice	£63,000	£189,000	£63,000	£315,000
Contingency at 10 per cent	£7,000	£21,000	£7,000	£35,000
Total	£70,000	£210,000	£70,000	£350,000

6. Legal comments

- 6.1. Section 334 of the GLA Act requires the Mayor to prepare and publish a spatial development strategy (known as the London Plan). Section 339 of the GLA Act requires the Mayor to keep the London Plan under review – especially matters that may be expected to affect Greater London’s development, or the planning of its development.
- 6.2. The decision requested of the Mayor, to collate the evidence base to support the London Plan, also concerns the exercise of the GLA’s general statutory powers under section 30 of the GLA Act – to do such things considered to further, or that are facilitative of, or conducive or incidental to, the promotion of economic development and wealth creation, social development, or the promotion of the improvement of the environment in Greater London.
- 6.3. In formulating the proposals in respect of which a decision is sought, officers have complied with the GLA’s related statutory duties to:
- pay due regard to the principle that there should be equality of opportunity for all people
 - consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the UK
 - consult with appropriate bodies.
- 6.4. The GLA also has a subsidiary power pursuant to section 34 of the Act to do anything that is calculated to facilitate, or is conducive or incidental to, the exercise of any of the GLA’s statutory functions. In this case, the appointment of legal advisers is incidental to its section 30 powers defined above, as well as its powers under section 334 and 339 of the GLA Act.
- 6.5. In taking the decision requested, the Mayor must have due regard to the Public Sector Equality Duty – namely, the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act. Throughout the process outlined above, in particular section 3, due regard will need to be had to the equality impact considerations and mitigations.
- 6.6. The GLA officers will have regard to the GLA’s Contracts and Funding Code when appointing any specialist legal support.

7. Planned delivery approach and next steps

- 7.1. This project will be completed according to the following timetable:

Activity	Timeline
Procurement of contract	December 2025
Delivery start date	January 2026
Delivery end date	March 2028
Project closure	March 2028

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 be published either within one working day after it has been approved or on the defer date.

Strategic Programmes

Does this decision seek approval for activity falling within the remit of a programme delivery plan? YES

If YES, which programme/s does this fall within: Making Best Use of Land

Part 1 – Deferral

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

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

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:

Nina Miles has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

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

✓

Mayoral Adviser:

Jules Pipe has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

This decision was agreed by the Mayoral Delivery Board on 8 December 2025.

✓

CHIEF FINANCE OFFICER:

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

Fay Hannan

Date: 8 December 2025

Signature:

CHIEF OF STAFF:

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

D. Bellamy

Date: 8 December 2025

Signature:

