

# GREATER LONDON AUTHORITY

## REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD414

**Title: Kingston Town Centre OAPF/Area Action Plan consultancy work – contract extension**

### Executive Summary:

The Kingston Town Centre Opportunity Area Planning Framework (OAPF)/Area Action Plan (AAP) is a joint project being undertaken with the Royal Borough of Kingston (see ADD 340).

This decision requests approval for additional expenditure of £3,020.75 incurred by the consultant producing the draft Kingston Opportunity Area Plan. Part way through the project the scope of the document was expanded beyond the existing town centre boundary to include the 10 proposed Crossrail 2 stations in the borough.

ADD 340 approved expenditure up to £25,000

### Decision:

That the Assistant Director approves additional expenditure of up to £3,021 to the consultancy taking the total spend for this contract to £28,021

### 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:** Stewart Murray

**Position:** Assistant Director

- Planning  
DEC

**Signature:**



**Date:**

12/04/16

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1 The GLA Planning Unit is working with the Royal Borough of Kingston (RBK) to prepare an opportunity area plan for Kingston. This will cover the area identified as a potential new opportunity area in the London Plan (2015). The area faces significant development pressures and it is therefore important that the OAPF is in place as soon as possible.
- 1.2 It is essential that an assessment of development capacity study, draft opportunity area plan, specialist graphics and desktop publishing work is undertaken on this project to enable its delivery to a high quality standard. Specialist consultancy services were employed in September 2016 (see ADD340) to enable the production of this document. The consultant has experience in urban planning and previous knowledge of planning document requirements in this context.
- 1.3 During the project and following consultation with RBK and Transport for London (TfL) it was decided to expand the scope of the document to include opportunities for growth around the 10 proposed Crossrail 2 stations in the borough. This increased the amount of work the consultant had to produce. An extension to their contract is therefore required to pay for the additional work carried out.

#### **2. Objectives and expected outcomes**

- 2.1 The objective of this project is to produce the draft Kingston Opportunity Area Plan and development capacity study by April 2016.

#### **3. Equality comments**

- 3.1 In arriving at the recommended decision to approve this proposed budget, equalities issues have been considered in line with the GLA's duties under the Equalities Act 2010. It is unlikely that this project will have negative equalities impacts but identified equalities issues (both positive and negative) will be covered in the Integrated Impact Assessment that will accompany the project. This will ensure that at each point of the drafting and consultation process for the proposed document, equalities impacts are considered and actions decided upon to address any emerging issues. The project will also be subject to a review and this will also address equalities impacts.
- 3.2 Given the regeneration focus of the proposed project, identification of relevant equalities groups and potentially vulnerable locally affected populations will be undertaken at the outset of the project. Population data is available for this purpose such as indices of deprivation used to identify regeneration areas in the London Plan. A detailed public consultation strategy will also need to be drawn up in consultation with Kingston Council to ensure that any local hard to reach groups are engaged in the process to ensure that resulting document is appropriate and accessible to all and meets the needs of different Londoners.

#### **4. Other considerations**

##### *a) Key risks and issues*

- 4.1 If the financial support is not provided to this opportunity area, there is a risk that the OAPF will not be completed or will not be completed within the required timeframes. This would undermine the Mayor's growth agenda set out in the London Plan 2015 (consolidated with alterations since 2011).

##### *b) links to Mayoral strategic and priorities*

- 4.2 The specialist development capacity, graphics and design consultant will assist in the production of the OAPF. OAPFs are supplementary to the London Plan and bring together the Mayoral priorities for housing, economic development, development, transport and the environment. Realising the development potential of Opportunity Areas is a Mayoral Priority, and OAPFs bring together strategic and local stakeholders to deliver an area-wide spatial planning framework in accordance with Government policy, as set out in the National Planning Policy Framework (NPPF).

##### *c) Impact assessments and consultations*

- 4.3 OAPFs are subject to public consultation, and equality and environmental assessments.
- 4.4 The need for this service is immediate

#### **5. Financial comments**

- 5.1 ADD340 approved expenditure of up to £25,000 on a consultancy service for the Kingston OAPF. Approval is now being sought for the additional expenditure of £3,020.75. This will bring the total expenditure on the Kingston OAPF up to £28,020.75. The work was carried out in February and March 2016.
- 5.2 During the project and following consultation with RBK and Transport for London (TfL) it was decided to expand the scope of the document to include opportunities for growth around the 10 proposed Crossrail 2 stations in the borough. Given the National Infrastructure Commissions report supporting Crossrail 2 and the Outer London Commissions town centres report the brief of the project had to be expanded. This increased the amount of work the consultant had to produce. An extension to their contract is therefore required to pay for the additional work carried out
- 5.3 The Kingston OAPF project is funded from the OAPF budget of the Planning budget within the Development, Environment and Enterprise Directorate (as per DD 1359). Additionally there is an agreement with St George and British Land to each provide £15,000 to fund the production of the OAPF document which will be paid into the OAPF planning budget. Contributions from other developers will also be sought during the production of the OAPF. It was agreed at the beginning of the project that GLA would pay for the development capacity study. It was the GLA decision to expand the scope of the study part way through. Therefore the added funding must be resourced by GLA rather than Kingston Council. Kingston Council has however employed a new member of staff to provide planning support to the GLA for the production of the OAPF.

#### **6. Legal comments**

- 6.1 The sections above indicate that the decision requested of the mayor fall within his statutory power under section 30 of the Greater London Authority 1999 (as amended) ("the Act"), acting on behalf

of the Authority, to do anything he considers will promote the improvement of the environment in Greater London; and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

- (a) pay due regard to the principle that there should be equality of opportunity for all people;
- (b) consider how the proposals will affect:
  - i. the health of persons in Greater London,
  - ii. the health inequalities between persons living in Greater London;
  - iii. the achievement of sustainable development in the United Kingdom; and
  - iv. climate change, and the consequences of climate change; and
- (c) consult with appropriate bodies.

6.2 The Authority also has a subsidiary power pursuant to Section 34 of the Act. This gives the mayor the authority to do anything which is calculated to facilitate or, is conducive or incidental to the exercise of any of the statutory functions of the Authority. In this case this piece of work is incidental to its section 30 powers defined above as well as its powers under section 334 and 339 of the Act.

6.3 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 which may be expected to affect the development of Greater London or the planning of its development. In this case, the decision to procure specialist technical services to under this work to inform the Kingston Opportunity Area Plan may reasonably be regarded as facilitating, being conducive or incidental to, the exercise of the Mayor's power detailed above.

#### *Conflict of interest*

6.4 The fact that the production of this OAPF is partly funded by developer money raises issues regarding conflicts of interest. To ensure that these are appropriately managed each developer was has confirmed in writing that it will have no involvement or control over the production of the OPAF over or above that which they would normally have as an interested landowner. The OAPF will be produced by the Planning Unit, for adoption by the Mayor, quite independently from the developers. It will be drawn up in the context of the London Plan, and will be consistent with strategic guidance which that plan provides. When it comes to the stage of adoption, the decision will be made by the Mayor personally in the light of all the consultation responses and material considerations.

#### *Provision of Discretionary Services*

6.5 Section 93 of the Local Government Act 2003 ("the Act") provides the Authority with the power to charge for discretionary services. Discretionary services are services that the Authority has the power, but is not obliged to provide. The power to charge is subject to a duty to secure that the income from charges does not exceed the cost of provision.

#### *Procurement*

6.6 Officers must ensure that appropriate documentation is put in place and executed by the consultant and the GLA formalising the extension of services before the commencement of the additional services.

## 7. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract [for externally delivered projects]	N/A
Announcement [if applicable]	N/A
Delivery Start Date [for project proposals]	Sept 2015
Final evaluation start and finish (self/external)	Ongoing
Delivery End Date [for project proposals]	April 2016
Project Closure: [for project proposals]	December 2016

**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:**

Kim Tagliarini has drafted this report in accordance with GLA procedures and confirms that the Finance and Legal teams have commented on this proposal as required, and this decision reflects their comments. Stewart Murray has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**HEAD OF GOVERNANCE AND RESILIENCE:**

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

**Signature:**



**Date:**

12.04.16