

REQUEST FOR MAYORAL DECISION – MD2081

Mayor's Transport Strategy

Executive Summary: The Mayor is required to publish a Transport Strategy ('MTS') and to keep that Strategy under review. The Mayor has determined that it is appropriate to revise the MTS and is anticipating that a consultation draft will be produced in May 2017 with the final version published in late 2017. Given Transport for London's (TfL) expertise on transport matters and the responsibilities it has in facilitating the implementation of the Mayor's transport policies and proposals, it is appropriate that the Mayor directs TfL to prepare the revised MTS and the associated integrated impact assessment ('IIA'). TfL is tasked with undertaking a consultation of both documents on behalf of the Mayor. Following publication of the MTS by the Mayor, TfL will complete the post-publication tasks required. At the same time, the Mayor also directs TfL to draft a guidance document for the London borough councils and the Common Council of the City of London (Local Implementation Plan, 'LIP Guidance') as to how the MTS should be implemented which will assist them in the preparation of their local implementation plans.

Decision:

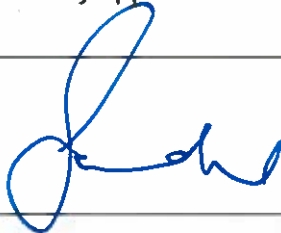
1. The Mayor directs TfL to:
 - a) prepare a revised MTS and associated IIA;
 - b) consult statutory consultees and the general public as required in respect of the draft version of the MTS and the IIA;
 - c) undertake all related post-consultation tasks in respect of the draft MTS and IIA consultation including preparing and providing a report to the Mayor on the consultations;
 - d) do all the things necessary following the Mayor's publication of the MTS relating to publicity and distribution;
 - e) prepare revised LIP Guidance.
2. The Mayor authorises TfL to exercise on his behalf all of the functions TfL requires in order to be able to comply with the direction.

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:

28/2/12

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 and publish a transport strategy ('MTS') which contains his *policies* for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within Greater London, his *proposals* for discharging his duty of exercising his powers under Part IV of the Greater London Authority Act 1999 ('the GLA Act') for the purpose of securing the provision of those transport facilities and services and his *proposals* for providing accessible transport (see sections 141 and 142 of the GLA Act). The MTS provides the framework for TfL's activities and in respect of certain matters, namely, road user charging, there must be conformity between the charging scheme and the MTS.
- 1.2 The Mayor must keep the MTS under review and make such revisions as he considers necessary. In doing so, the Mayor shall have regard to the effect that the strategy will have on various themes (health, health inequalities, sustainable development and climate change) as well as on the need to ensure consistency with national policies, the UK's EU obligations and such other international obligations as the Secretary of State notifies the Mayor of. The MTS must also be consistent with the Mayor's other strategies, and work has started on new versions of all of these strategies, including a new London Plan. It is also relevant that the Mayor has regard to the resources available to implement the strategy.
- 1.3 The most recent MTS was published in May 2010. There will, therefore, be a gap of around 7 years between the publication of the current MTS and the anticipated publication of the revised MTS. In that time, there have been considerable developments in transport facilities and services, all of which impact on London's transport network and environment, including:
- the construction of new Cycle Superhighways, implementation and expansion of the Cycle Hire scheme and the roll-out of Mini Holland schemes in Enfield, Kingston upon Thames and Waltham Forest
 - a major upgrade of the tube network and the opening of Night Tube
 - further development of the London Overground network
 - provision of transformative new services, with the Elizabeth line due to open in 2018 and construction of the Northern line due to complete in 2020
 - work with partners to improve alternative modes of transport and servicing, such as the PLA's vision for the Thames
 - the roll-out of new forms of technology such as contactless payment and WiFi on the tube
 - innovation and growth in new technologies which impact on service provision, for example in the private hire industry
 - confirmation from the Government that a third runway at Heathrow Airport is its preferred option for achieving increased airport capacity in the South East of England.
- 1.4 Transport for London's (TfL) funding arrangements will also change during the current mayoral term. Furthermore, there have been changes to London's population and employment forecasts which envisage an additional 1.5 million residents in the capital by 2041. These changes have significant implications for the transport network in London and it is appropriate that they are reflected in an updated MTS. It is also appropriate that the MTS is revised to reflect the strategic direction of the incumbent Mayor, as set out in his 'City for All Londoners' document (published for consultation in October 2016).

- 1.5 As has been the case with previous revisions, the Mayor wishes to use the expertise of TfL and its resources to prepare the draft MTS. Although the Mayor is ultimately responsible for preparing and publishing the revised MTS, it is appropriate that he draws on the knowledge of TfL to assist with those tasks given that TfL is the strategic body that is responsible for facilitating the implementation of the Strategy and has the expertise to inform the Mayor's policies and proposals.
- 1.6 The Mayor also wishes to issue guidance to the boroughs and the City of London as to the implementation of the revised MTS. The boroughs and the City of London are required to prepare local implementation plans ('LIPs') which are submitted to the Mayor for approval. The Mayor may only approve a LIP if he considers that it is consistent with the MTS, that the proposals contained in the LIP are adequate for the purposes of implementing the transport strategy and that the timetable for implementing those proposals including the deadlines for doing so are adequate. The guidance that is to be issued will assist the boroughs and City of London to produce LIPs which are capable of being approved by the Mayor.
- 1.7 In the course of revising the MTS, the Mayor is required to consult certain groups and in practice, extends the consultation to the public at large. Various consultation materials will be produced although the key document will be the draft MTS itself and the Integrated Impact Assessment (IIA) relating to the draft. It is also anticipated that meetings will be held with the statutory consultees and more widely and that there will be a level of engagement with interested persons beyond the written materials. TfL is being asked to undertake all aspects of the consultation on behalf of the Mayor. Following the end of the consultation period, TfL will consider and evaluate the responses, prepare a summary of them and produce a report for the Mayor.
- 1.8 As part of the MTS process, there will be an IIA in respect of the draft MTS. The IIA will collate and analyse, in one overall integrated report, findings from the following assessments in relation to the revised draft MTS: Strategic Environmental Assessment; Habitats Regulation Assessment; Equalities Impact Assessment, Health Impact Assessment, Assessment of Economic Impacts and Community Safety Impact Assessment. The IIA aims to provide for a high level of protection of the environment, protected groups, human health, economy and community safety and security and to contribute to the integration of such considerations into the preparation and adoption of the MTS. In addition to preparing the draft MTS, TfL will ensure that an IIA is done in respect of it and is consulted upon alongside the draft strategy. In respect of the Strategic Environmental Assessment which is a requirement of the Environmental Assessment of the Plans and Programmes Regulations 2004, TfL will include the statutory consultees (the Environment Agency, Natural England and English Heritage) in the combined consultation process.
- 1.9 Once the MTS has been published by the Mayor, 'adequate publicity' needs to be given to it, a copy sent to each London Borough and the City of London and a copy made available for inspection at City Hall and such other places as the Mayor considers appropriate. A post-adoption statement will also be made in respect of the IIA. TfL will undertake all of the post-publication tasks that are required.

2. Objectives and expected outcomes

- 2.1 TfL is the Mayor's strategic transport authority and has the expertise and experience to inform the development of policies and proposals which will make up the MTS. It is expected that TfL's involvement will allow the Mayor to conceive of policies and proposals that build on the vision and approach set out in 'A City for All Londoners' which adequately address the current and anticipated transport needs of Greater London and contribute to its long term sustainable economic, environmental and social development.

3. Equality comments

- 3.1 Under s 149 of the Equality Act 2010 ('the Equality Act'), as public authorities, the Mayor and TfL 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 re-assignment, 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 decision to have TfL prepare the draft MTS and undertake the consultation and other associated tasks will not have any bearing on the Mayor's fulfilment of the public sector equality duty. An Equalities Impact Assessment will be done in respect of the draft MTS and its policies as part of the IIA.

4. Other considerations

a) Key risks and issues

- 4.1 As the ultimate responsibility for preparing and publishing the MTS remains with the Mayor notwithstanding the direction and delegation to TfL, no risks have been identified in involving TfL in production of the MTS and associated activities.

b) Links to Mayoral strategies and priorities

- 4.2 In October 2016 the Mayor published for consultation 'A City for All Londoners' in order to set the context for the development of his statutory strategies, including the MTS. 'A City for All Londoners' set out the Mayor's priorities including accommodating growth, providing more housing, supporting the economy, improving the environment, transport and public spaces, and ensuring social integration. All mayoral strategies are in the course of being revised to reflect the priorities and direction set out by the incumbent Mayor.
- 4.3 For the transport strategy this means outlining the necessary steps to make London an open, liveable and environmentally sustainable city. It must take into account London's changing economy, including in light of the EU referendum and the Mayor's cultural strategy, which highlights the importance of the Night Time economy. The strategy must respond to overarching changes in how the city operates, such as the growth of personal deliveries from online retailers, to develop a sustainable strategy that recognises economic imperatives but enables efficient operation of the city. The transport strategy will take this forward through the following three priorities:
- (a) A good public transport experience: enabling easy and safe travel around the Capital. Providing good customer service and ensuring public transport is affordable, accessible, safe and secure, reliable and not overcrowded.
 - (b) Healthy Streets and Healthy People: Improving air quality by reducing emissions from traffic and encouraging more walking, cycling and public transport use and reducing car use. Adopting a Vision Zero approach to reducing road danger and ensuring roads are reliable, enabling a high quality bus service and essential freight and servicing.
 - (c) Supporting new homes and jobs: Embedding more sustainable travel patterns, planning infrastructure and services in an integrated way to unlock housing and support regeneration to respond to forecast population growth. Ensuring that the transport system contributes to improving the environment by enabling London to become a zero carbon city and to be more resilient to the impacts of climate change.
- 4.4 Section 41 of the GLA Act provides that in revising the strategies, the Mayor shall have regard to the need for each of the mayoral strategies to be consistent with each other.

c) Impact assessments and Consultation

- 4.5 No impact assessments or consultations are required for the Mayor to make this decision. The impact assessments for the MTS are outlined in paragraph 1.7.

5. Financial comments

- 5.1 There will be no financial implications for the GLA arising from this decision. TfL has a small number of staff involved in the preparation of the document and has allocated a budget of £500,000 for external costs including the preparation of consultation materials and hosting of stakeholder engagement events.

6. Legal comments

Direction to TfL

- 6.1 Pursuant to section 155(1) of the GLA Act the Mayor may issue general and specific directions to TfL as to the manner in which it is to exercise its functions.
- 6.2 Section 155(4) provides that any directions issued under section 155(1) must be issued in writing and notified to such officer of TfL as it may from time to time nominate to the Mayor for this purpose.
- 6.3 The proposed direction by the Mayor to TfL may be made under section 155(1)(c) of the GLA Act. The direction must be in writing. It is attached at Appendix 1.
- 6.4 The Mayor cannot delegate the act of publishing the MTS and so the direction reserves approval of the draft MTS which will be the subject of consultation and the actual publication of the MTS to the Mayor with all associated tasks to be undertaken by TfL.

Delegation of Mayoral powers

- 6.5 Section 38 of the GLA Act allows the Mayor to authorise TfL to exercise any of the Mayor's functions which are exercisable by the Mayor on behalf of the GLA. The relevant functions of the Mayor are capable of being delegated pursuant to s 38 as although they are stated to be exercisable by the Mayor, s 35(3) provides that a function which is conferred on the Mayor is to be taken to be a function of the Authority exercisable only by the Mayor acting on behalf of the Authority. Section 38(7) gives TfL the power to exercise any functions delegated to it by the Mayor pursuant to section 38, whether or not TfL would otherwise have had that power and irrespective of the nature of the function.
- 6.6 The Mayor wishes to delegate to TfL all of the functions which it needs to exercise in order to be able to comply with the direction. Those functions are contained in sections 34, 41, 42, 43, 141, 142 and 144 of the GLA Act.
- 6.7 Section 38(10) of the GLA Act requires the section 38 delegation to be in writing. It is attached at appendix 2.
- 6.8 Section 38(1) provides that the Mayor may impose conditions on any delegations. A number of conditions are set out in the delegation annexed to this report. These include requirements to provide progress reports to the Mayor and the Deputy Mayor for Transport, comply with any instructions or guidance issued by the Mayor and co-operate with the GLA Monitoring Officer (who has a duty under section 5(2) of the Local Government and Housing Act 1989 to monitor TfL's activities when it is exercising functions delegated by the Mayor).
- 6.9 The direction also requires TfL to prepare an IIA in respect of the draft MTS on behalf of the Mayor. The requirements in respect of the IIA are contained in various pieces of legislation relevant to the subject matter being assessed, for example, the Conservation of Habitats and Species Regulations

2010 and the Environmental Assessment of Plans and Programmes Regulations 2004. In addition to exercising the Mayor's delegated functions, TfL will ensure that the IIA that is produced in respect of the draft MTS complies with those requirements.

8. Planned delivery approach and next steps

8.1 The key dates for the delivery of the MTS are as follow:

- Publication of draft for consultation: May 2017
- Consultation period: Summer 2017
- Publication and adoption of final version: November/December 2017

Appendices and supporting papers:

Appendix 1 - Direction to TfL

Appendix 2 - Delegation to TfL

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:

Claire Hamilton has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

Sponsoring Director:

Fiona Fletcher-Smith has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Valerie Shawcross, Deputy Mayor for Transport, has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 27 February 2017.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. J. Allge

Date

27.2.17

CHIEF OF STAFF:

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

Signature

D. Bellamy

Date

27/2/2017

