

Subject: The Mayor's Draft Culture Strategy

Report to: London Assembly

Report of: Executive Director of Secretariat

Date: 13 December 2018

This report will be considered in public

1. Summary

- 1.1 This report presents the Mayor of London's proposed Draft Culture Strategy in order for the Assembly formally to consider the Strategy and to determine whether to use its power to reject the Draft Strategy.

2. Recommendation

- 2.1 **That the Assembly receives and, in accordance with Section 42B of the Greater London Authority Act 1999 (as amended), considers its response to the Draft Culture Strategy and determines whether to use its power to reject the Draft Strategy.**

3. Background

- 3.1 Under Section 42B of the Greater London Authority Act 1999 (as amended) the Mayor must lay before the London Assembly any strategies or draft revisions to the strategies set out Section 41 of that Act. The Culture Strategy is one of the strategies listed at Section 41 of the Act. Whilst the Strategy has been drafted in two parts – with a Culture element and a Sport element – it is, in law, one strategy.
- 3.2 On 23 March 2018, the Mayor published his draft Culture element of the Draft Culture Strategy for public consultation until 19 June 2018. On 20 July 2018, the Mayor published the draft Sports element of the Draft Culture Strategy, for public consultation until 12 October 2018. The London Assembly Economy Committee's response to the consultation on the draft Culture element is attached for Members and officers at **Appendix 1**. The Committee's response to the draft Sport element is at **Appendix 2**.

4. Issues for Consideration

- 4.1 The Mayor published and laid before the Assembly the draft Culture Strategy [which comprises a Culture element and a Sport element] on 4 December 2018. The draft Culture element of the draft Strategy is attached at **Appendix 3** and the Sport element is attached at **Appendix 4**. The associated implementation plans are attached at **Appendices 5 & 6**.
- 4.2 At its meeting on 13 December 2018, the Assembly will receive an opening statement from the Mayor of London regarding his draft Culture Strategy and a statement from the Chairman of the Economy Committee in relation to the Committee's responses to the consultation on the two elements of the draft Strategy. The Assembly will then put questions to Sadiq Khan, Mayor of London in relation to the Strategy.

5. Legal Implications

- 5.1 Under the provisions of Section 42B of the Greater London Authority Act 1999 (as amended), the Assembly has the power to consider and potentially reject draft strategies within 21 days of their publication, including the date the draft strategy is laid before the Assembly. The 21-day period from 4 December 2018 ends on 24 December 2018.
- 5.2 Any motion for the Assembly to reject a draft strategy must be considered at a meeting of the Assembly throughout which members of the public are entitled to be present and is not carried unless it is agreed to by at least two thirds of the Assembly Members voting. In law, the Culture Strategy is treated as one strategy. The law does not provide for the Assembly to reject part of a strategy – therefore any motion under Standing Order 3.19 to reject one element of the strategy would, if carried by the requisite majority, have the effect of rejecting the strategy as a whole.
- 5.3 Standing Order 3.19 (Assembly Consultation on the Mayor's Strategies and the Assembly's Power to Reject) is as follows:
 - A. In accordance with section 42(1) of the GLA Act, the Mayor is required to consult the Assembly when preparing or revising all those strategies listed at section 41 of the Act. Before publishing a strategy (or, in the case of the housing strategy, before submitting the draft to the Secretary of State) the Mayor must lay a copy of the draft strategy before the Assembly by submitting a paper copy of the draft strategy to the Chair of the London Assembly (copied to the Executive Director of Secretariat) [1].
 - B. The Mayor should submit a draft strategy to the Assembly in accordance with Standing Order 3.19 by not less than midday on the day that is six clear working days in advance of the relevant Assembly or committee meeting.
 - C. Noting that only the London Assembly itself may properly exercise the power to reject a strategy (as provided for at (F) below), the Assembly, or any relevant ordinary Committee of the Assembly to which the necessary authority has been granted by the Assembly (either through its terms of reference or otherwise through a formal decision), may provide a response to a consultation referred to in Paragraph A above.

D. The Mayor must not publish any final strategy that is relevant to this Standing Order (or, in the case of the housing strategy, submit the draft to the Secretary of State) if, within the period of twenty-one days beginning with the day on which the copy is provided to the Assembly in accordance with Standing Order 3.19B above, the Assembly resolves formally to reject the draft.

E. Any motion for the Assembly to reject a draft strategy must be considered at a meeting of the Assembly throughout which members of the public are entitled to be present.

F. If the Assembly votes by at least two-thirds of the Members present and voting, for the following motion:

The Assembly hereby resolves to reject Mayor's draft xxxxx strategy

the Mayor must not publish that strategy (or, in the case of the housing strategy, submit the draft to the Secretary of State), other than by way of providing a further revised version of that document to the Assembly.

G. The motion set out at (F) above may be moved by the Chair of the Assembly as part of the formal agenda for the relevant meeting of the London Assembly or, without notice, by any Member at a meeting of the London Assembly at which a draft strategy is considered. Standing Orders 3.3(A) and 3.12 shall be suspended in relation to such motions. However, the remaining rules set out at Standing Orders 3.3 to 3.15 in relation to the consideration of motions shall apply in the usual way. The motion, if moved, must be seconded prior to its consideration.

H. The Assembly may, during the debate, agree to amend the text of the original motion (as set out in paragraph F above) to include its reasons for passing the motion and any other relevant commentary that it wishes the Mayor to consider.

Notes and definitions

[1] This Standing Order applies where the Mayor has prepared, and is ready to publish, a draft of any of the strategies to which section 41 of the GLA Act applies (including a revised version of the strategy), but not to a revised version of a strategy containing only revisions which(a) are specified in a direction as to the contents of the strategy which is given to the Mayor under this Act (or which the Mayor considers are necessary in consequence of any revisions so specified); or are not so specified but the Mayor considers to be necessary to comply with such a direction (section 42B(1) and (2)).

[2] As required by section 42B(5). Abstentions do not count as a vote against, and so are excluded from the calculation of the two-thirds majority.

6. Financial Implications

6.1 There are no direct financial implications arising from this report.

List of appendices to this report:

Appendix 1 – Response of the London Assembly’s Economy Committee to the public consultation version of the draft Culture Strategy

Appendix 2 – Response of the London Assembly’s Economy Committee to the public consultation version of the draft Sport Strategy

Appendix 3 – Draft Culture Strategy (Culture Component)

Appendix 4 – Draft Culture Strategy (Sports Component)

Appendix 5 – Draft Culture Strategy Implementation Plan (Culture Component)

Appendix 6 – Draft Culture Strategy Implementation Plan (Sports Component)

Local Government (Access to Information) Act 1985
List of Background Papers: None
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