

**Mayor's London Plan  
Integrated Impact Assessment (IIA)  
draft Scoping Report**

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Thank you for the opportunity to comment on the draft IIA Scoping Report (IIA SR) for the Mayor's London Plan.

The comments on behalf of Just Space are as follows:

**A Fair Consultation:**

The Mayor should reflect on the Supreme Court's endorsement of basic requirements of a 'fair' consultation exercise, namely the 'Gunning principles', in October 2014. These include, that consultation should take place when the proposal is still at a formative stage. However, the current Scoping Report is not to be found on the publicly accessible GLA website. And public consultation on the IIA Report alongside the draft London Plan is not to take place until 'Stage D' (section 3.4.2 fig.3.1 pp13 &15) in Autumn 2017 (section 8.4.2 p175). This is far too late in the process given the aforementioned principles.

**Generation of Alternatives:**

Again 'Stage B's developing and refining alternatives and assessing impacts' (section 3.4.6 p15) is not planned to be open to wider public consultation. The Supreme Court judgement also observed that fairness will require sometimes that interested persons be consulted not only on the preferred option but also upon arguable but discarded alternative options.

Alternatives are a key part of the impact assessment process. There is case law on this which clarifies the SAE Directive, a crucial part of which states: "*The sustainability appraisal should predict and evaluate the effects of the preferred approach and reasonable alternatives and should clearly identify the significant positive and negative effects of each alternative*". For example, in *Heard v Broadland District Council et al*, it was found that the outline reasons for the selection of alternatives at any particular stage had not been given clearly. There was no discussion of why the preferred option came to be chosen; nor was there any analysis on a comparable basis of the preferred option and selected reasonable alternatives. The aim of the Directive was obviously met by an equal examination of reasonable alternatives alongside whatever might be the preferred option.

Whilst section 3.4.6 on 'Stage B' informs us that alternatives will be developed and refined 'taking into account the responses of those consulted at Stage A', the consultation to date has been very restricted in substance/format and scope/outreaching. It has not been purposefully directed or facilitated to generate responses on alternatives or to formulate and have incorporated alternatives generated by consultees. Furthermore, 'Stages B & C' are not stated to be open for wider input and if previous IIA processes are followed, they are closed 'black box' internal operations not amenable to public comment or influencing. This places at risk and open to challenge the (emerging) IIA and London Plan if the selection and testing of the preferred option and alternatives are subsequently found to be defective. It is very much in the interests of the

Mayor to have the formulation and examination of the draft IIA including alternatives as a transparent process receptive to reasonable propositions and alternatives.

We don't find the distinctions between the proposed 3 options (§2.2.5) to be very clearly set out. We are glad that the process of elaborating alternatives for evaluation has not yet started (§3.4.7) and would like the following points to be taken on board.

In Option 2: "sustainable intensification" what does "estate renewal - targeted approach" mean? In the view of Just Space groups, the extent and character of estate renewal is one of the key issues. While renewal sounds like a good thing, the evidence is so strong now that the current practices in estate renewal result in net losses of social housing and have substantial environmental and social costs. We consider that it is essential that the London Plan and the IIA together represent an objective evaluation of doing or not doing estate renewal, especially that which involves demolition/eviction. This is bound to be a key issue in the London Plan EiP.

Also in option 2 we see a greater emphasis on more dispersed growth across London. We value this on two grounds: (i) more growth of jobs and services where people live should tend to reduce the need to travel, helping to build lifetime neighbourhoods, and (ii) it should help to foster the potentiality of London's existing diverse economic activity. We would like to see this spelled out and explored more carefully.

It will be methodologically difficult to explore this option - of fostering dispersed activity - within the same package (Option 2) as relocation of industry within or beyond Greater London because the activity-locations being extinguished in the process are precisely those which could most usefully be conserved and encouraged. We thus suggest that this element (relocation/consolidation) should be split out and evaluated as part of a separate option. See below on option 4.

### **Proposal for a Community Generated Option**

Just Space proposes that a community-generated alternative option be an integral part of the process and advances its publication, ***Towards a Community Led Plan for London*** as a basis for this. In appendix 1 are 10 Key points from this publication which can be adapted for the issues, guiding questions, objectives and the development of alternatives. So this would be an option in which there is no estate renewal on the current basis (with demolition/eviction and losses of social housing), reductions in the need to travel (passengers and freight), especially by motor vehicles, is a top priority, economic development builds up from fostering the potential of the full diversity of London's existing economies, both in industrial zones and in high streets and centres, and continues so as to include the full range of our 10 key points.

### **The Process So Far:**

The IIA SR's objectives and guiding questions have been reviewed by Just Space in relation to the Workshops (Oct- Nov 2016) of the GLA ***'A City For All Londoners'*** stakeholder engagement programme to see if the points raised in the sessions have been adequately considered by the IIA SR. In many instances,

workshop points raised have not been addressed. That the process is not taking on board comments already collected by the GLA generates, to say the least, a disappointing perception of the process.

### **Methodology:**

The Scoping Report claims that the IIA process and London Plan will be an integrative one, addressing other cross-cutting themes, including health, equality, etc., having recognised the 3 pillars of sustainable development, and that the process incorporates the statutory requirements of SEA, SA and Public Sector Equality Duty. Confidence in this is reduced by the failure of section 3.4.1's list of key legislation to include the GLA Acts which, among several duties, require the preparation of a health inequalities strategy /promoting reduction of health inequalities.

Many of the objectives and guiding questions for each topic do not address each of these stated components of the process (such as equalities or health) notwithstanding an attempt at this to colour code guiding questions in fig.7.3. In particular, equalities impacts are under-represented in the IIA SR. It is relevant here to note that the Mayor advances the 'Fair and More Equal City' through his vision for London, '**A City for All Londoners**'. For the IIA to be effective, all of the stated components of assessment should be given appropriately adequate weight in order that the objectives and guiding questions are properly devised. Again, many of the objectives and guiding questions are too vague, ambiguous or do not adequately consider the issues at hand to enable effective specific and measurable assessment of any proposed policies/strategies.

There are inter-dependencies or synergies which are not explored because of the compartmentalised nature of the objectives and guiding questions. Nevertheless, an attempt has been made in Appendix D to test the compatibility of the IIA objectives. But this is a very simplistic matrix and, so far, there is no indication of degrees of significance and the remedies necessary which would require the original objectives to be amended. This point is also related to the following observation that the iterative actions that good plan-making should incorporate in order to achieve sustainable development are not adequately assured by the approach set out in the Scoping Report.

Section 3.1.1 asserts that the approach is 'an iterative process that identifies and reports on the likely significant effects of a plan or strategy and the extent to which implementation of the plan or strategy will contribute to sustainable development'. To effectively deliver on this, 'Stage D' (section 3.4.9 p15) should say much more than simply identifying the action of reporting to the Mayor 'recommendations for potential changes (if any)'. This is far too vague, weak and non-committal to be an iterative process. To be genuinely iterative, the process should clearly set out and commit to definite actions that are assured to result in the plan or strategy being amended to minimize negative impacts, optimize positive ones and compensate for losses as it progresses throughout its preparation.

Life stages in the strategy include its scrutiny in the formal opportunities afforded by the prescribed arrangements to the London Assembly and through public consultations which lead onto the Examination in Public (EiP). Section 1.2.4 does state that both the draft London Plan and the IIA will be subjected to

a 'full public consultation process' (and details of that are eagerly awaited), but it is not clear to what degree the IIA will be open to critical scrutiny, particularly at the EiP. For instance, the 2010 EiP was programmed around the London Plan and inadequate opportunity was available to debate the IIA without this debate disrupting the whole examination of the London Plan document by leading to a suspension of proceedings. Making the IIA process throughout open and transparent and taking on board responses made would be likely to reduce risks by what may become a more widely accepted appraisal and evaluation tool.

Monitoring of implementation is rated highly in importance by Just Space and, therefore, section 7.5 warrants consideration. Unfortunately, in this report the monitoring proposals are thinly developed and section 7.5.6's promise of 'a full list of suggested indicators presented in Appendix G' could not be found.

### **Proposed additional tool for methodology**

To provide interaction with community groups/ other stakeholders and real life data, we propose the use of Just Map. This will provide a more open methodology, based on participation. As an example of the possibilities this opens up, we attach in appendix 2 the application of this Just Map tool to part 5 of the Mayor's "A City for All Londoners".

### **Compliance with requirements on assessments:**

The Scoping Report says in section 3.3.2, that 'the requirement for each assessment is discussed in more detail in Appendix A'. Whilst section A.4.3 (p184) promises a separate Health Impact Assessment, currently there is no public knowledge of a consultation on its scoping report. This should be made available, if only to demonstrate that it has informed this IIA Scoping Report for the London Plan as the overarching spatial development strategy.

Section A.4.3 also says that there will be a separate Equalities assessment which is contradicted by section A.3.7 which states that the Equalities assessment is an integral part of the IIA. Section A.3.7 does not identify a separate Equalities assessment. And section A.3.6 (p182) promises the Equal Life Chances for All Framework 2017 will be out for consultation in February. But consultation on this is unknown and it has not been found on the GLA publicly accessible website.

### **Health and Health Inequalities:**

Section A.4.4 notes that the Health Impact Assessment for the IIA (sic) will draw on the NHS Healthy Urban Design Unit (HUDU) checklist. This, however, has been devised primarily for impact assessing development proposals (planning applications) rather than plan-making. It therefore, needs careful adaption and would hugely benefit from a coproduction approach with communities to achieve a rigorous framework for appraising and evaluating at the strategic level.

In preparation for consultation on the emerging Mayoral strategies, this IIA Scoping Report offers an insight into the perceived issues and likely strategies for London. But the analysis in this IIA Report has been found wanting. For example, in its current form it writes of environmental and health issues in overly general and vague terms, obscuring the complexities and specific health issues/needs of diverse groups.

Given that the IIA framework is consistent for all Mayoral strategies and includes common objectives to be used for the assessment stage of the IIAs for each strategy (section 7.1.5 p158), it is critical to get this correct. An inadequate focus on the socially and spatially differentiated health needs of *all* Londoners results in limited and damaging health outcomes. To become more valuable, the IIA Scoping Report should ask about those issues and groups that need to be included within the strategies that are not yet recognised. There is a need for a greater acknowledgment of the central relevance of health across the IIA.

## **Appendix 1 - 10 KEY POINTS FROM THE JUST SPACE NETWORK OF COMMUNITY GROUPS**

### **The Mayor should...**

1. ...put in place a programme of effective, meaningful and continuous **engagement**– underpinned by the principles of inclusion and fairness – that enables all Londoners to work with the Mayor and officers in a spirit of co-operation and in co-production of the new London Plan and all the Mayor’s Strategies. Deep changes are needed in the governance of the city and this is a starting point.
2. ...develop a **London Housing Bill** to give the Mayor devolved powers to bring housing reform in London, especially city wide rent control for private renters, regulation of landlords through mandatory landlord licensing across London and meeting the challenge of providing not-for-profit, social rented housing. The term “affordable housing” should be removed in any documents produced by the Mayor.
3. ...care for **existing** homes, neighbourhoods and communities and respond to high levels of fuel poverty by scaling up refurbishment and retrofit programmes and protecting existing council housing and housing association estates.
4. ...foster a more **localised, fair and green economy** that acknowledges the diversity found in high streets and industrial estates such as low cost workspace, light industrial units, warehouses, studios and sheds, as a strength and a driver of the city’s future well being.
5. ...promote affordable and accessible **public transport**, supported by revenue from road user charging to tackle congestion and pollution.
6. ...care for the environment by making London a **Blue Green City**, placing value on the connection and interaction between London’s blue and green assets such as green spaces, waterways, nature and air quality.
7. ...require **Social Impact Assessments** to be undertaken to measure and calculate the impact of development proposals on existing residents and businesses in neighbourhoods being considered for substantial change.
8. ...support **Lifetime Neighbourhoods**, scaled up to **Lifetime Suburbs** in Outer London, providing key amenities and job opportunities locally, thus reducing the need for costly and polluting travel.
9. ...place a moratorium on any more **Opportunity Areas**, bringing forward an evaluation and review of successes and failures so far and a new model of regeneration that prioritises social sustainability and social infrastructure and embeds more democratic and participatory mechanisms into the regeneration of areas.
10. ...develop new **indicators** for measuring the success of the city, such as the % of the labour force that has a secure job that pays at least the London Living Wage, and measuring life satisfaction using wellbeing surveys.

These 10 Key Points should be read alongside “**Towards a Community –Led Plan for London: Policy directions and proposals**” to gain further details and explanations. Many of the problems Londoners face are cross-cutting, intersectional and require an integrated approach. This relates not only to the themes, but also to linkages between the neighbourhood, borough and city wide levels. Crucial to us is the delivery or implementation of the London Plan.