

EXPLANATORY MEMORANDUM TO
THE OLD OAK AND PARK ROYAL DEVELOPMENT CORPORATION
(ESTABLISHMENT) ORDER 2015

2015 No. 53

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This Order establishes a Mayoral Development Corporation named Old Oak and Park Royal Development Corporation, for an area in West London encompassing Old Oak Common and industrial areas of Park Royal in the London Boroughs of Brent, Ealing and Hammersmith and Fulham.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 Under section 197(1) of the Localism Act 2011 (“the Act”) the Mayor of London is given the power to designate any area of land in Greater London as a Mayoral development area, provided:

- he considers that this is expedient for furthering one or more of the Greater London Authority’s principle purposes (197(3)(a));
- he has consulted specified elected and other bodies and individuals and had regard to any comments made by these consultees (197(3)(b) and (c));
- he has published any comments made by the consultees specified in section 197(4) which he does not accept along with his reasons for this non-acceptance; and
- he has laid a document stating that he is proposing to designate an area before the London Assembly, and a period of 21 days has elapsed without the Assembly rejecting the proposal (sections 197 (3)(e) and (f)).

4.2 Section 198 of the Act requires the Secretary of State, if notified by the Mayor that he has designated a Mayoral development area, to make an Order establishing a Mayoral Development Corporation for this area. The Secretary of State is required to give the Mayoral Development Corporation the name notified by the Mayor.

5. Territorial Extent and Application

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Localism Act 2011 devolved responsibility for housing and regeneration in London to the Mayor of London and the Greater London Authority. It also provided the Mayor with the power to designate a Mayoral development area and notify the Secretary of State of his intention to form a Mayoral Development Corporation. When notified the Secretary of State must give effect to the Mayor's request by laying an Order providing the Mayor has followed the correct procedure (as set out in paragraph 4 above).

7.2 The Mayor of London's Further Alterations to the London Plan¹ has identified Old Oak as an opportunity area with the potential to accommodate 24,000 new homes and 55,000 new jobs and becoming one of London's most connected locations due to significant improvements in rail infrastructure including High Speed 2 and Crossrail Station, and the proposed new Overground Stations. The Mayor of London also adopted the Park Royal Opportunity Area Planning Framework which focuses on the retention and protection of strategic industrial land in the area.

7.3 In June 2013, in recognition of the area's huge potential, the Mayor of London with the London Boroughs of Hammersmith and Fulham, Brent and Ealing consulted on 'A Vision Plan for the future of Old Oak'². The plan provides the framework for significant regeneration in the area that will take advantage of the planned transport infrastructure.

7.4 Driving forward this scale of development across three local authorities is of strategic importance and to ensure delivery, the Mayor of London considers that a Mayoral Development Corporation is necessary. He has followed the procedures set out in the Act and has notified the Secretary of State for Communities and Local Government of the area to be included within the Mayoral Development Corporation and the name of the Mayoral Development Corporation.

¹ The overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. The London Plan includes general policies in respect of the development and use of land in Greater London - <https://www.london.gov.uk/priorities/planning/london-plan/draft-further-alterations-to-the-london-plan>

² This document sets out a vision for the Old Oak Area and suggests land use, delivery and design principles that could help to achieve this vision. It has been prepared as a foundation to a proposed Opportunity Area Planning Framework that will assist in future planning decisions - http://www.london.gov.uk/sites/default/files/Old_Oak_Part_1_0.pdf

7.5 This Order therefore establishes a Mayoral Development Corporation in relation to the area covering Old Oak and Park Royal. The Mayoral Development Corporation's boundary encompasses:

- The Park Royal Industrial Estate
- Stonebridge Park
- Park Royal Cemetery (Acton Cemetery)
- Core development site at Old Oak
- North Acton Underground Station
- Willesden Underground and Overground stations
- Wormwood Scrubs Common.

7.6 The principle objective of the Mayoral Development Corporation is to establish a single body which possesses the necessary planning powers to co-ordinate regeneration, development and physical transformation across three London Boroughs. It is the Mayor's intention that this will be achieved through a strong plan, clear direction and governance structure that will support this scale of development for the benefit of the area and the communities that surround it.

7.7 The Mayoral Development Corporation established by this Order will assume all powers under Section 202 of the Act in relation to town and country planning. The Mayor has decided that the Mayoral Development Corporation will become the local planning authority for its area, and that it will be given a range of planning functions. It is intended that legislation to implement this will come into effect at the same time as establishing the Mayoral Development Corporation on 1 April 2015.

8. Consultation outcome

8.1 In accordance with section 197 of the Act, the Mayor of London consulted on the proposed Mayoral Development Corporation between June and September 2014. The Mayor subsequently consulted on revisions to the boundary of the Mayoral Development Corporation. The statutory consultees included the London Assembly, Assembly members and Members of Parliament whose constituencies contain a part of the proposed Mayoral Development Corporation area and the three London Borough Councils whose areas contain a part of the proposed Mayoral Development Corporation area. The Mayor also invited responses to his proposals from others whom he considered it appropriate to consult, and invited responses from any person that wished to submit one.

8.2 Full details of the Mayor's consultation and his response to submissions are available on the Greater London Authority website at

<https://www.london.gov.uk/sites/default/files/Old%20Oak%20%26%20Park%20Royal%20MDC%20statement%20in%20response%20to%20public%20consultation.pdf>

8.3 A total of 309 consultation responses were received during the consultation. The responses to the key questions posed by the Mayor were as follows:

- Almost half the respondents were broadly in support of the case for a Mayoral Development Corporation in the area. Some of the respondents indicated they supported the proposed purpose of the Mayoral Development Corporation but raised specific concerns including the removal of planning powers from elected members and local people that would result in less transparency. The Mayor has agreed that each of the three London Borough councils would have elected councillors representative on the Mayoral Development Corporation's planning committee
- A large majority including the London Assembly and the London Boroughs raised questions about how the local community would be involved in planning and decision making in the Mayoral Development Corporation. In response, the Mayor has agreed that representatives from both the local business community and local residents would be offered a seat on the Mayoral Development Corporation board and therefore ensuring they are involved in all future decision making. In addition, the Mayoral Development Corporation would prepare and agree a Community Charter in collaboration with the local community.

8.4 On 8 December 2014, the Mayor of London laid a document stating that he was proposing to designate a Mayoral development area before the London Assembly. On 17 December 2014, the London Assembly considered and broadly supported the Mayor's proposals for this designation.

8.5 Full details of the London Assembly's consideration of the Mayor's proposals are available on the Greater London Authority website at:

<http://www.london.gov.uk/moderngov/documents/g5564/Public%20minutes%20Wednesday%2017-Dec-2014%2013.30%20London%20Assembly%20Plenary.pdf?T=11>

8.6 The Government is satisfied that the Mayor of London has fulfilled the requirements of section 197 of the Act. The Government is of the view that the Mayor of London is in the best position to deal with the issues raised by respondents in his role as the person accountable for the Mayoral Development Corporation. The Government is committed to the decentralisation of decision making relating to housing and regeneration in London and for which the Mayor of London is accountable to the people of London.

9. Guidance

9.1 Not applicable.

10. Impact

10.1 There will be no impact on business, charities or voluntary bodies.

10.2 In relation to the impact on the public sector, this Order establishes a new body that will take over the functions and powers of existing public bodies, primarily the affected local authorities.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not place any additional regulatory burden upon small business.

12. Monitoring & review

12.1 Section 215 of the Act requires the Mayor to review from time to time whether or not a Mayoral Development Corporation should continue in existence. The Mayor proposes to conduct the first of such reviews by April 2017 and after this at specific times which he considers to be appropriate.

13. Contact

13.1 Asma Mouden at the Department for Communities and Local Government, Tel: 0303 444 3374 or email: asma.mouden@communities.gsi.gov.uk can answer any queries regarding the instrument.