

How the law is written to prevent legitimate legal challenge

Respective UK governments have set up a legal framework around the London Plan that allows the person holding the position of Mayor of London (“the Mayor”) to ride over the interests of ordinary Londoners and minorities and to determine by diktat the form that London takes and by default the quality of life for millions of people.

No requirement for equalities, health or environmental assessment at a local level It is a particularly shameful situation that the law does not require that any environmental, health or equalities impact assessments are carried out at a local level before an area of London is designated by the Mayor as a so-called “opportunity” area or as any other area where intensive redevelopment and very large-scale growth is mandated. Similarly, there is no legal requirement for any habitats regulations assessment to have been carried out at a local level on the effects of required growth on protected habitats and species despite the mandatory nature of minimum targets and the specificity of areas designated for large-scale growth

Air quality and noise excluded from London Plan: It is equally appalling that the law allows the Mayor to decide - at a whim - which individual effects local authorities needed to consider when they calculated their large site housing targets for the London Plan. As a result, in the current London Plan, boroughs were required to exclude the effects of air pollution and noise on people and the environment when calculating the growth each specific area is being made to sustain.

Possible breach of legal requirement to advertise consultation of the London Plan: There is also only a miserly legal requirement to advertise the consultation on the London Plan twice in the Evening Standard. It is shocking that even this requirement appears to have been breached. However, this can still not be challenged practically in the Courts because the accompanying hurdle that I or other people suffered “substantial harm” from such an omission does not appear to be surmountable.

Natural England’s questionable conclusions on London Plan effects on habitats and species Perhaps most disheartening, and even sickening, is the fact that it has been impossible to gather sufficient expert evidence to challenge legally Natural England’s conclusions that London Plan policies will not have a harmful effect on protected habitats and species in and around London. Natural England is the body nominated as the nature conservation body in law in relation to the London Plan, and its conclusions therefore hold great weight despite the fact that, by its own admission, Natural England reached those conclusions without following any corporate process, with no official record of when or how their decision was made and with no audit trail of steps taken to inform it.