



## St Quintin and Woodlands Neighbourhood Forum

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Liz Peace CBE  
Chair of the OPDC Board  
City Hall,  
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March 22nd 2019

Dear Liz Peace,

### **OPDC governance arrangements — appointment of David Lunts as OPDC Interim Chief Executive and restructure of OPDC**

Local residents in and around the OPDC area are absorbing the news that David Lunts has taken over as interim Chief Executive at the OPDC. While there seems to have been no OPDC press release on this appointment, we learned from a London Communications blog that Mr Lunts will be continuing in his role as GLA Executive Director for Housing and Land as well as heading the OPDC. I now see from the Chief Executive's report to the Board meeting on March 28 that Mr Lunts is being seconded two days a week from his position at the GLA.

This raises several questions. At this critical time for the OPDC (with the EIP hearings imminent and the £250m HIF bid successful) this involves the Corporations' chief executive doubling up on two very demanding roles. Local residents have found to date that 'interim' arrangements at OPDC can last a very long time, as was the case with Mick Mulhern as interim CEO. The Corporation has had an interim Director of Planning and an interim Head of Planning Policy since the departure of Victoria Hills in early 2018. Should we local residents assume that these latter two interim roles will now continue for a further period?

I see that the OPDC Chief Executive Officer post has been advertised, but experience has shown that OPDC recruitment processes can take many months before appointments are made. Notice periods for a successful candidate can add a further 3 months.

### **Potential conflicts of role between the OPDC delivery arm and planning authority**

Given that David Lunts is retaining his responsibilities as Executive Director for Housing and Land, does that mean he remains involved in officer advice and recommendations at GLA Stage 1 and 2 decisions on planning applications across London that are referred to the Mayor, including those applications considered by the OPDC?

How will this work in relation to OPDC referrals (of which there have been a number in the past, on buildings above 30m in height)? This would seem to lead to a situation of 'twin hats' which would normally be separated in order to avoid inherent conflicts of role?

When I met with you, Will McKee and Mick Mulhern on January 21st I asked how the OPDC was intending to operate 'Chinese walls' between its 'delivery arm' and its role as planning authority for the OPDC area. Mick responded that while a restructure of OPDC had been worked up, this had not been implemented as yet because the outcome of the bid for HIF funding remained uncertain.

This outcome of the HIF bid is now known. I see from the CEO report to the 28th March Board that the restructure is now proceeding. The relevant report on the agenda of the 22nd January Appointments and Remuneration Committee was treated as a Part 2 item, on the grounds that it referred to individual staffing matters.

There are no grounds for confidentiality on an organisational structure per se, of a public body. Can the OPDC please now publish urgently a structure chart or organogram so that the public can be aware of who reports to whom within the Corporation and how its statutory decision-making role as a planning authority will remain fully neutral and objective when assessing its own proposals?

The OPDC Planning Code of Conduct sets out how such separation of roles should happen. This code sets a high bar in defining limits on member and officer involvement in pre-application discussions. As we discussed when we met, there are concerns amongst local residents that these high standards will not always be maintained in practice.

As you will know, a letter from David Lunts to the Inspector conducting the current EIP on the OPDC Local Plan has been published as part of the EIP Library (copy attached). This letter alerts the Inspector to the fact that the £250m HIF bid has been approved. As a piece of factual information, it is understandable why OPDC would want to update the Inspector.

But the letter then goes on to set out the position on Old Oak North and to say *'It is the role of OPDC as a regeneration body to remedy this market failure, to facilitate development and to build market confidence to ensure the long-term success of the area. To this end, OPDC has examined the feasibility of development in Old Oak North and worked with its planning team to put in place a bold but deliverable plan.'*

Beyond the limited information in the Old Oak North Development Framework Principles document (a supporting study to the Local Plan published back in June 2018) local residents have not been allowed to see any of this 'bold but deliverable plan' for Old Oak North. We discussed this context at our meeting in January, and you acknowledged that OPDC should perhaps have done more to give out information on the work of the AECOM led consortium.

The public hearing sessions of the EIP will be discussing in depth the deliverability of OPDC proposals for Old Oak North and as you know this is now highly contested territory between OPDC and the landowner Cargiant. Is it appropriate for Mr Lunts to be sending to the Inspector what is essentially an advocacy plea from the OPDC delivery arm, while also heading the planning authority part of the Corporation which will be at the hearings giving objective and evidenced responses to the Inspector's questions on the OPDC Draft Local Plan?

### **Gifts and Hospitality - codes and registers**

I raised this subject in my initial letter to you of October 29th 2018. Your response explained that the Corporation *has its own code on Acceptance of Gifts and Hospitality Policy and Procedure that applies to all OPDC staff and to all Board and Committee Members. A summary list of all gifts and hospitality declared is reported to the OPDC Audit Committee periodically.*

Having been given this information, I was able to track down the reports made to the OPDC Audit Committee on Gifts and Hospitality received in 2016/7 and 2017/8. The levels of hospitality received by OPDC officers were low, which was reassuring. When I wrote again to you again on December 15th, I noted that senior GLA officers seemed to operate to different standards and that David Lunts *'had registered 36 hospitality events as accepted in 2017 including invitations from the London Communications Agency, Savills, British Land, Movers and Shakers, and Terrapin Communications (all active in the London lobbying world)'*. At that time I had no idea that Mr Lunts would take over as interim CEO at the Corporation.

I can understand why networking and meetings with developers is seen as part of the job of a GLA Executive Director of Housing and Land, with a role as acting as cheerleader for development in London. Even so I do not understand why senior public servants consider it wise to accept such hospitality, when they could instead arrange with their employer that expensive meals, dinners, and trips to conferences such as MIPIM are paid for by the body for which they work (assuming there is sufficient real value to their employer and the public purse from attendance at such events).

When it comes to the chief executive of a planning authority that is making decisions on planning applications (and very major ones at that) it is harder to justify the need for extensive informal contact with developers and lobbyists. And much easier to see why such contact can be questioned by the public.

A copy of entries on the GLA hospitality register as filed by David Lunts in the last 3 years is attached (seemingly not up to date as the most recent entry is for August 2018). I have never met Mr Lunts. I see that he has had a distinguished career including a stint as Interim Head of Paid Service at the GLA. He may well feel that his approach to offers of hospitality is beyond reproach.

But this is not the point. It is the perceptions of Londoners, in a city which has become increasingly disillusioned and cynical about the workings of the planning system, that the Corporation should be considering if it wants to avoid reputational damage.

I do not share most of the views expressed in this North Kensington blog at the link below, but there are many local residents who follow this and similar commentaries on London local authorities <https://thisisnorthkensington.wordpress.com/2018/09/24/david-lunch-lunts-the-mr-creosote-of-the-gla/>

Given the role now taken on by David Lunts as CEO of the Corporation, it would be helpful to know whether he will be working to the GLA Code or to the separate OPDC Code on acceptance of gifts and hospitality? And whether he will be registering all such offers on the GLA online system (which is intended to be updated regularly) or on the OPDC system which gets reported to the OPDC Audit Committee only annually?

For the sake of transparency, I think that local people in and around the OPDC area would like to see separate registers maintained for both the roles that Mr Lunts is now undertaking, on the easily accessible GLA system and in real time. Victoria Hills registered a couple of events on this system when CEO of the OPDC, so there is a precedent.

I am copying this letter to David Lunts, who is no doubt aware of all the issues that can arise when carrying out two different jobs at one time and also of the need to ensure that a culture of acceptance of hospitality from developers and lobbyists does not become 'normalised' within the OPDC. Such a culture was found by the Planning Advisory Service to exist amongst senior officers at Westminster's planning department.

Finally, I know that Tom Cardis has a copy of the list of perceptions of local people on OPDC governance arrangements, which I left with you and Mick Mulhern when we met in January. I look forward to receiving a response to this before too long and preferably before the public hearings stage of the OPDC Local Plan EIP.

Yours sincerely,

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cc David Lunts, Interim Chief Executive Officer OPDC  
Emma Strain, GLA Assistant Director of External Relations and Monitoring Officer