

# GREATER LONDON AUTHORITY

## REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2232

### Title: Isle of Dogs & South Poplar OAPF Integrated Impact Assessments

#### Executive Summary:

Approval is sought from the Assistant Director of Planning for expenditure that has been committed on the Strategic Environmental Assessment re-screening and determination, in addition to the production of associated impact assessments for the Isle of Dogs and South Poplar Opportunity Area Planning Framework. This will ensure the OAPF meets statutory and non-statutory requirements for socio-environmental impact assessments. Given this is a technical piece of work which relies on information provided through with a tight deadline, Peter Brett Associates have been selected as the GLA's preferred supplier for this work. This piece of work follows on from the initial Integrated Impact Assessment scoping work undertaken in October 2017.

#### Decision:

That the Assistant Director of Planning approves:

1. Expenditure of £12,675 for the Strategic Environmental Assessment re-screening and determination, in addition to the production of associated impact, to allow publication of the Isle of Dogs & South Poplar Opportunity Area Planning Framework – noting this expenditure has already been committed and takes total expenditure on this work to £20,956.
2. An exemption from the requirement in the Contract and Funding Code to procure such services competitively.

#### AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT:

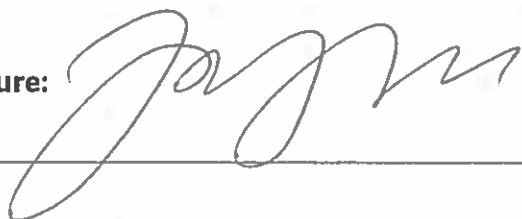
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Juliemma McLoughlin

Position: Assistant Director of Planning

Signature:



Date:

17-7-18

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1 The purpose of the requested expenditure is to ensure that the Isle of Dogs and South Poplar Opportunity Area Planning Framework (OAPF) meets statutory and non-statutory requirements for socio-environmental impact assessments (Integrated Impact Assessment IIA SA/SEA screening, HRA HIA, EqlA and CSIA). Some of these assessments (particularly for SEA) are required to be screened for assessments prior to the draft OAPF being published for public consultation. Given this is a technical piece of work which relies on information provided through with a tight deadline to allow publication prior to purdah, Peter Brett Associates (PBA) have been selected as the GLA's preferred supplier for this work.
- 1.2 Note this follows on from the initial Integrated Impact Assessment scoping work undertaken in October 2017 at a cost of £8,281, approved under Delegated Authority Record, taking the total cost for this project to £20,956.
- 1.3 Retrospective approval is sought in this instance due to the timescale pressures of requiring this additional impact assessment work to be undertaken to meet statutory impact assessment requirements prior to the proposed public consultation date for the Isle of Dogs and South Poplar OAPF in May 2018.

#### **2. Justification for Single Source Procurement**

- 2.1 Given the value of the proposed further work, officers acknowledge that the GLA's Contracts and Funding Code ('the Code') requires that at least three quotations be sought for all contracts with a value above £10,000. However, section 10 of the Code provides that an exemption from that requirement may be approved upon certain specified grounds, including previous involvement in a specific current project or continuation of existing work that cannot be separated from the new project/work and that this provider is unique in its ability to provide compatibility with an existing service. For the reasons set out in the below two points, GLA officers are of the view that these grounds are applicable.
- 2.2 There were no known alternative providers who would be able to collate the data which had mostly been generated through the previous work on the DIF study and IIA scoping report.
- 2.3 Peter Brett Associates were thought to be best placed to carry out this additional piece of work to a tight budget and timeframe as they already had the data and understanding required to undertake this screening determination and Integrated Impact Assessment given their role in producing the Development Infrastructure Funding (DIF) and in scoping the requirements.

#### **3. Objectives and expected outcomes**

- 3.1 The selected supplier (Peter Brett Associates) was selected for the delivery of the initial scoping work regarding statutory duties in addition to the IIA screening determination and the production of associated impact assessments (HRA HIA, EqlA and CSIA) at a total cost of £12,675 to allow publication of the Isle of Dogs & South Poplar Opportunity Area Planning Framework (OAPF) in line with statutory guidelines.
- 3.2 PBA have also previously been awarded a separate contract for the Development Infrastructure Funding Study (2016) at a total cost of £136k. The total cumulative value of all contracts awarded

to this supplier on the previous DIF project and the current IIA screening and impact assessments is £85k in 2017.

#### **4. Equality comments**

- 4.1 This work is part of ensuring that the production of the Isle of Dogs and South Poplar OAPF complies with the public-sector equality duty which requires the identification and evaluation of the likely potential impacts, both positive and negative, of the decision on those with protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation). The Equality Impact Assessment (EqIA) will ensure that any potential impacts are identified and addressed through updates to the draft prior to publication for public consultation.

#### **5. Other considerations**

- 5.1 This work will allow the completion of the draft OAPF and public consultation.

#### **6. Financial comments**

- 6.1 Approval is sought from the Assistant Director of Planning for expenditure on the Strategic Environmental Assessment re-screening and determination, in addition to the production of associated impact assessments (HRA HIA, EqIA and CSIA). This is at a cost of £12,675 to allow publication of the Isle of Dogs & South Poplar Opportunity Area Planning Framework (OAPF) in line with statutory guidelines. The expenditure has already been committed and therefore this approval is effectively retrospective. This is in addition to the work approved by a Delegated Authority Record for £8,281 in October 2017 taking the total cost for the IIA work to £20,956.
- 6.2 PBA have previously been awarded a separate contract for the Development Infrastructure Funding (DIF) Study (2016) at a total cost of £133,168. The total cumulative value of all contracts awarded to this supplier on the previous DIF project and the current IIA screening and impact assessments is as follows:

	<b>DIF</b>	<b>IIA</b>	<b>Total</b>
<b>2016-17</b>	53,366		53,366
<b>2017-18</b>	79,802	8,281	88,083
<b>2018-19</b>		12,675	12,675
<b>Total</b>	<b>133,168</b>	<b>20,956</b>	<b>154,124</b>

- 6.3 Expenditure related to 2018-19 is to be funded from Planning Pre-application reserves.

#### **7. Legal Comments**

- 7.1 The decisions requested of the Assistant Director (in accordance with the GLA's Contracts and Funding Code) concern the exercise of the GLA's general powers, falling within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development or the promotion of the improvement of the environment in Greater London; and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

- Pay due regard to the principle that there should be equality of opportunity for all people;
- Consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
- Consult with appropriate bodies.

- 7.2 The Authority also has a subsidiary power pursuant to Section 34 of the Act. This gives the Mayor the authority to do anything which is calculated to facilitate or, is conducive or incidental to the exercise of any of the statutory functions of the Authority. In this case this piece of work is incidental to its section 30 powers defined above as well as its powers under section 334 and 339 of the Act.
- 7.3 Section 334 of the Act requires the Mayor to prepare and publish a Spatial Development Strategy (known as the London Plan). Section 339 of the Act requires the Mayor to keep the London Plan under review, especially matters which may be expected to affect the development of Greater London or the planning of its development. In this case, the decision to procure specialist technical services to under this work to inform this Opportunity Area Planning Framework may reasonably be regarded as facilitating, being conducive or incidental to, the exercise of the Mayor's power detailed above.
- 7.4 Section 9 of the GLA Contracts and Funding Code (the "Code") requires the GLA to call off the services required from an accessible framework or conduct an advertised tender. However, the Assistant Director may approve an exemption from this requirement under Section 10 of the Code upon certain specified grounds. One of those grounds is where the proposed provider has had previous involvement in a project or is to continue existing work which cannot be separated from the new project/work. Officers have indicated in section 1 of this report that this ground applies and that they are satisfied the proposed contract continues to afford value for money.
- 7.5 In taking the decisions requested, the Assistant Director must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010 and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Mayor should have particular regard to section 3 (above) of this report.
- 7.6 This approval is sought retrospectively, the reasons for which are set out at paragraph [ 1.3] of this report. Accordingly, the director should take account of those reasons in considering whether to approve the recommendations of this report. Officers should be reminded of the importance of seeking approvals in advance.

## 8. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract	February 2018
Announcement [if applicable]	2 March 2018
Delivery Start Date [for project proposals]	2 March 2018
Main milestones	Mid March

Main milestones	Mid March
Final evaluation start and finish (self/external) [delete as applicable]:	
Delivery End Date [for project proposals]	End March
Project Closure: [for project proposals]	

**Appendices and supporting papers:**

None.

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

**Part 1 Deferral:**

**Is the publication of Part 1 of this approval to be deferred? YES/NO**

**NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

**Part 2 Confidentiality:** Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

**Is there a part 2 form – YES/NO**

**ORIGINATING OFFICER DECLARATION:****Drafting officer:**

Shelley Gould has drafted this report in accordance with GLA procedures and confirms that the Finance and –if relevant- Legal teams have commented on this proposal as required, and this decision reflects their comments.

**Corporate Investment Board:**

The Corporate Investment Board reviewed this proposal on 16 July 2018.

**HEAD OF FINANCE AND GOVERNANCE:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

**Signature:**



**Date:**

17.07.18