

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2292

### Title: London Environment Strategy

#### Executive Summary:

The Mayor is required to prepare and publish a London Environment Strategy by sections 41, 351A and Part IX of the Greater London Authority Act 1999, as amended ("GLA Act"). Changes made by the Localism Act 2011 brought the original six separate environmental strategies or documents together into a single London Environment Strategy ('the strategy') under section 351A of the GLA Act.

On 11 August 2017 the Mayor published the draft London Environment Strategy and Integrated Impact Assessment (IIA) for public consultation. The consultation ran for 14 weeks, closing on 17 November 2017. This form summarises — and Appendix B details — the consultation, and public and stakeholder engagement, that took place and makes officers' recommendations as to potential changes.

The Mayor is asked to approve this final version of the strategy, having considered the consultation response report, and to proceed to formally lay it before the Assembly under section 42B of the GLA Act as his final intended text.

#### Decision:

The Mayor is requested to:

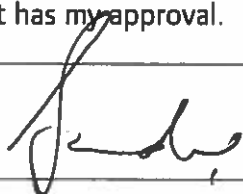
- Have regard to and take into account the Report to the Mayor on the consultation on the draft London Environment Strategy (Appendix B) and the IIA (Appendix C) prepared in respect of it;
- Approve the final recommended version of the London Environment Strategy (Appendix A) for publication in accordance with sections 41, 42B, 43, 351A to 363 (Part IX) of the Greater London Authority Act 1999; and
- Note the Implementation Plan that will be published separately from, but at the same time as, the London Environment Strategy (Appendix D)

#### Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

8/5/18

## PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

### Decision required – supporting report

#### 1. Introduction and background

##### Legislative context

1.1 Changes made by the Localism Act 2011 brought in a requirement for the following original six separate environmental strategies to be brought together into a single London Environment Strategy ('the Strategy') under section 351A of the GLA Act 1999 (as amended)<sup>1</sup>:

- biodiversity (a strategy last published and revised 2002)
- municipal waste management (a strategy last published and revised 2011)
- climate change mitigation and energy (a strategy last published and revised 2011)
- adaptation to climate change (a strategy last published and revised 2011)
- air quality (a strategy last published and revised as the Mayor's Air Quality Strategy (MAQS) in 2010) and
- ambient noise (a strategy last published and revised 2004).

1.2 As well as covering the GLA Act's detailed requirements regarding the above subject areas the Strategy may include additional policies and proposals concerning any matter relating to the environment in Greater London the Mayor considers appropriate. The Strategy must also contain a general assessment of the environment in Greater London, so far as relevant to the functions of the GLA or the Mayor. This is at Appendix 1 to the Strategy and looks at the current state of London's environment and highlights the improvements that have been made in the last few years. The general assessment presents the current situation and expected future changes in London's environment within its six chapters. Each chapter introduces the theme and identifies the indicators best suited for this theme.

##### The London Environment Strategy

1.3 The London Environment Strategy, as with all the other Mayoral strategies, has been revised to reflect the priorities and direction set out by the Mayor in 'A City for All Londoners', which the Mayor published in October 2016. These priorities included accommodating growth, providing more housing, supporting the economy, improving the environment, transport and public spaces, and ensuring social integration.

1.4 For the London Environment Strategy, this means outlining the necessary steps to make London greener, cleaner, and ready for the future. The strategy has taken this forward through seven main aims:

- for London to have the best air quality of any major world city by 2050, going beyond the legal requirements to protect human health and minimise inequalities
- for London to be the world's first National Park City, where more than half of its area is green, where the natural environment is protected, and where the network of green infrastructure is managed to benefit all Londoners

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<sup>1</sup> Since the changes made by the Localism Act 2011 came into force on 3 May 2012 the separate component strategies listed above have been kept in force and together legally comprise the London Environment Strategy.

- for London to be a zero carbon city by 2050, with energy efficient buildings, clean transport and clean energy
- to make London a zero waste city. By 2026 no biodegradable or recyclable waste will be sent to landfill, and by 2030 65 per cent of London's municipal waste will be recycled
- for London and Londoners to be resilient to severe weather and longer-term climate change impacts. This will include flooding, heat risk and drought
- for Londoners' quality of life to be improved by reducing the number of people adversely affected by noise
- promoting more quiet and tranquil spaces
- for London to transition to a low carbon circular economy

1.5 The Strategy takes into account the latest economic and population projections for London, how this growth can be sustainably supported, and what challenges this presents to London's environment. The analysis underpinning it was collated into an evidence base which was published alongside the consultation draft and has been updated to reflect the latest available data. This is available at Appendix 2 to the Strategy.

1.6 The Strategy has been prepared with engagement with other strategy teams within the GLA, covering all other statutory strategies including the London Plan, the Mayor's Transport Strategy, the London Housing Strategy, the London Health Inequalities Strategy, the Economic Development Strategy, the Culture Strategy and the Policing and Crime Plan.

#### Consultation process

1.7 The Mayor approved the draft strategy and Integrated Impact Assessment (IIA) report for public and stakeholder consultation (MD2140). It was published on 11<sup>th</sup> August 2017, and the consultation ran for 14 weeks, closing on 17 November 2017. The consultation was conducted in accordance with the statutory requirements regarding consultation including prior scoping consultation with statutory heritage, nature and environmental bodies as the LES is subject to strategic environmental assessment (SEA) rules. A comprehensive consultation, and public and stakeholder engagement programme was devised and implemented to ensure that stakeholders and the public were provided sufficient information to facilitate meaningful and constructive feedback.

1.8 The draft London Environment Strategy and supporting documents, including an executive summary and an EasyRead version of it, the IIA report, the General Assessment and the evidence base were made available on the London.gov.uk website. There was also a dedicated page on the Talk London webpages.

1.9 Respondents were able to submit their response to questions through a number of channels, including:

- by completing a webform on London.gov.uk
- by completing surveys on TalkLondon
- by email, letter or telephone

#### Public engagement

1.10 The draft strategy consultation had the widest reach of any of London's previous separate environment strategies. The public were encouraged to respond on environmental issues covered in the draft London Environment Strategy through:

- TalkLondon
  - webpage

- surveys
- discussion threads
- emails to TalkLondon members
- @LDN\_Talk twitter account
- Environment team
  - webpage
  - emails (Environment team newsletters)
  - @LDN\_Environment twitter account
- Mayor of London
  - press release
  - blog
  - @MayorofLondon and @LDN\_Gov twitter accounts
  - facebook

1.11 In addition, four representative polls of Londoners were conducted, as well as 12 focus groups and 16 interviews.

#### Technical stakeholder engagement

1.12 An extensive technical stakeholder (including community groups) engagement programme was undertaken to ensure stakeholders were briefed, and to provide opportunities to hear and understand their views. This included:

- an initial event on the draft Strategy at Mile End Ecology Pavilion, attended by approximately 90 senior staff members from stakeholder organisations
- a larger event on 19<sup>th</sup> October 2017, attended by 120 policy and operational staff from stakeholder organisations
- Strategy-specific events were held with stakeholders, such as London Councils, London First, and with a range of NGOs
- GLA officers presenting on the draft strategy at more than 40 additional events
- business as usual meetings

1.13 The London Assembly delegated responsibility for responding to the consultation to their Environment Committee. The Environment Committee held two sessions on the draft London Environment Strategy, on 13<sup>th</sup> September and 18<sup>th</sup> October 2017.

#### Consultation response analysis

1.14 370 technical stakeholders responded on the draft London Environment Strategy. 2,900 Talk London members completed 5,400 surveys and there were over 5,500 downloads of the strategy document. 345 emails were received from members of the public either writing to express a specific point (17 responses) or to show their support for one of four campaigns:

- Campaign for the Protection of Rural England – focused primarily on green infrastructure and air quality (7 responses)
- Mums for Lungs – focused on air quality (36 responses)
- Friends of the Earth – focused on a wide range of policy areas (291 responses)
- Switched On London – focused on climate change mitigation and energy (994 responses)

1.15 Consultants were commissioned to analyse all of the technical stakeholders' responses to the consultation. Each response was categorised by the section/s of the draft strategy that it referred to. In

addition, responses were assigned themes to help identify cross-cutting issues (such as principles, approaches, or references to other Mayoral strategies).

1.16 Public responses on the draft strategy were collated and analysed by the GLA's Insights team. The results of this analysis were combined with the analysis of the technical stakeholders to inform proposed changes to the Strategy.

1.17 There was widespread general support amongst technical stakeholders for the draft strategy's vision, as well as for the seven main policy chapters within it. The integration of the previously separate environment strategies was strongly welcomed and the overall ambition and vision of the draft strategy were also strongly supported. However, there were calls for even stronger integration, further detail on programme implementation, funding and monitoring, and for the Mayor to do more to increase Londoners' engagement and action on environmental issues. There were also policy-specific issues raised, which have been considered in detail in the Report to the Mayor.

#### Final intended strategy text

1.18 The preparation of the final London Environment Strategy has taken into account the comments received from stakeholders and the public through the consultation. Where appropriate amendments have been made to ensure consistency between it and the other emerging strategies and the Mayor's Transport Strategy (published in March 2018). Officers have prepared a Report to the Mayor on the outcome of the consultation, which is at Appendix B. This contains further information about the consultation process, the issues raised by respondents and officers' recommendations for changes to the final strategy text in response to matters raised in the consultation and other relevant considerations. Should the Mayor wish to see individual responses they can be provided.

1.19 The main changes made to the Strategy as a result of consultation responses are as summarised below.

Support	Summary of issues resulting in changes to the Final LES	Changes to the Final LES
<b>Air quality</b> <ul style="list-style-type: none"> <li>the overall ambitions and emissions reduction targets (both from transport and non-transport sources)</li> <li>addressing wood burning</li> <li>raising awareness</li> <li>the Healthy Streets Approach</li> </ul>	<ul style="list-style-type: none"> <li>consistency with the Final MTS</li> <li>need for caution and consistency over development and implementation of zero emission zones (ZEZ)</li> <li>inclusion of anti-idling policies and encouragement for uptake of cleaner vehicles via parking charges</li> <li>further suggestions of measures to reduce emissions from domestic solid fuel stoves and fires</li> <li>concern over whether current Combined Heat and Power (CHP) proposals go far enough</li> </ul>	<ul style="list-style-type: none"> <li>the Air Quality chapter has been made consistent with the Final MTS</li> <li>wording added that town centre ZEZs will be designed and delivered in partnership with the boroughs, and that detailed design work will ensure that local needs and issues are properly reflected</li> <li>addition of calls on government to help enforce anti-idling measures, link parking charges with vehicle emissions, and help further reduce emissions from solid fuel stoves and fires, and from NRRMM</li> <li>chapter amended to reflect the Mayor's support for the heating hierarchy set out in the London Plan, and provide further detail on Mayoral actions to reduce emissions from heating technologies</li> </ul>
<b>Green Infrastructure</b> <ul style="list-style-type: none"> <li>the concept of a National Park City</li> <li>committing to protecting existing green space and wildlife sites</li> <li>improving Green Belt quality and function</li> <li>Natural Capital Accounting and developing new financing models</li> <li>Green Infrastructure Factor and greening new developments</li> </ul>	<ul style="list-style-type: none"> <li>the draft strategy underplays the current status and intrinsic value of London's biodiversity</li> <li>predicted climate change impacts on green infrastructure and biodiversity (i.e. potential lack of water for maintaining green infrastructure) were not addressed</li> <li>the draft strategy does not consider wildlife crime, peat use, or pesticide and herbicide use</li> </ul>	<ul style="list-style-type: none"> <li>further integration of biodiversity and increased reference to cross boundary green corridors and ecological networks</li> <li>new text on water quality, and the role that green infrastructure can play in improving it, has been added to the Green infrastructure chapter</li> <li>narrative around the environmental impacts of drought has been added to the Adapting to Climate Change chapter</li> <li>wildlife crime, peat use, and pesticide and herbicide use have been included in the GLA Group Operations chapter</li> </ul>

Support	Summary of issues resulting in changes to the Final LES	Changes to the Final LES
<ul style="list-style-type: none"> <li>developing habitat management guidance and a biodiversity monitoring framework</li> </ul>		
<b>Climate Change Mitigation and Energy</b>		
<ul style="list-style-type: none"> <li>the zero carbon by 2050 ambition</li> <li>leadership in solar power generation and the 1GW of solar capacity by 2030 target</li> <li>Fuel Poverty Action Plan</li> <li>carbon budgets</li> <li>expansion of RE:FIT to commercial sector</li> <li>decentralised energy support</li> </ul>	<ul style="list-style-type: none"> <li>interim zero carbon targets required, together with a more detailed trajectory to 2050</li> <li>need for clarity on whether the Mayor was reducing his support for gas engine CHP in London</li> <li>insufficient detail regarding how Mayor will encourage a reduction in embodied carbon emissions</li> </ul>	<ul style="list-style-type: none"> <li>inclusion of interim targets in the form of five-year carbon budgets</li> <li>addition of narrative regarding Mayor's support for heating hierarchy as set out in the London Plan</li> <li>inclusion of narrative in support of assessment of lifecycle emissions from London's infrastructure</li> </ul>
<b>Waste</b>		
<ul style="list-style-type: none"> <li>taking a circular economy approach</li> <li>taking a broader municipal waste approach (to include waste similar in nature to household waste, such as commercial waste)</li> <li>a focus on waste reduction</li> <li>cutting single use packaging (mainly plastics)</li> <li>consistent service provision, i.e. a minimum level of service for dry recyclables</li> </ul>	<ul style="list-style-type: none"> <li>targets and ambitions are not ambitious enough/too ambitious and not achievable within the time given</li> <li>strategy should set out clearly what the Mayor is asking of the government</li> <li>waste authorities should be able to develop their own reduction and recycling plans</li> <li>minimum level of recycling service should apply to all properties, including flats</li> <li>more work is needed to make landlords responsible for residents' waste and</li> </ul>	<ul style="list-style-type: none"> <li>adoption of stronger target to cut food waste by 50 per cent per person by 2030</li> <li>inclusion of a new section in the Waste chapter setting out the Mayor's asks of government on: changes to Duty of Care to ensure the separate presentation of business waste materials; devolution of funding and powers to London extended producer responsibility requirements; and the collection of reliable business waste data.</li> <li>chapter narrative amended to include a proposal that waste authorities must develop their own reduction and recycling plans and set their own waste reduction targets</li> <li>strengthen the minimum recycling service target to include flats</li> </ul>



Support	Summary of issues resulting in changes to the Final LES	Changes to the Final LES
<ul style="list-style-type: none"> <li>• using local sites for waste disposal, where appropriate to do so</li> <li>• using carbon measurements for waste, alongside weight-based measures</li> </ul>	<p>recycling, including the use private sector licensing powers</p>	<ul style="list-style-type: none"> <li>• supporting text amended to include exploring ways to work with landlords and identify any requirements/changes in licencing and tenancy agreements to encourage tenants to recycle.</li> </ul>
<p><b>Adapting to Climate Change</b></p> <ul style="list-style-type: none"> <li>• the development of indicators and the sector based approach</li> <li>• green sustainable drainage systems (SuDS) and their higher prioritisation</li> <li>• increasing Londoners' awareness of heat risk, including the communications protocol</li> <li>• changes to the planning system, with a recognition that resilient developments are vital</li> <li>• integration between adaptation and mitigation, for example delivering water efficiency measures through energy efficiency retrofit schemes</li> </ul>	<ul style="list-style-type: none"> <li>• addition of new topics, such as food security, invasive non-native species, pests and pathogens, water quality and extreme cold</li> <li>• requirement for greater detail on the monitoring of London's resilience to climate change impacts</li> <li>• greater integration with other chapters within the strategy, for example, including the environmental impacts of drought</li> <li>• suggestions that the Mayor could play a greater role in managing misconceptions</li> <li>• inclusion of additional targets and indicators for managing flood risk and retrofitting sustainable drainage systems (SuDS)</li> <li>• inclusion of measures to tackle water poverty</li> <li>• inclusion of measures to manage heat risk in existing properties</li> </ul>	<ul style="list-style-type: none"> <li>• reference to additional sectors and topics identified has been made for policies and proposals within this chapter where appropriate</li> <li>• greater detail on the monitoring of resilience added</li> <li>• greater cross-referencing to other chapters, e.g. a water quality box in the Green Infrastructure chapter, and outlining the environmental impacts of drought</li> <li>• addition of proposal to work with stakeholders to raise awareness of misconceptions and investigate feasibility of targeting misconceptions at point of sale</li> <li>• strengthened wording on monitoring of reviewed planning applications, inclusion of reference to the Mayor's Transport Strategy SuDS retrofitting target and a new ambition for the replacement of impermeable surfaces with retrofitted SuDS</li> <li>• inclusion of references to water poverty within the Mayor's Fuel Poverty Action Plan</li> <li>• addition of proposal to promote overheating mitigation measures through existing retrofit programmes</li> </ul>
<p><b>Ambient Noise</b></p>		



Support	Summary of issues resulting in changes to the Final LES	Changes to the Final LES
<ul style="list-style-type: none"> <li>the overall ambition</li> <li>integration with other policy areas within the draft strategy</li> </ul>	<ul style="list-style-type: none"> <li>need for greater links to other chapters and topics within the strategy, particularly the Green Infrastructure and Air Quality chapters</li> <li>more information on topics that are covered as part of TfL programmes, research and guidance</li> <li>need for ground borne noise and vibration to be included</li> <li>need for soundscape to be considered</li> </ul>	<ul style="list-style-type: none"> <li>further cross-references to other chapters and topics, and references to guidance on measures such as retiming deliveries added where relevant</li> <li>addition of proposal to improve noise evidence base through collaboration with other organisations, including TfL programmes, research and guidance</li> <li>inclusion of ground borne noise and vibration from tube and rail sources within transport sources of noise and vibration</li> <li>inclusion of the importance of soundscape and the role of cumulative noise impacts</li> </ul>
<b>Low Carbon Circular Economy (LCCE)</b> <ul style="list-style-type: none"> <li>the general Low Carbon Circular Economy approach</li> <li>responsible / green public sector procurement and its role in creating demand</li> <li>activity around green finance to support London's ambitions, and divestment both away from fossil-fuel and into London related activity</li> <li>Mayoral leadership</li> </ul>	<ul style="list-style-type: none"> <li>need for greater reference to circular economy business models and the work that LWARB is currently undertaking</li> <li>need for further context on benefits of a circular economy for stakeholders and contribution of the circular economy to climate change mitigation and resilience and London's economy</li> <li>role of the food sector, business collaboration and workers in the transition to a LCCE</li> <li>potential impact of the transition to a LCCE on SMEs</li> </ul>	<ul style="list-style-type: none"> <li>supporting text strengthened using circular economy case studies and further detail on the benefits of a circular economy, and through cross-references to other relevant strategies/awareness and promotion work</li> <li>greater emphasis added on a 'just' transition and the need to work with a wide range of partners and stakeholders in many different sectors (including food) and business types (e.g. SMEs)</li> </ul>

## Integrated Impact Assessment

1.20 An IIA was prepared in respect of the consultation draft London Environment Strategy's policies and proposals. The requirement to produce an IIA derives from various pieces of legislation which either impose a duty on the Mayor in respect of a specific subject area, for example, crime, or create an obligation to undertake a specific type of assessment of a plan or programme. At the IIA's core is the environment report, which is a requirement of the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations). They impose a statutory obligation to undertake a preliminary scoping consultation with Natural England, English Heritage and the Environment Agency followed by the public and stakeholder consultation.

1.21 The IIA collated and analysed, in one overall integrated report, findings of the likely significant impacts across the following areas: Strategic Environmental Assessment (SEA); Habitats Regulation Assessment Equalities Impact Assessment, Health Impact Assessment of Economic Impacts, and Community Safety Impact Assessment. The IIA aimed to provide for a high level of protection of the environment, protected groups, human health, economy, and community safety and security, and to contribute to the integration of such considerations into the preparation and adoption of the London Environment Strategy. An explanation of the various duties and obligations relevant to the preparation of the IIA is set out in the IIA report (Appendix C). The IIA satisfied the mandatory requirements for an environmental report under the relevant EU Directive and the SEA Regulations.

1.22 **The IIA did not record any overall negative effects from the draft Strategy against the IIA objectives.** The draft Strategy performed most strongly against the IIA objectives for:

- Air quality
- Natural capital and natural environment
- Climate change
- Materials and waste
- Flood risk
- Infrastructure

1.23 The Mayor was asked to have regard to the IIA when he approved the draft Strategy for consultation, and a copy is provided at Appendix C so that the Mayor can consider it when deciding whether to confirm the final text of the Strategy. The consultation responses and recommended changes to the final text of the Strategy have been assessed to identify whether they materially change the impacts that were identified in the IIA report published at the public and stakeholder consultation stage. Since there were no major areas of opposition to the draft Strategy for consultation, the changes in the final intended strategy text have been relatively minor and not significant in terms of the overall IIA findings

1.24 The SEA Regulations require that a Post-Adoption Statement is published to demonstrate how the IIA/ SEA process has served to influence the drafting of the final proposed text. The Post-Adoption Statement will be published alongside the final London Environment Strategy (subject to the Assembly rejection stage - see below).

## **2. Objectives and expected outcomes**

2.1 Once published, the London Environment Strategy will replace the six previous statutory environment strategies and will cover the period up to 2050, or until such time as the Mayor decides to revise the strategy.

2.2 The Mayor is required to produce eight integrated and consistent strategies, which need to be kept up to date and regularly reviewed.

- London Environment Strategy
- London Plan (Spatial Development Strategy)
- Mayor's Transport Strategy
- Economic Development Strategy
- Housing Strategy
- Culture Strategy
- Health Inequalities Strategy
- Policing and Crime Plan

2.3 As part of the preparation of the Strategy, under both European and national legislation, the Mayor is required to undertake a number of Impact Assessments to review policy options and assess the impact of proposed strategies. Previously these assessments were independent of one another, which led to duplication of efforts and a lack of 'coherent thinking' around the Mayoral strategies. More recently, an Integrated Impact Assessment process has been proposed that combines these assessments and enables all of the Mayoral strategies to work from the same baseline information.

2.4 As soon as practicable after the Mayor publishes the Strategy, the GLA will publish the IIA Post-Adoption Statement and undertake the publicity requirements of the SEA Regulations (see 5.13 below) including making a copy of the Post-Adoption Statement and the IIA itself available for inspection with the Strategy.

### **3. Equality comments**

3.1 Under section 149 of the Equality Act 2010 ('the Equality Act'), the Mayor must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only). This may involve, in particular, removing or minimising any disadvantage suffered by those who share a relevant protected characteristic, taking steps to meet the needs of such people; and encouraging them to participate in public life, or in any other activity where their participation is disproportionately low, including tackling prejudice and promoting understanding. In certain circumstances compliance with the Act may involve treating people with a protected characteristic more favourably than those without the characteristic. Further, s33(1) of the GLA Act requires the Mayor to make appropriate arrangements with a view to securing that in the formulation of the policies and proposals to be included in any of his statutory strategies, and in their implementation, there is "due regard to the principle that there should be equality of opportunity for all people".

3.2 The consultation materials in respect of the draft London Environment Strategy were made available in a format that was accessible to blind and visually impaired people who use screen readers, and the executive summary was available in an EasyRead format for people with learning disabilities. Deaf and hearing-impaired people were provided with a means of contacting the GLA if they required further information or were not able to access the internet or email. In addition, people were welcome to provide responses in writing. Requests for the documents to be made available in other formats and translated into other languages were to be considered on a case by case basis, although no such requests were made.

3.3 An Equalities Impact Assessment in respect of the draft London Environment Strategy is included in the Integrated Impact Assessment<sup>2</sup> and the Mayor is required to take this into account in order to discharge the equalities obligations set out above when deciding whether or not to approve the strategy. This identified that proposals to introduce water meters should help address water poverty for low income households, with the exception of those who have higher essential use requirements, such as large families with children and disabled people with certain medical conditions. This has been addressed in the final intended strategy text.

#### **4. Financial comments**

4.1 Approval is sought for the Mayor to take into account the Report to the Mayor on the consultation on the draft London Environment Strategy (Appendix B) and the IIA (Appendix C) prepared in respect of it. The Mayor is requested to approve the final recommended version of the London Environment Strategy (Appendix A) for publication.

4.2 The GLA's business planning process is aligned with the London Environment Strategy. However, the strategy looks beyond the business planning period and funding this far ahead is necessarily attended by a degree of uncertainty. The Mayor is required to have regard to the resources available for implementation of the London Environment Strategy when setting future years' budgets.

4.3 Approval for any further costs related to the publication of the strategy will be sought via the Authority's decision making process.

#### **5. Legal comments**

5.1 The Strategy has been prepared in accordance with the statutory obligations which apply to the Mayor when revising any of his statutory strategies (s 41 of the GLA Act) or which are particular to the revision of the Strategy (Part IX and s 351A in particular of the GLA Act).

##### Strategy revision

5.2 As with all the mayoral strategies, the Mayor must keep the Strategy under review and make such revisions as he considers necessary. When revising any of his statutory strategies, the Mayor must have regard to the principal purposes of the GLA, the effect that the strategy in question will have on various themes (health, health inequalities, sustainable development and climate change) as well as on the need to ensure consistency with national policies, the UK's EU obligations and such other international obligations as the Secretary of State notifies the Mayor of. Regard must be had to the need for the Strategy to be consistent with the Mayor's other strategies and action has been taken to ensure that there has been synergy between all the emerging strategies as best as that can be achieved given the varying stages they are at in the revision process. It is also relevant that the Mayor has regard to the resources available to implement the strategy.

5.3 The various policies and proposals that must be included in the Strategy have been described in section 1 above of this document. These, in effect, are the policies and proposals which will enable the Mayor to discharge the duties under section 351A and the individual relevant sections of the GLA Act (sections 352 to 363) as set out in Part IX of the Act. Officers are satisfied that the final proposed text of the Strategy confirms

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<sup>2</sup> Mayor of London (2018) Integrated Impact Assessment. Accessed from: <https://www.london.gov.uk/WHAT-WE-DO/environment/environment-publications/draft-london-environment-strategy>

to the requirements of the Act in terms of contents and the matters the Mayor must have regard to when formulating policies and proposals for each subject area.

5.4 The GLA Act also provides that mayoral strategies in general shall include such of the available policies and proposals as the Mayor considers are best calculated to promote improvements in the health of persons in Greater London and the reduction of health inequalities between persons living in Greater London and contribute towards the achievement of sustainable development in the UK and the mitigation of, or adaptation to, climate change in the UK. This requirement is subject to the qualification that such policies and procedures need not be included if the Mayor considers that any action that would need to be taken as a consequence is not reasonably practicable in the circumstances.

#### Consultation

5.5 The consultation requirements which applied to the Strategy are described in section 1 above of this document. The consultation satisfies those statutory requirements. The Report to the Mayor (Appendix B) provides full details of the consultation exercise and sets out officers' recommendations as to whether, and if so how, particular issues have been taken into account in the final recommended text or have been otherwise addressed. Given the number of responses received and the issues raised within each response, it is appropriate that a materiality threshold has been applied to the report as this has enabled the consultation responses to be appropriately managed and a proper assessment made as to whether changes to the final version of the Strategy are warranted or not.

#### Assembly rejection stage

5.6 Separate to the public and stakeholder consultation, s 42B of the GLA Act requires the Mayor to lay before the London Assembly the version of the Strategy which he proposes to publish and allow the Assembly the opportunity to pass a motion to reject it within 21 days of the date on which the Strategy is laid before the Assembly for that purpose. The Mayor is, therefore, being asked to approve the final version of the Strategy for publication and that its text first to be laid before the Assembly in accordance with their Standing Orders. It will only be published if a motion to resolve to reject the Strategy final version within the permitted 21 days is not carried by the Assembly, by a two-thirds majority of votes cast (abstentions and absentees not counted). The Assembly may not amend that text and are not required to positively approve it.

#### Integrated Impact Assessment and SEA requirements

5.7 As explained in section 1 above, an IIA was carried out in respect of the draft Strategy and formed part of the consultation materials that were made available to stakeholders and the public. The Mayor had regard to the IIA report when approving the consultation draft version of the Strategy. Section 1 identifies whether any material changes have resulted from consultation responses and/ or the recommended changes to the version of the Strategy consulted upon.

5.8 It is a requirement of the SEA Regulations that a Post Adoption Statement is produced to demonstrate how the Strategic Environmental Assessment ('SEA'; expanded in this case to include the whole of the IIA areas) has served to influence the drafting of the final adopted strategy. The following particulars will be included in the Post Adoption Statement in satisfaction of the statutory requirements:

- How the environmental considerations have been integrated into the Strategy;
- How the IIA Report has been taken into account;
- How consultation responses have been taken into account;
- The reasons for choosing the strategy as adopted, in the light of the other reasonable alternatives dealt with; and

- The measures that are to be taken to monitor the significant environmental effects of the implementation of the strategy.

5.9 The changes made to the final version of the Strategy as a consequence of the consultation exercise or otherwise are not considered significant such that an additional IIA is required to be undertaken. A copy of the IIA is attached (Appendix C) and the Mayor is asked to have regard to the IIA, in particular, when deciding whether to approve the final version of the Strategy for publication.

5.10 As soon as practicable after the Mayor publishes the Strategy, the GLA will publish the Post-Adoption Statement and undertake the publicity requirements of the SEA Regulations (see 5.13 below) including making a copy of the Post-Adoption Statement and the IIA itself available for inspection with the Strategy.

#### Implementation target

5.11 Section 41(9) of the GLA Act states that the Mayor shall from time to time set such targets with respect to the implementation of the Strategy as he may consider appropriate, having regard to any related targets or objectives set nationally, and any performance indicators set by the Secretary of State, whether nationally or locally, which affect the exercise of functions by authorities involved in the implementation of the strategy. The Strategy includes some formal targets and others are likely to be set separately outside the framework of that Strategy.

#### Publicity Requirements

5.12 Section 43 of the GLA Act and regulation 16 of the SEA Regulations require that adequate publicity be given to the publication of the final version of the Strategy, the IIA and the IIA Post-Adoption Statement.

5.13 A copy of the Strategy must be sent to each London Borough Council and the City of London Corporation. A copy must also be made available for inspection at City Hall and such other places as the Mayor considers appropriate. An electronic copy will also be available for download via the GLA's website.

5.14 The IIA and IIA Post-Adoption Statement will be made available for inspection with the Strategy as well as being published online. To comply with the SEA Regulations, the GLA will write to respondents to the IIA consultation and the Secretary of State to advise them of the publication of the Strategy and the IIA Post-Adoption Statement and where the documents may be inspected. A copy of the Strategy may be supplied to any person requesting it for a fee which the Mayor may determine; given the document is now downloadable from the GLA website no fee is recommended to be set.

## **6. Planned delivery approach and next steps**

The key dates for the delivery of the transport strategy are as follows:

Activity	Timeline
Copy provided to the Chair of the London Assembly to formally lay the final strategy in front of the Assembly for consideration	10 <sup>th</sup> May 2018
Assembly to publish papers (including the final strategy) for their plenary on the strategy	11 <sup>th</sup> May 2018
London Assembly plenary to consider the final strategy and whether to reject	21 <sup>st</sup> May 2018
Final London Environment Strategy formally published	June 2018



## **7. Appendices and supporting papers:**

The following documents are attached to this form:

- Appendix A: Recommended final London Environment Strategy
- Appendix B: the GLA's Report to the Mayor on the Consultation on the draft London Environment Strategy
- Appendix C: Integrated Impact Assessment Report
- Appendix D: London Environment Strategy Implementation Plan

**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**

If YES, for what reason: Until the London Assembly have considered the London Environment Strategy, which will be by the 31st May 2018.

Until what date: 31 May 2018.

**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 – NO**

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

**Drafting officer:**

Katherine Drayson has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Sponsoring Director:**

Fiona Fletcher-Smith has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

**Mayoral Adviser:**

Shirley Rodrigues has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**Corporate Investment Board**

This decision was considered by the Corporate Investment Board on 8 May 2018.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**

**Date** 08.05.18

TOM MIDDLETON ON BEHALF OF MARTIN CLARKE

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

**Signature**

**Date** 8/5/2018

D. Bellamy