

GREATER LONDON AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2073

Title: Air Quality Positive

Executive Summary:

In "A city for all Londoners" the mayor proposed an Air Quality Positive policy that would ensure that new buildings contribute actively to a progressive reduction in the total amount of London's emissions and associated exposure.

In order to deliver this policy in the London Plan and Environment Strategy it is necessary to provide an evidence base. The request is for £25,000 to commission external consultants to undertake the evidence gathering and analysis work.

Decision:

That the Assistant Director of Environment approves:

1. expenditure of £25,000 on evidence gathering and analysis services from Air Quality Consultants Limited required to develop the GLA's Air Quality Positive policy in the London Plan and Environment Strategy; and
2. a related exemption from the requirement of the GLA's Contracts and Funding Code to procure such services competitively, instead appointing Air Quality Consultants without competition.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT:

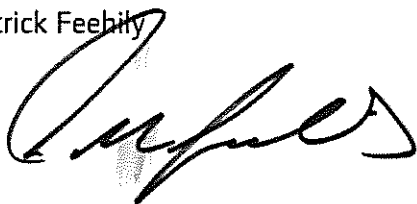
I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Patrick Feehily

Position: Assistant Director of Environment

Signature:



Date:

1-2-2017

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

1. In “A city for all Londoners” the mayor proposed an Air Quality Positive policy that would ensure that new buildings contribute actively to a progressive reduction in the total amount of London’s emissions and associated exposure.
2. Current planning policies only seek to limit impact and mitigate exposure to existing sources of pollution. However they do not seek to actively improve air quality or reduce pollutant emissions nor do they fully address cumulative impact of development in London on background levels of pollution.
3. An air quality positive policy should also reflect the part that development can play in delivering progressive emission reductions for London. As this is a new policy there is not an existing evidence base for these policies.
4. An Air Quality Positive policy will seek to protect London’s air quality into the future by ensuring new development doesn’t just minimise its impact on local air quality but improves on the existing situation. An air quality positive policy would apply most obviously to ‘masterplan’ scale development such as opportunity areas, areas of intensification and housing zones. Smaller major developments could be required to demonstrate how they can contribute to positive local improvements as well.
5. The principles of Air Quality Positive could also apply to infrastructure development, so any new infrastructure should be designed with improving air quality in mind.
6. In order to develop the policy in detail evidence will need to be gathered on effective measures to deliver improved air quality through development. This should include an estimation of the potential emission savings associated with the measures.
7. As noted at paragraph 2d) below Air Quality Consultants Limited were engaged previously in 2011 and 2014 to provide research to support the Air Quality Neutral Policy, predecessor to Air Quality Positive, expenditure on the same having been approved by the Mayor under cover of MD987.

2. Objectives and expected outcomes

1. Objectives:

To commission a specialist research organisation to provide rigorous evidence base for Air Quality Positive policies to be incorporated in the London Plan and London Environment Strategy.

2. Outcomes:

- a) A detailed study of the different forms that such a policy could take, including identification of the expected outcomes and risks associated of different policy options.
- b) A detailed summary of the preferred Air Quality Positive policy and supporting interventions, including consideration of the impacts on viability.
- c) An assessment of the potential emission and exposure savings from an Air Quality Positive policy.

- d) Given the value of the proposed contract, it is acknowledged that section 4.1 of the GLA's Contracts and Funding Code ("Code") requires that such services be procured via calling off services from a suitable framework or via competitive tender. Section 5 of the Code however, provides that exemptions from that requirement maybe approved where a supplier has had previous involvement in specific current project or a where there it involves continuation of existing work which cannot be separated from the new project. Here, as noted at paragraph 7 of section of section 1 above Air Quality Consultants Limited were engaged by the GLA on 19th October 2012 to research and develop proposal for the GLA's Air Quality Neutral Policy which involved undertaking research into the energy use, vehicle trip generation, and emissions rates from existing buildings and land uses in London. This research was used to set benchmark emission rates for central, inner and outer London for different uses classes. Air Quality Consultants were subsequently used to review these benchmarks in March 2014.

The services of Air Quality Consultants Limited were procured in respect of the previous work noted above following an open tender process in which there were four bidders. The tender applications were scored on Interpretation and Delivery Proposal, Project Management, Expertise, Experience and Price.

Their previous involvement provides them with a unique insight into the dynamics and experience of working with the GLA in this context which an alternative supplier would be unlikely to possess enabling them to provide services in a prompt and efficient manner,

Using Air Quality Consultants Limited will represent value for money as the previous tendering processes showed that their rates were the same as or better than all the other bidders. In addition as Air Quality Consultants Limited are already in possession of the data used in the previous phase of work they are likely to need less time overall to deliver the project, with consequent cost savings.

For the above reasons officers are of the view that an exemption may be justified in this case,

3. Equality comments

This project won't have any detrimental impact on those with protected characteristics. Ensuring that this work is done will in fact help tackle inequality caused by air pollution: the impacts of London's poor air quality currently fall disproportionately on disadvantaged groups. An Air Quality Positive policy would be designed to use new developments to achieve wider benefits to ambient air quality beyond the boundary of the developments, benefitting currently disadvantaged groups.

4. Other considerations

Under the GLA Act 1999 the Mayor of London has legal responsibility for preparing an Air Quality Strategy for London (now subsumed within the London Environment Strategy) and leads on the implementation of measures in the capital to tackle pollution emissions, reduce exposure, raise awareness and integrate air quality and public health.

5. Financial comments

- 5.1 The Assistant Director's approval is being sought for expenditure of up to £25,000 to commission consultants to undertake the evidence gathering and analysis work for the Air Quality Positive Policy. The cost will be funded from the Environment Air Quality 2016-17 Programme Budget.
- 5.2 As this work relates to consultancy contract, officers have to ensure that the requirements of the Authority's Contract & Funding Code are adhered to and that the requirements relating to

consultancy services within the Authority's Financial Regulations and Expenses & Benefits Framework are adhered to.

5.3 Any changes to this proposal, including budgetary implications, will be subject to further approval via the Authority's decision-making process.

6. Legal Comments

6.1 The foregoing sections of this report indicate that:

- 6.1.1 the decisions requested of the Assistant Director involve the exercise of the GLA's general powers falling within the statutory powers of the GLA to do such things as may be considered to further, and or be facilitative of or conducive or incidental its principal purposes; and
- 6.1.2 in formulating the proposals in respect of which a decision is sought officers have complied with the GLA's related statutory duties to:
- (a) pay due regard to the principle that there should be equality of opportunity for all people;
 - (b) 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
 - (c) consult with appropriate bodies.

6.2 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 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 and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Assistant Director should have particular regard to section 3 (above) of this report.

6.3 Section 4.1 the GLA's Contracts and Funding Code ("Code") requires that the proposed services be procured via competitive tender or by calling off services from an accessible framework. Section 5 of the Code however, provides that exemptions from that requirement maybe approved where a supplier has had previous involvement in specific current project or a where there it involves continuation of existing work which cannot be separated from the new project. GLA officers have stated, at section 2 of this report that such circumstances exist in this case. Therefore, if satisfied with the content of this report, the Assistant Director may approve the exemption and award of contract.

6.4 Should the Assistant Director approve the recommendations of this report officers must ensure that appropriate contract documentation is put in place between and executed by the GLA and Air Quality Consultants Limited before the commencement of the services.

7. Planned delivery approach and next steps

Activity	Timeline
Delivery Start Date	1 st February 2017
Delivery End Date	31 st March 2017

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? 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 – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer:

Stephen Inch 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 30 January 2017.

HEAD OF FINANCE AND GOVERNANCE:

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

Signature:



Date:

31.01.17

