

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2048

Title: Integrated Impact Assessments – Mayor's London Environment Strategy

Executive Summary:

The Mayor has indicated that he would like a London Environment Strategy (LES) to be adopted. This is a statutory requirement, and as part of its preparation, under both European and national legislation, the Mayor is required to undertake a number of assessments, namely an Integrated Impact Assessment.

Approval is sought to procure a consultant to undertake an Integrated Impact Assessment (IIA) to support the preparation of the LES.

Decision:

To approve expenditure of up to £70,000 in 2016-17 to procure a consultant to:

- Assess the questions proposed in the scoping report for testing the draft London Environment Strategy (LES) against the agreed IIA objectives (£15,000).
- Test the proposed draft LES and policy options against the IIA objectives that have already been identified (£15,000).
- Undertake a detailed appraisal of the draft LES policies and produce an IIA report and statement (£40,000).

AUTHORISING DIRECTOR

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: Fiona Fletcher-Smith

Position: Director Development Enterprise and Environment

Signature:



Date:

10.11.2016

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 The Greater London Authority Act 1999 (the “Act”) requires the Mayor to produce a *London Environment Strategy* (LES) which must contain the following: biodiversity, municipal waste management, climate change mitigation and energy, adaptation to climate change, air quality and ambient noise.
- 1.2 The Mayor has indicated that he would like a newly-created LES to be drafted and adopted as soon as possible. As part of the preparation of this 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.
- 1.3 The Mayor has legal duties to consider the following:
- Economic development and wealth creation (GLA Act 1999, as amended);
 - Social development (GLA Act 1999, as amended);
 - Protection and Improvement of the environment (European Directive 201/42/EC on SEA, The Environmental Assessment of Plans and Programmes Regulations 2004, GLA Act 1999, as amended);
 - Health inequality and promoting Londoners’ health (GLA Act 1999, as amended);
 - Community safety (Crime and Disorder Act 1998, Police and Justice Act 2006); and
 - Equality of opportunity, elimination of discrimination and the promotion of good community relations (GLA Act 1999, as amended, Equality Act 2010).
- 1.4 In addition, the Integrated Impact Assessment (IIA) for the LES is required to cover assessment of:
- Strategic Environmental Assessment (SEA) required in accordance with European Directive 2001/42/EC;
 - Equalities Impact Assessment (EqIA) in line with GLA guidance ensuring that due regard is given to equality considerations in accordance with the requirements of the Equality Act (2010) in particular the public sector equality duty;
 - Health Impact Assessment (HIA) incorporated into the IIA will ensure that the Mayor’s duty pursuant to section 30 of the Act to promote the reduction of health inequalities and have regard to the effects of his strategies on reducing health inequalities is met;
 - Community Safety Impact Assessment (CSIA) in line with the Mayor’s duty pursuant to Section 17 of the Crime and Disorder Act 1998 to do all that reasonably can be done to prevent crime and disorder and for all his strategies to have due regard to the likely effect on crime; and
 - Climate change and consequences.

1.5 Broadly the IIA process follows the following structure:

IIA section	Associated tasks
1) Drafting and scoping stage	1.1) Draft IIA scoping report 1.2) Scoping report to policy leads for input/review 1.3) Procurement of consultants for IIA 1.4) Review IIA scoping report 1.5) IIA scoping report consultation (5 weeks) 1.6) First draft of policies, objectives and strategy

	1.7) Internal assessment of strategy against IIA objectives
2) Development and assessment stage	2.1) Engage with consultants on policy options considered 2.2) Testing draft policies against IIA objectives 2.3) Providing feedback to team on policies against IIA objectives 2.4) Incorporating feedback into strategy 2.5) Produce IIA report 2.6) Prepare strategy for consultation
3) Strategy consultation	3.1) Consultation 3.2) Review responses 3.3) Update strategy to reflect responses 3.4) Final draft of strategy policies
4) Publication stage	4.1) If required update IIA report 4.2) Finalise strategy 4.3) Prepare strategy consultation report 4.4) Publish strategy 4.5) Publish IIA Statement

1.6 Approval is sought to seek tenders through a TfL Health & Safety and Environmental Services Framework (Ref: PSF-91312) to appoint a specialist consultants to contribute to the preparation of the IIAs for the London Environment Strategy and to assist with stages 2.1 – 2.3 (as above) for the LES Transport for London (TfL) commercial team are providing assistance on this procurement and have advised the above Framework is suitable to use in this instance.

2. Objectives and expected outcomes from the consultants

There are three distinct phases of work that we are intending to procure from the consultant(s). These are explained briefly below.

London Environment Strategy IIA development and assessment and produce the IIA report and statement

- 2.1 Objective: For this phase the consultant will be expected to:
- Assess the questions proposed in the scoping report for testing the draft LES against the agreed IIA objectives; [£15,000]
 - test the proposed strategy and policy options against the IIA objectives that have already been identified; [£15,000] and
 - undertake a detailed appraisal of the draft policies and produce an IIA report and statement. [£40,000]
- 2.2 Outcome: We expect the consultants to produce a written review of the policy appraisal that will confirm a preferred approach and ensure that the strategy appropriately and robustly meets or contributes to the objectives of the IIA. Full details of the requirement for this phase are provided in **Annex 1**.

3 Equality comments

- 3.1 The Integrated Impact Assessment includes an Equalities Impact Assessment which will evaluate the likely potential impacts, both positive and negative, of the Environment Strategy on those with protected characteristics (age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation).

4 Other considerations

- a) *key risks*

- 4.1 If, post the public consultation on the LES, the draft strategy policies need to be amended to such an extent that there is a need for an additional IIA then the project could take up to two months longer to be completed.

b) links to Mayoral strategies and priorities

- 4.2 The IIA is a requirement for the preparation of the Mayor's LES.
- 4.3 The Scoping Report for the IIA for the London Plan was used to form the basis of the Scoping Report for the LES. An internal GLA steering group was set up with the purpose of developing a framework which is to be applied to the IIAs for each strategy, including the LES. The framework includes a common set of IIA objectives to be used for the assessment stage of the IIAs for each strategy. The guide questions which sit underneath each of the IIA objectives will be relevant and specific for the individual strategies. The Mayor's Transport Strategy (MTS) has already been tested against the IIA objectives and the outcomes of this testing will be used to inform the process for the other strategies.

c) impact assessments and consultations

- 4.4 The IIA incorporates all the relevant impact assessments and will be consulted on alongside the strategy. We have been advised by Natural England that the LES does not require a Habitats and Regulations Assessment (HRA).

5 Financial comments

- 5.1 Approval is sought for the expenditure of up to £70,000 and the award of the consultancy contract for the undertaking of the Integrated Impact Assessment of the Mayor's London Environment Strategy, as outlined in this report.
- 5.2 The budgetary requirement for the Integrated Impact Assessments (IIA) has been set out under section 2.1 and will be met from the Statutory Strategies GM.0109.003 budget within the Governance Directorate. All appropriate budget adjustments will be made.
- 5.3 Any changes to the project, including budget implications will be subject to the Authority's decision-making process.
- 5.4 The Statutory Strategies Unit within the Governance Directorate will be responsible for managing the proposed contract and ensuring that all expenditure complies with the Authority's Financial Regulations and Contracts & Funding Code.

6 Legal comments

- 6.1 The Mayor under the Greater London Act (1999) shall prepare and publish a LES. In preparing or reviewing the strategy, the Mayor shall have regard to;
- the principal purpose of the GLA;
 - the effect on the proposed strategy on the health of persons in Greater London;
 - health inequalities between persons living in Greater London;
 - achievement of sustainable development in the UK,
 - equality of opportunity for all people
 - climate change and its consequences;
 - ensuring the policy is consistent with national policy and other GLA strategies;
 - resources available to implement the strategy; and

- desirability of promoting and encouraging the use of the River Thames in the provision of passenger transport services.
- 6.2 The decisions requested of the Director falls 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 (as outlined in 6.1) as well as consult with appropriate bodies.
- 6.3 Officers have indicated at paragraph 1.6 of this report that the;
- framework under which it is proposed that the services required are to be “call-off” are in accordance with relevant procurement law; and
 - the services required have been procured fully in accordance with the requirements of that framework.
- 6.4 Officers must ensure that appropriate “call-off” documentation is put in place and executed by the successful bidder(s) and the GLA before the commencement of the services.

7. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract [for externally delivered projects]	End of November 2016
Announcement [if applicable]	
Delivery Start Date [for project proposals]	Second week of December 2016
Final evaluation start and finish (self/external) [delete as applicable]:	Not applicable
Delivery End Date [for project proposals]	Sept 2017
Project Closure: [for project proposals]	Sept 2017

Appendices and supporting papers:

Annex 1 – Integrated Impact Assessment Project Brief – London Environment Strategy

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 to confirm the following (✓)

Drafting officer:

Annette Figueiredo and Emma Fenton have drafted this report in accordance with GLA procedures and confirm that:

✓

Assistant Director/Head of Service:

Patrick Feehily has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Financial and Legal advice:

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

Corporate Investment Board:

The Corporate Investment Board reviewed this proposal on 7 November 2016.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature

M. J. O'Leary

Date

8.11.16

Annex 1

Integrated Impact Assessment (excluding Habitats Regulation Assessment) of the Mayor's London Environment Strategy

Project Specification

1. Purpose of Work

- 1.1 The Greater London Authority ('GLA') wishes to appoint a supplier of Strategic Environmental Assessment ('SEA'), with the explicit inclusion of Health Impact Assessment ('HIA'), Community Safety Impact Assessment ('CSIA') and Equalities Impact Assessment ('EqIA') in the form of an Integrated Impact Assessment ('IIA'), to support a full review of the Mayor's London Environment Strategy (LES).
- 1.2 Outcomes from this consultancy project will include IIA reports that incorporate an Environmental Report as required by the European Directive for SEA. An initial IIA Scoping Report has been prepared following the initial drafting of an outline LES. A full IIA report shall be published with the public consultation draft of the LES. Any significant changes to the Strategy following public consultation will need to be included in a IIA report that should be published with the final adopted LES alongside an IIA statement. Non-technical summaries of all reports will also be required.

2. Background

- 2.1 The GLA is a unique form of strategic citywide government for London. It is made up of a directly elected Mayor and a separately elected Assembly. The Mayor is responsible for drafting a number of statutory strategies and for setting the budget for the GLA and its functional bodies.
- 2.2 The GLA Act 1999 (as amended) (GLA Act) places responsibility for strategic planning in London on the Mayor, and requires him to produce an Environment Strategy for London (LES); he is also required to keep it under review. The Greater London Authority Act 2007 devolves responsibilities from Whitehall to the Mayor to tackle climate change and health inequalities in London. The Localism Act 2011 means that the GLA is now only required to produce one integrated Environment Strategy rather than six separate strategies.
- 2.3 The previous strategies that comprise the different elements of the proposed LES were published as detailed below. The Mayor of London has indicated that he would like a LES to be adopted as soon as possible.

Statutory	Published	Non Statutory	Published
Biodiversity	2002	Business Waste	2011
Air Quality	2010	Water	2011
Climate Change Mitigation & Energy	2011		
Climate Change Adaptation	2011		
Municipal Waste	2011		
Ambient Noise	2004		

Integrated Impact Assessment

- 2.4 The Mayor has legal duties to consider the following:
- Economic development and wealth creation (GLA Act 1999, as amended)

- Social development (GLA Act 1999, as amended)
- Protection and Improvement of the environment (European Directive 201/42/EC on SEA, The Environmental Assessment of Plans and Programmes Regulations 2004, GLA Act 1999, as amended)
- Health inequality and promoting Londoners' health (GLA Act 1999, as amended)
- Community safety (Crime and Disorder Act 1998, Police and Justice Act 2006)
- Equality of opportunity, elimination of discrimination and the promotion of good community relations (GLA Act 1999, as amended, Equality Act 2010)

2.5 The GLA adopts an integrated approach to demonstrate how these duties have been considered in the form of an Integrated Impact Assessment. This enables any common themes to be considered together.

2.6 An internal GLA steering group was set up with the purpose of developing a framework which is to be applied to the IIAs for each strategy, including the LES. The framework includes a common set of IIA objectives to be used for the assessment stage of the IIAs for each strategy. The IIA guide questions in the draft LES IIA Scoping Report will be relevant and specific for the individual strategies.

Strategic Environmental Assessment

2.7 The Mayor is required to undertake a Strategic Environmental Assessment (SEA) of any of his plans and programmes that are considered to have significant effects on the environment under the European Directive 2001/42/EC (known as the SEA Directive). The SEA Directive has been transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004 (Statutory Instrument 2004 No.1633). The purpose of the Directive is to ensure that environmental considerations are integral to the preparation and adoption of the plan or programme. The requirements of SEA are incorporated within the IIA and it is used to define the steps involved in the assessments.

Equalities legislation

2.8 The Mayor and GLA have "general public body duties" under equalities legislation and like all public bodies, have statutory duties to promote equality arising from the Equality Act 2010. The Mayor and the GLA also have an additional duty to promote equality of opportunity arising from the GLA Act 1999 (as amended).

2.9 The Equality Act 2010 includes a new single public sector equality duty ("the Duty") that brings together the previous race, disability and gender duties and extends coverage to the following:

age	religion or belief
disability	sex
gender reassignment	sexual orientation
pregnancy and maternity	marriage and civil partnership (applicable only to the need to eliminate unlawful discrimination).
race	

2.10 These are the grounds upon which discrimination is unlawful and are referred to as 'protected characteristics.'

2.11 The Duty requires the Mayor and the GLA when exercising their functions to have due regard to the following:

1. **Eliminate unlawful discrimination, harassment and victimisation** and any other conduct which is unlawful under the Equality Act 2010
2. **Advance equality of opportunity** between people who share a protected characteristic, and those who don't have that characteristic. This means in particular:
 - a. **Removing or minimising disadvantages** suffered by people who share a protected characteristic that are connected to that characteristic
 - b. **Taking steps to meet the needs of people** who share a protected characteristic that are different from the needs of people who don't have that characteristic
 - c. **Encouraging people** who share a protected characteristic **to participate in public life or in any other activity** in which their participation is disproportionately low
3. **Foster good relations** between people who share a protected characteristic, and those who don't have that characteristic. This means, in particular:
 - a. **Tackling prejudice**
 - b. **Promoting understanding**

2.12 Compliance with these duties may involve treating some persons more favorably than others.

Health Impact Assessment

2.13 The Mayor has a duty under the Act to promote the reduction of health inequalities and to have regard to the effects of his strategies on reducing health inequalities in London. Therefore the IIA is to include an identifiable Health Impact Assessment (HIA), which is the established method of considering health issues in policy development in London.

Community Safety Impact Assessment

2.14 There is a statutory requirement for the GLA to follow Section 17 of the Crime and Disorder Act 1998. Section 17 places a duty on the GLA to have due regard, when preparing plans and strategies, to the likely effect of these plans and strategies on, and the need to do all that it reasonably can, to prevent crime and disorder in its area. The Police and Justice Act 2006 has broadened the scope of Section 17 to encompass misuse of drugs, alcohol and other substances, anti-social behaviour and behaviour adversely affecting the environment. The IIA process will incorporate a specific Community Safety Impact Assessment (CsIA) which will set out how these issues have been considered.

2.15 Specific results and outcomes related to health, equalities, and community safety are to be clearly documented within the final IIA report. This will allow particular audiences to focus on the impacts they are most concerned about. It will also help the Mayor refine his proposed policies.

3. Key Outputs

3.1 The key project tasks for the development of the IIA to inform the full review of the London Plan are:

- to provide a written review as well as verbal feedback of the strategic issues and scenarios for the draft LES, including documentation of any recommendations for the refinement of the scenarios;
- to undertake an IIA appraisal of the draft policies of the draft LES and associated options and prepare a report detailing this process and its outcomes that will assist the Mayor and the GLA to meet their duties outlined above and meet the requirements of the European Directive for SEA (Stages B and C). This report should also include a robust EqIA, CSIA, and HIA and where required provide clear recommendations as a result of each assessment. A separate EqIA report and non-technical summary shall also be prepared. In undertaking the assessment of the draft policies in the LES, the consultants should employ a collaborative way of working with the policy leads responsible for drafting the LES to understand the policies and their potential

impacts. The alternative policy options to be tested should be agreed with the lead GLA officer in advance of assessment;

- present the findings and recommendations of the draft IIA report to GLA colleagues;
- if required, to review relevant responses to the public consultation on the draft LES and the IIA report, and where necessary revise the IIA report prior to publication of the final LES

The Equality Impact Assessment

3.3 The EqIA should:

- identify any evidence of unlawful discrimination within the scope of the LES. It should recommend actions to eliminate this, or mitigate that risk;
- collate evidence of disadvantages experienced in the policy areas being reviewed through the LES by the protected groups in London, identify the specific needs of protected groups and identify any relevant areas where protected groups are under-represented;
- in the light of these, it should assess the impact of the proposed policies on each of the protected groups and identify any opportunities to promote good relations;

4. Project Management and Reporting

4.1 The consultants will be expected to attend a project inception meeting in November 2016. During the assessment stage of the IIA there will need to be regular meetings with the project manager and other LES team members on individual policies. The GLA wishes to publish a consultation draft of the IIA Scoping Report in November 2016. Subject to detailed project planning with the successful consultants, the wider IIA project will be generally in accordance with the following timetable that will work towards publishing a LES by end 2017.

Task/Output	Date
Deadline for receipt of tenders	Nov 2016
Shortlist of tenders and award contract	Nov 2016
Project inception meeting (finalise project plan)	Dec 2016
Initial assessment of policy options for the London Environment Strategy	Dec 2016
Test draft London Environment Strategy Policies against IIA objectives	Jan-Feb 2017
Prepare initial IIA Report	Feb-May 2017
Carry out appraisal work on the draft London Environment Strategy	Jan-Feb 2017
Prepare IIA Report - first draft for comment and amends (including presentation of findings to GLA colleagues) - second draft for comment	Feb-April 2017
Publish draft IIA report for 12 weeks public consultation (alongside draft Feb-May)	April 2017
If required, revisions to IIA Report following public consultation and produce IIA statement	Oct/Nov 2017

4.2 The project will be managed by a policy lead in the GLA's Environment Team and steered by an internal project management group made up of GLA officers. Regular contact with the project manager will be expected.

4.3 All analysis shall be generally in accordance with the assessment methodology set out by Government guidance and best practice documentation.

4.4 All associated imagery and mapping will be submitted to the GLA for their unrestricted use. Maps, images and surveys shall be supplied in the same format as the existing Strategies and shall be high resolution for large format displays.

4.5 The reports required in this commission should be presented in two bound copies and one unbound copy. An electronic copy of the text in Microsoft Word format should also be provided by USB.

5 Skills Required

5.1 The consultants will be expected to have understanding, expertise and resources as follows and must provide details and examples of this within its tender response.

- Demonstrated knowledge of environment development issues and IIA at a regional level including:
 - Skills / experience in SA/SEA;
 - Skills / experience in HIA;
 - Skills / experience in CSIA; and
 - Skills / experience in EqIA.
- An understanding of the GLA's health, sustainable development, community safety objectives, equality and diversity strategies.
- Demonstrable knowledge of SEA best practice.
- Experience in data presentation and analysis.
- Experience of working with other consultant teams on closely integrated projects.

7. Costs

7.1 Tendering will be via a competitive process. When choosing the supplier, the GLA will assess bids on the basis of the most value for money tender.

8. Responses

8.1 Responses to this specification should detail the following:

Price

- Total fixed cost for the contract, excluding VAT; and
- Breakdown of all staff and other costs associated with the contract;

Approach

- An indication of whether you will be working independently on the project or in a partnership approach (in which case you should include details of the partnership composition);
- Methodology;
- Detailed description of how the specification will be delivered; and
- Proposed detailed programme of the work.

Personnel

- Qualifications and experience of the proposed personnel in the form of individual CVs. The amount of time each member will spend on the project must also be included; and
- Relevant experience of the contractor's project team, relating to contracts of a similar nature where applicable.

9. Procurement Procedures

9.1 The broad timetable for procurement is set out above. The table below shows the evaluation criteria that will be used and the relative weighting of the different elements.

Criteria	Weighting
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Qualitative aspects comprising	70%
Methodology including demonstration for consultative approach that brings in expertise where appropriate	20%
Demonstration of clear and tangible benefits to the strategy development process that have resulted from previous similar work.	10%
Demonstration of experience of similar work including experience of working with other consultant teams on closely integrated projects	10%
Strength of contractor's proposed evaluation / analysis framework	15%
Experience and qualification of staff including CV's of staff that will be assigned to the project	15%
Price comprising	30%
Value for money demonstrated by building on existing work	
TOTAL	100

10. Terms and conditions

- 10.1 The Contract will be let under the Framework Terms and the enclosed call-off-conditions.
- 10.2 Please specifically note, the standard liability clause. If this is considered inappropriate please include what you think is reasonable in your submission and reflect this in the tender price.
- 10.3 Payment will be made at intervals subject to satisfactory completion of each project milestone. The suggested payment structure is:

Project Milestone	Percentage payment
Critical review and workshop facilitation	10%
First draft of IIA report and presentation to GLA colleagues	65%
Final IIA report, EqIA report and non-technical summary	25%

References

GLA

- Mayoral Priorities: http://www.sadiq.london/a_manifesto_for_all_londoners
- The London Plan 2016 - Consolidated with Alterations since 2011: <https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan>

Other

- Crime and Disorder Act 1998
- European Directive 2001/42/EC (known as SEA Directive)
- National Planning Practice Guidance
<http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/>
- The Greater London Authority Act 2007
European Directive 92/43/EC (on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact of European (Natura 2000) Sites)