

	<p>Environment Committee</p> <p>07 November 2017</p>
<p>Title</p>	<p>Draft London Environment Strategy</p>
<p>Report of</p>	<p>Strategic Director for Environment</p>
<p>Wards</p>	<p>All</p>
<p>Status</p>	<p>Public</p>
<p>Urgent</p>	<p>No</p>
<p>Key</p>	<p>Yes</p>
<p>Enclosures</p>	<p>Appendix A: Response to Draft London Environment Strategy</p>
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<p>Summary</p>
<p>The Mayor of London has invited London Boroughs to respond to a draft London Environment Strategy (LES) by 17 November 2017. The draft LES sets out the Mayor’s environmental vision for London and the proposed strategic approach to addressing key issues such as; air quality, green infrastructure, waste and recycling, ambient noise, carbon economy and climate change.</p> <p>Environment Committee are requested to review the council’s proposed response to the draft LES so that it may be formally submitted to the Mayor of London.</p>

<p>Recommendations</p>
<p>1. That Environment Committee approve the recommended response to the draft London Environment Strategy as outlined in Appendix A.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The draft London Environment Strategy (LES) is one of seven strategies which are intended to deliver the Mayor's vision for London. The LES sets out the following aims for London:
- Best air quality of any major city
 - More than half of London to be green
 - Zero carbon city; including a zero-emission transport system and zero carbon buildings
 - Zero waste city
 - London and Londoners to be resilient to severe weather and long-term climate change
 - Reduce the number of people adversely affected by noise.
- 1.2 The Mayor's intended environmental outcomes are for a London that is greener, cleaner, and ready for the future.
- 1.3 The Mayor has launched a three-month public consultation on the draft LES, which is due to close on 17 November 2017. The consultation is an important opportunity for London Boroughs to help shape regional environmental policy.
- 1.4 Appendix A to this paper sets out the council's proposed response which identifies; what the council already delivers, opportunities for the council to deliver more, or differently, and where there are appropriate grounds for challenge.
- 1.5 Environment Committee is invited to review and approve the council's proposed response.

2. REASONS FOR RECOMMENDATION

- 2.1 Appendix A sets out the key focuses of the strategy in more detail, with its likely interface with the council's objectives and the challenges the strategy presents to the borough.
- 2.2 This response has been formulated through engagement with Environment Commissioning Leads. It addresses any concerns, challenges, and opportunities which have been posed by the draft LES.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Environment Committee could choose not to respond to the Mayor's draft London Environment Strategy. This option is not recommended given the strategic importance of the draft LES and the impact on greater London policy.

4. POST DECISION IMPLEMENTATION

- 4.1 Following Environment Committee approval, the council's response will be formally submitted to the Mayor's office.
- 4.2 A consultation response document will be provided by the Mayor of London once all responses have been reviewed, outlining key themes, further work required by the Mayor, likely amendments to the document and a date for the final document to be published.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan 2015 – 2020 is based on the core principles of fairness, responsibility, and opportunity to make sure Barnet is a place:

- Of opportunity, where people can enhance their quality of life
- Where people are helped to help themselves, recognising that prevention is better than cure
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer.

- 5.1.2 The Environment Commissioning Objectives 2015 – 2020 include:

- Increasing resident satisfaction
- Engaging with residents
- Economic growth
- Increasing recycling and minimising waste
- Enhancing green spaces
- Promoting health and wellbeing

- Delivering quality highways services
- Delivering quality regulatory services.

5.2 Health and Wellbeing

5.2.1 The response to the draft LES pays due regard to the council's strategic objectives of the Health and Wellbeing Strategy.

5.3 Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

Finance and Value for Money

5.3.1 There are no financial implications at this time.

Procurement

5.3.2 There are no procurement implications at this time

Staffing

5.3.3 There are no staffing implications at this time.

Property

5.3.4 There are no property implications at this time.

IT

5.3.5 There are no IT implications at this time.

Sustainability

5.3.6 There are no sustainability implications at this time.

5.4 Social Value

5.4.1 The Public Services (Social Value) Act 2013 is not relevant in the context of this report.

5.5 Legal and Constitutional References

5.5.1 The Mayor of London's statutory powers and responsibilities vary across the different environmental issues covered in the draft LES.

5.5.2 The statutory framework for local air quality management is via national Air Quality Regulations and Part IV of the Environment Act 1995.

5.5.3 The Mayor of London is required to produce a municipal waste strategy under

the Greater London Authority Act 1999, however, the Mayor is not a waste authority.

5.5.4 The Climate Change Act 2008 sets out the statutory framework for addressing climate change risks in the UK. The Greater London Authority Act 1999 requires the mayor to consider the impact of climate change and potential mitigation for Greater London.

5.5.5 The Constitution section 15 Responsibility for Functions (Annex A - Membership and Terms of Reference of Committees, Sub-Committees and Partnership Boards) provides that the Environment Committee has environmental health functions, including the regulation of air quality and pollution control and specific responsibilities for commissioning refuse and recycling, waste minimisation and parks and open spaces.

5.6 Risk Management

5.6.1 Any risks identified will be managed in accordance with the standard procedure, as set out by the Corporate Risk Management Framework.

5.7 Equalities and Diversity

5.7.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council. This requires elected Members to satisfy themselves that equality considerations are integrated into day to day business and that all proposals have properly taken into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in place.

5.7.2 The Public Sector Equality Duty is set out in s149 of the Equality Act 2010: A public authority must, in the exercise of its functions, have due regard to the need to:

(a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010

(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

(c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

(a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

(b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

(c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

(a) Tackle prejudice

(b) Promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

5.8 Consultation and Engagement

5.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework
- Where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
- Exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

5.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation

can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- There is adequate time given to the consultees to consider the proposals
- There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

5.8.3 In terms of service specific consultations, the council has a duty to consult with residents and service users on various situations; including where proposals to significantly vary, reduce, or withdraw services. Consultation is also needed in other circumstances; for example, to identify the impact of proposals or to assist with complying with the council's equality duties.

5.8 Insight

5.8.1 There are no insight implications at this time.

6. BACKGROUND PAPERS

6.1 A copy of the draft London Environment Strategy 2017 can be found at the following link:

https://www.london.gov.uk/sites/default/files/les_full_version.pdf

6.2 Appendix A: Barnet Council response to the draft London Environment Strategy