

London Councils' Transport and Environment Committee

Annual General Meeting

Thursday 18 June 2015

2.30pm in the Conference Suite, London Councils, 59½ Southwark Street, London, SE1 0AL

Labour Group: Meeting Room 3 at 1.30pm (1st Floor)

Conservative Group: Meeting Room 1 at 1.30pm (1st Floor)

Contact Officer: Alan Edwards

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Part One: AGM items	
1	Apologies for Absence and Announcement of Deputies
2	Declarations of Interests*
3	Election of Chair
4	Election of Vice Chairs (To elect three Vice Chairs of the Committee for the Municipal Year 2015/16)
5	Membership of London Councils' Transport & Environment Committee 2015/16
6	Appointment of the TEC Executive Sub Committee for 2015/16
7	Nominations to Outside Bodies & Appointment of Committee Advisers for 2015/16

8	Constitutional Matters (for noting): <ul style="list-style-type: none"> • Minor Variation to London Councils' Governing Agreement • Amendments to London Councils' Standing Orders • Approval of, and Amendment to London Councils' Scheme of Delegation • Revised Financial Regulations 	
Part Two: Items of Business		
9	Presentation on Air Quality in London (Patrick Feehily – GLA)	
10	Presentation on Solar Panels in Schools (Quentin Given and Jenny Bates from Friends of the Earth and Cllr Clyde Loakes)	
11	Chair's Report	
12	Flooding Sub-Regional Partnerships 6-monthly Progress Report	
13	Setting FPN Levels for Offences relating to Bird Feeding, Noise in Streets and Public Urination in the City of Westminster	
14	Setting PCN Levels for Waste Receptacle Offences – Deregulation Act 2015	
15	Construction Work Causing Damage to Highways	
16	Freight Strategy Update	
17	Freedom Pass 2015 Reissue Progress Report	
18	Changes to the Parking and Traffic Appeals Service (PATAS)	
19	London Borough of Bexley Approval to undertake Moving Traffic Contraventions	
20	Ultra Low Emission Vehicle (ULEV) Delivery Plan	
21	Code of Practice for the Attachment of Street Lighting and Traffic Signs to Buildings	
22	London Councils Officer Response to Government call for Evidence on Parking Reforms	
23	Items Considered by the TEC Elected Officers under the Urgency Procedure	
24	Meeting Dates for TEC & TEC Executive Sub Committee for 2015/16	
25	Minutes of the TEC Main meeting held on 19 March 2015	

<p>Part Three: Exclusion of the Press and Public (Exempt)</p> <p>To resolve that the press and public be excluded from the meeting during discussion of the following item(s) of business because exempt information, as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 is likely to be made known at the meeting</p>	
<p>E1 Exempt Minutes of the TEC Main Meeting held on 19 March 2015</p>	

Declarations of Interest

* If you are present at a meeting of London Councils' or any of its associated joint committees or their sub-committees and you have a disclosable pecuniary interest* relating to any business that is or will be considered at the meeting you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting, participate further in any discussion of the business, or
- participate in any vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

It is a matter for each member to decide whether they should leave the room while an item that they have an interest in is being discussed. In arriving at a decision as to whether to leave the room they may wish to have regard to their home authority's code of conduct and/or the Seven (Nolan) Principles of Public Life.

*as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

If you have any queries regarding this agenda or are unable to attend this meeting, please contact:

Alan Edwards

Governance Manager

Tel: 020 7934 9911

Email: alan.e@londoncouncils.gov.uk

TEC Declarations of Interest

18 June 2015

Freedom Pass Holders/60+ Oyster Cards

Cllr David Cunningham (RB Kingston-upon-Thames), Cllr Alan Smith (LB Lewisham), Cllr Caroline Usher (LB Wandsworth) and Michael Welbank (City of London)

North London Waste Authority

Cllr Dean Cohen (LB Barnet), Cllr Phil Jones (LB Camden), Cllr Chris Bond (LB Enfield), Cllr Feryal Demirci (LB Hackney), and Cllr Clyde Loakes (LB Waltham Forest)

Western Regional Waste Authority

Cllr Wesley Harcourt (LB Hammersmith & Fulham) and Cllr Jenny Brathwaite (LB Lambeth)

East London Waste Authority

Cllr Ian Corbett (LB Newham) and Cllr Baldesh Nijjar (LB Redbridge)

South London Waste Partnership

Cllr Kathy Bee (LB Croydon)

London Waste & Recycling Board

Cllr Clyde Loakes (LB Waltham Forest)

Car Club

Cllr Feryal Demirci (LB Hackney)

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Cameron Geddes (LB Barking & Dagenham)
Cllr Dean Cohen (LB Barnet)
Cllr Tim Coleridge (RB Kensington & Chelsea)
Cllr Alan Smith (LB Lewisham)
Cllr Nick Draper (LB Merton)
Cllr Mark Williams (LB Southwark)
Cllr Stuart McNamara (LB Haringey)

London Cycling Campaign

Cllr Feryal Demirci (LB Hackney)

London Councils' Transport and Environment Committee

Election of Vice Chairs for 2015/16

Item
No: 04

Report by: Alan Edwards **Job title:** Governance Manager
Date: 18 June 2015
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

Summary: This report sets out the process for electing three Vice Chairs for the 2015/16 municipal year.

Recommendation: The Committee is recommended to:

- Elect three Vice Chairs for London Councils' Transport & Environment Committee.

Election of Vice-Chairs on TEC

1. The Standing Orders of London Councils state that the Committee will, at its AGM, elect the Chair, the Deputy Chair and up to three Vice Chairs of TEC. The elections should take into account the political balance on the Committee.
2. The make-up of the TEC for 2015/16 is as follows: 20 Labour members, 10 Conservative members, one Liberal Democrat member, one Independent member, the City of London and Transport for London.
3. It was agreed in 2010/11 that a Deputy Chair would no longer be elected to TEC. In line with that decision, therefore it is proposed that three Vice Chairs would be nominated – one Vice Chair from the Labour Group, one Vice Chair from the Conservative Group and one Vice Chair from the Liberal Democrat Group with one of the Vice Chairs acting as Deputy Chair on the Committee.

Recommendation:

4. The Committee is recommended to elect three Vice Chairs on TEC (one Labour, one Conservative and one Liberal Democrat)

Legal Implications for London Councils

5. There are no legal implications for London Councils.

Equalities Implications for London Councils

6. There are no specific equalities implications for London Councils.

Financial Implications for London Councils

7. There are no specific financial implications to London Councils.

Background Papers

ALG Standing Orders, December 2001

Election of Vice Chairs, Item 6, 10/06/10, File: TEC Final 2010/11

Services Risk Register - 2015/16

Division		Services			Date Last Reviewed		18 May 2015				
Director		Nick Lester-Davis			Reviewed By		NLD / SP / YB / TM / PR / SB / SC				
		Risk Rating (without controls)					Risk Rating (with controls)				
Risk No	Risk	Type of Risk	Risk Description (including implications)	Likelihood (1-4)	Impact (1-4)	Overall	Controls in Place	Risk Owner (Name & Position)	Likelihood (1-4)	Impact (1-4)	Overall
GENERAL											

A1	Staff management	Compliance, Financial, Operational, Project	Loss of key staff would reduce capacity to undertake work plan. Services would cease or reduce, good will of contractors and customers lost; Sickness, transport chaos. Low morale in times of difficulties.	4	3	12	Maintain good staff relations and communication. To review business processes to improve efficiencies and reliability and to enhance the disaster recovery plan.	Nick Lester-Davis, Corporate Director of Services	3	2	5
A2	Poor quality work in representing boroughs	Reputation and Financial	Inappropriate or inaccurate work by officers in representing borough interests. Lobbying ineffective. Lack of invitations to attend events and meetings	2	3	6	Recruitment of appropriate staff and effective staff management	Nick Lester-Davis, Corporate Director of Services	1	3	3
A3	Achievability and impact of targets on service delivery	Financial	Failure to achieve targets being set and/or affects delivery of services that we are responsible for delivering.	3	4	12	To look at savings and to monitor the process	Nick Lester-Davis, Corporate Director of Services	2	3	5
A4	Failing to provide input into key policy areas affecting London Councils members/ ineffective lobbying	External Project Reputation London	May result in key decision makers not understanding or taking account of the role and needs of boroughs and their residents. Would lose confidence of boroughs in London Councils ability to represent their interests.	2	3	6	Key GLA and govt. policy and legislative developments potentially affecting boroughs, Londoners and London's VCS regularly monitored. Formal London Councils responses developed for key London issues. Developing alliances with partners, including VCS in London to enhance lobbying. Relationships developed with key decision makers. Schedule for briefings in place to support members in effective lobbying.	Nick Lester-Davis (Corporate Director), Richard Reeve (Tribunal Manager), Spencer Palmer (Director - T+M), Simon Courage (Head of Grants and Community Services), Yolande Burgess (Strategy Director), Thomas Man (Head of Capital Ambition)	1	2	3
A5	Breaches in data protection and security that leads to the misplacing of commercial, sensitive and/or personal data	Compliance, Financial, Reputation	Sensitive personal data released to unauthorised people	3	4	12	Security. Strict controls on receipt and management of data. Use of secure systems such as Notify and promotion of best practice on secure information sharing between organisations through Data Share London, including model agreements and protocol documents. Ensuring that all new contracts with third party suppliers contain sufficient safeguards to mitigate this risk.	Spencer Palmer, Director (T+M), Stephen Boon (Chief Contracts Officer), Richard Reeve, Tribunal Manager and Simon Courage, Head of Grants and Community Services	2	4	6

Risk Rating (without controls)						Risk Rating (with controls)					
Risk No	Risk	Type of Risk	Risk Description (including implications)	Likelihood (1-4)	Impact (1-4)	Overall	Controls in Place	Risk Owner (Name & Position)	Likelihood (1-4)	Impact (1-4)	Overall
A6	ICT failure causes loss of processing capability and inability to deliver public facing and other key services. ICT contractor going into liquidation.	Compliance, Operational & Financial, Project, Reputation, London, Strategic	The main servers for CP, PA/TA5, Taxward and LLCS are remote and their loss would severely limit the availability of critical data and could lead to the suspension of public facing services. These and other services (including Grants and notify procurement) are also dependent on the Southwark Street IT network leading to additional complexity in managing continuity. Other services such as LCP are dependent on external IT providers.	4	4	16	The ICT contractor and the in-house IT team have jointly agreed and regularly reviewed disaster recovery programmes are in place, including fault reporting protocols.	Spencer Palmer, Director (T+M), Richard Reeve, Tribunal Manager, and Simon Courage, Head of Grants and Community Services	2	2	4
A7	General failure or delay in delivery of projects involving external partners	Reputation Financial and Operational	Failure to deliver on time and to budget project involving 3rd parties (evidence application for TIL/IBM)	3	3	9	Monitoring and liaison with all relevant parties.	Stephen Boon, Chief Contracts Officer	1	3	3
A8	Failure to comply with equalities legislation and good practice	Compliance, External, Operational, Reputation	To be effective, as well as to comply with legislation, the needs of London's diverse population must be reflected in commissioning priorities, the delivery of commissioned services and in any review into the size and scope of the grants scheme.	3	3	9	All specifications for commissioned services have been subject to assessment for equalities impact. Services are targeted at those who have the need for that service. More generally, equalities awareness introduced to every divisional meeting; equalities implications are part of all reports to Committees(s). Staff trained on London Councils equalities approach and legislative requirements.	Simon Courage, Head of Grants and Community Services, Spencer Palmer, Director (T+M), Richard Reeve, Tribunal Manager, Yolande Burgess (Strategy Director), Thomas Man (Head of Capital Ambition)	2	2	4
A9	Political / legislative change	Reputation Operational Compliance External	Local authority powers / responsibilities could diminish: legislation could transfer local authority powers/responsibilities to other organisations (e.g. VCS, local groups, providers).	3	4	12	Contributing to policy development. Prepare for options following period of local elections.	Yolande Burgess (Strategy Director), Thomas Man (Head of Capital Ambition), Spencer Palmer, Director (T+M) and Simon Courage, Head of Grants and Community Services	2	2	4
A10	Supplier failure	Financial, Operational, Reputation	Supplier failure puts operational services in jeopardy.	2	4	8	Business continuity plan and intelligence about spotting any potential failures at the earliest opportunity. Regular liaison with all suppliers and working together to resolve issues as they arise.	Spencer Palmer, Director (T+M), Richard Reeve, Tribunal Manager and Simon Courage, Head of Grants and Community Services	1	2	2

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				Likelihood (1 - 4)	Impact (1 - 4)	Overall		Likelihood (1 - 4)	Impact (1 - 4)	Overall

TRANSPORT AND MOBILITY

B1	Failure to negotiate Freedom Pass settlement with transport operators by 31 December 2015	Reputation, Financial	Statutory default scheme is implemented (which would be more expensive for boroughs and would impact on London Councils' reputation).	3	3		Ongoing regular meetings and discussions with TfL, ATOC and local bus operators to monitor travel data and discuss and resolve issues as they arise.	Spencer Palmer, Director (T+M) and Stephen Boon, Chief Contracts Officer	1	3	3
B2	2015 Freedom Pass Reissue	Operational, Reputation, Financial	Failure to reissue all or a significant proportion of 900K passes by end of March 2015. Significant cost escalation of reissue project. Failure to deal adequately with increase in customer enquiries.	2	4		Early start to planning and preparation. Outsourcing of reissue processing and customer support to existing contractor. Regular project board meetings with key stakeholders. Regular budget monitoring, reporting and control.	Spencer Palmer, Director (T+M) and Stephen Boon, Chief Contracts Officer	1	3	3
B3	Taxicard applications for in-house processing not assessed on time.	Operational, Reputation	Applicants will not receive their cards, leading to unsatisfied members of the public and complaints.	2	3		Systems in place to manage process and monitor performance regularly.	Spencer Palmer, Director (T+M)	1	1	1
B4	Taxicard fraud	Operational, Reputation, Financial	Fraudulent applications or misuse of cards leads to higher costs of scheme.	2	2		Detailed audit checks in place	Spencer Palmer, Director (T+M)	1	2	2
B5	Taxicard financial management problems	Reputation, operational and financial	To run out of money for Taxicard part way through the year or underspend	3	3	5	Contract management and journey data monitoring arrangements highlight boroughs approaching an overspend and agreement to meet additional costs is sought before budget is exceeded.	Spencer Palmer, Director (T+M)	1	2	2
B6	Parking services (TTACE, DVLA link, Northampton County Court link) fail	Operational, Reputation	Borough enforcement compromised and public confidence effected	1	3	3	Capita disaster recovery in place.	Spencer Palmer, Director (T+M)	1	2	2
B7	Parking / Traffic enforcement advice, guidance not provided	Compliance, Operational, Reputation	Boroughs left to own devices and no standardisation	1	4	4	Regular meetings scheduled and advice provided and updated	Spencer Palmer, Director (T+M)	1	1	1

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B6	LEPT currency variation	Financial	Rate fluctuation will impact on the LEPT budgets. Lack of income to cover budget.	3	2	4	Constant monitoring to highlight if significant rate fluctuations will have an impact on overall budget and to allow spend reductions to be implemented or additional funding to be sought from funding partners.	Spencer Palmer, Director (T&M)	3	1	3
B9	HEB permits not issued; HEB permit applications not checked	Financial, Operational, Reputation	Medical practitioners issued with PCNs while on emergency calls. Permits issued to non-emergency attendees	1	3	1	Issuing processing system in place, limited scale of scheme means easy to relocate. Checks in place	Spencer Palmer, Director (T+M)	1	1	1
B10	Lorry Control permits not processed on time.	Operational, Reputation	Hauliers without permits forced to change their plans or travel without permit risking abortive enforcement activity.	2	3	4	Permit issue system in place and performance monitored.	Spencer Palmer, Director (T+M)	1	2	2
B11	Lorry Control routing advice not provided	Operational	Hauliers not given opportunity to confirm legality of route	2	3	4	Routing advice available on-line and through liaison with the team.	Spencer Palmer, Director (T+M)	1	2	2
B12	Significant Lorry Control enforcement does not take place	Operational, Financial	Hauliers allowed to make illegal journeys. Generates complaints from boroughs and public about disruption overnight and weekends. PCN income not generated to cover enforcement activity.	3	3	3	Contract management of the NSL contract.	Spencer Palmer, Director (T+M)	1	2	2
B13	Lorry Control PCNs not processed	Financial, Operational	Enforcement not effective as no penalties issued or fully processed and PCN income not generated to cover enforcement activity.	4	3	12	PCN processing system in place and regularly monitored.	Spencer Palmer, Director (T+M)	4	2	4
B14	Change to existing process of TfL funding LEPT (via LIP)	External	TfL-led partnership review results in Borough consensus to cease funding LEPT via the LIP top slice agreement.	2	3	4	LEPT is taking an active role in preparing the questionnaire and has fed input from the LEPT Management Committee which will be sent to Boroughs and the cover letter. LEPT has also provided supporting appendices which illustrate the extend of Borough participation and the net benefit to Boroughs of LEPT since 2006 of £2.3 million. We have sent TfL a list of suitable Borough contacts for the questionnaire to be sent to who are well versed in LEPT's services.	Spencer Palmer, Director (T+M)	1	3	3

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PATAS

C1	New regulations require changes to systems	Compliance, External	New regulations require substantial changes to London Councils systems	2	3	6	Managed Services contractual change mechanism in place, involvement in Government working parties	Spencer Palmer, Director (T+M) and Richard Reeve, Tribunal Manager	2	2	4
C2	London Councils Offices/PATAS hearing centre unavailable	Financial, Operational, Reputation, Strategic	Office and hearing centre facilities become unavailable due to building defect, incident in building or other emergency; causing service interruption which might also affect remote services.	1	3	3	SGPS disaster recovery and plans to move essential processes to remote site. Remote working from home/other available office space (SGPS/London Councils). If necessary PATAS could suspend work for one week and personal hearings for one month. Remote access is available for home/external working on Grants activities. During the transition from Angel Square to Chancery Exchange, ensuring that progress is reviewed at the transition board.	Spencer Palmer, Director (T+M), Richard Reeve, Tribunal Manager and Simon Courage, Head of Grants and Community Services	1	2	3
C3	Court judgement requiring significant changes to systems and processes	Operational	Judgement in High Court or Court of Appeal requires major changes in practice / procedures	2	4	8	Contingency budget for IT into publicly development - manual workarounds while developments being installed	Richard Reeve, Tribunal Manager	1	3	3
C4	Adjudicator unavailability	Operational	Lack of sufficient adjudicators.	2	4	8	Amending personal hearings if unable to cover them	Caroline Hamilton, Ingrid Persad Singh, Chief Adjudicators, and Richard Reeve, Tribunal Manager	1	4	4
C5	New areas of activity	Operational, Financial, Reputation, Strategic	Taking on new areas of activity that we cannot properly deliver.	3	3	9	Proper analysis and all relevant approvals in advance.	Richard Reeve, Tribunal Manager and Spencer Palmer, Director (T+M)	2	2	4
C6	FOPLA	Operational, Financial, Reputation, Strategic	Failure to deliver FOPLA effectively on time or within budget and to effect a smooth transition to the Ombudsman Service.	4	4	16	Effective management and liaison with BPA and the Ombudsman Service. Paying particular attention to maintaining appropriate resourcing levels.	Richard Reeve, Tribunal Manager and Spencer Palmer, Director (T+M)	4	2	6
C7	Capita contract	Operational, Financial and Reputation	Capita fail to deliver on the contract on operating PATAS.	3	4	12	Contract monitoring arrangements	Stephen Boon, Chief Contracts Officer	2	2	4
C8	Capita contract transfer	Operational, Financial and Reputation	In the event of a change of contractor following tender, the service is severely disrupted by the transfer of personnel and systems.	4	4	16	Agree service transfer plan with existing contractor. Regular demobilisation and mobilisation liaison meetings. Contract preparation and planning. Contingency arrangements with Capita.	Stephen Boon, Chief Contracts Officer	3	3	6
C9	Lack of a suitable premises	Operational, Reputation, Strategic and Financial	Suitable premises not available when we leave Angel Square.	4	3	12	Project management taking place including regular transition board meetings to oversee progress.	Frank Smith, Director of Corporate Resources	2	2	4

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GRANTS

D1	Non-delivery of outcomes of current Grants programme (2013-15). Covers ESF and non-ESF programmes.	Financial, Project, Reputation, London, Strategic	Either projects fail to deliver their agreed outcomes or London Councils does not adequately monitor the projects and is therefore unable to demonstrate that the outcomes have been met. Adverse impact on London Councils' delivery of this part of its business plan, on future allocation of funding, and on London Councils' reputation.	2	4	8	Quarterly RAG rating of projects. Commissioning Monitoring Arrangements policy in place to monitor all necessary aspects of projects' work and robustly address poor performance.	Simon Courage, Head of Grants and Community Services	1	2	3
D2	Not making payments when due. Covers ESF and non-ESF programmes.	Financial Operational Project Reputation	Grant payments are made to projects quarterly following receipt and acceptance of quarterly reporting. Failure to pay organisations on time could damage their cashflow position and undermine their ability to deliver the outcomes of the projects.	3	4	12	Grants officers are set targets of paying providers within four weeks of approving the quarterly report. They are monitored to ensure this happens. Where either officers or providers do not meet requirements performance management measures will be put in place. Authority from Leaders Committee to use reserves to cover the cashflow issue.	Simon Courage, Head of Grants and Community Services	2	3	6
D3	Non-receipt of match funding from boroughs and/or GLA/LEP. ESF programme only.	Financial Operational Project Reputation	Payments are made to London Councils from two sources: - GLA/LEP (ESF (payments in arrears)) - Boroughs (payments in advance) Receipt of both is required to pay projects and ensure that London Councils does not run deficits on the ESF sub-programme. Either could have a negative impact on programme delivery and the financial health of London Councils and providers.	3	2	6	The team uses a financial management template. Under this:- - There must be a complete list of borough purchase order numbers to ensure invoices can be raised - Invoice request forms must be completed and sent to Finance on quarterly basis - Finance provides regular reports of invoices sent and amounts paid - The team does quarterly calculation of programme expenditure - Quarterly claims are made to GLA/LEP - Records are kept of ESF payments received	Simon Courage, Head of Grants and Community Services	3	1	3
D4	Audit and controls on programmes are inadequate and do not detect failures that put at risk borough and GLA/LEP investment. ESF programme only.	Financial Operational Project Reputation	In general, the Grants programme is subject to a lot of audit. This covers regularly (its funding spent on the activities for which it was intended?), properly (its funding managed in line with public standards) and value for money (the optimal use of resources to achieve outcomes). In particular, ESF is subject to a strict audit regime and receives a minimum of four audit visits per year. At audit, financial claims made by London Councils for S48 and ESF monies must be able to be verified against programme and project records. Where the records do not match claims made, irregularities are reported. If this occurs, London Councils would not be fulfilling its duties and would be required to repay associated ESF funding.	4	3	12	Controls include: - Strict guidance to providers on ESF regulations - Detailed checking of provider claims prior to payment - Quarterly monitoring visits to providers - Thorough preparation for audit	Simon Courage, Head of Grants and Community Services	2	1	3

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D5	London Councils fails to match its allocation of ESF – currently c£4m short.	Project Reputation	<p>London Councils has an allocation of £25.5 m of ESF. We have match funded c £21.5 m. This leaves a total of c £4 m to be matched.</p> <p>This situation is due to a combination of factors: underspends from previous rounds of funding and a reduction in S48 funding to the ESF programme.</p> <p>Should London Councils not be able to match fund the ESF, this could result in more scrutiny of the finance element of our bid to be a local match funder in the new round of ESF.</p>	2	2	4	<p>The first way to mitigate this risk is to encourage boroughs the opportunity to match fund the ESF. This has been done in a number of rounds including through letters to Chief Executives. The second way is to liaise closely with officers and GLA/LEP to condition to expect the underspend and not to receive it as a shock.</p>	Simon Courage, Head of Grants and Community Services	2	1	2

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COMMUNITY SERVICES

E1	London Care Services fails to deliver savings and service improvements for children supported by London boroughs	Reputation and financial	Poor response by providers of children's services and boroughs, recommendations on fees and charges not sustainable	3	3	4	Effective arrangements for engaging providers and boroughs through web, interviews and alignment with borough priorities	Simon Courage, Head of Grants and Community Services	1	2	2
E2	notly 2 fails to maintain support of London boroughs	Reputation and operational	Failure to effect notifications of data between boroughs, loss of data	3	3	4	Engagement of borough officers, security of data, Review of system, led by the CEO of Hillingdon, to ensure it remains relevant.	Simon Courage, Head of Grants and Community Services	2	2	4
E3	Service delivery failures as a result of providers withdrawing services to boroughs and not achieving efficiencies	reputational and operational	Failure to support boroughs, user interests and providers in delivery of excellent services	2	2	4	Engagement of borough officers and effective consultation with providers and users in key areas such as data sharing, briefing boroughs, transition of children to adult independence	Simon Courage, Head of Grants and Community Services	1	2	2
E4	London Care Services fails to engage effectively with key stakeholders - the board, boroughs, sub-regions, DfE and PaPA - thereby making its work less relevant	Financial and operational.	Work becomes less relevant, Members question the value of the service and cease paying, Revenue decreases, Ability to deliver undermined.	3	3	4	Regular board meetings at which timely, accurate and relevant information about the service is provided.	Simon Courage, Head of Grants and Community Services	2	2	4

YPES

F1	Partnership of stakeholder working loses coherence	Reputation Operational	Partner disengagement will reflect badly on London Councils' ability to coordinate, lead and influence boroughs effectively	2	3	4	Meetings with stakeholders maximises partner engagement (Board meetings, LA Forum, 14-19 Lead Officers' Conferences, Task & Finish Groups, participation in LEP-SEWG meetings).	Yolande Burgess, Strategy Director	1	2	2
F2	The strategic direction provided by the YPES Board does not contribute to the achievement of full participation for 16-18 year-olds by 2015	Reputation Operational	YPES' work plan does not address the major priorities of Local Authorities, or influence their operations	2	2	4	Quarterly meetings of all London LAs (Forum / conference) together with workshops / seminars on specialists' themes ensures a constant focus on Local Authorities' priorities	Yolande Burgess, Strategy Director	1	2	2

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F3	YPES does not link effectively with nor influence key decision makers such as the LEP, DfE, LGA, GLA and ALDCS	Compliance Financial Reputation Operational	Failure to identify critical factors to inform and influence local and regional environment	2	3	6		Maintain effective working relationship with other strategic partners and suppliers	Yolande Burgess, Strategy Director	1	2	3
F4	London is not adequately prepared for the reform of provision for young people with Special Education Needs and Disabilities, including funding	Compliance Financial Reputation Operational	YPES does not influence the development of national policy or the effective implementation of the reforms in London	3	3	9		Scanning the policy horizon and keeping abreast of legislation enables YPES to provide a creative input to key decisions appropriately, while updating the structures that provide support to SEN / LLDD ensures systematic and consistent Pan London implementation	Yolande Burgess, Strategy Director	1	3	3
F5	The ESF Youth Programme for 2014-2020 does not contribute to RPA.	Operational	There is a risk that different funding streams may duplicate their effort, compete inefficiently for recruits and dilute their collective impact on youth unemployment	2	3	6		The work of the London Europe Committee and YE1 Planning Group maintains strategic influence with key partners.	Yolande Burgess, Strategy Director	2	3	6
F6	LEP ceases to have faith in and fund YPES	Financial Reputation	YPES does not meet its agreed deliverables set out in its workplan.	2	2	4		Workplan monitoring, which engages the Board and Operational Sub-Group, ensures that deliverables are met.	Yolande Burgess, Strategy Director	1	1	1

Risk No	Risk	Type of Risk	Risk Description (including implications)	Risk Rating (without controls)			Controls in Place	Risk Owner (Name & Position)	Risk Rating (with controls)		
				Likelihood (1-4)	Impact (1-4)	Overall			Likelihood (1-4)	Impact (1-4)	Overall

CAPITAL AMBITION

G1	London Councils does not manage its Capital Ambition programme effectively	Compliance Financial Reputation Operational	Lack of programme management will expose London Councils to financial and / or reputational loss (including failure under audit or legal challenge)	2	4	4	Robust programme management in place; instigating active and immediate remedial actions if and when necessary. Ongoing scrutiny by Capital Ambition Board (CAB). Capital Ambition is closed to new funding applications, limiting the scope for issues.	Thomas Man, Head of Capital Ambition	1	2	2
G2	Capital Ambition projects do not deliver and/or realise benefits for participating local authorities/boroughs.	Compliance Financial Reputation Operational Project	CAB has ceased monitoring project benefits realisation - risk that local project managers cease rigorous project monitoring. New London Ventures investment case projects don't prove the concepts and don't provide sufficient information to de-risk for other boroughs.	3	2	4	Investment case grant awards have additional clauses designed to mitigate risk, including regular feedback to the CAB to provide scrutiny. Claims monitoring to ensure appropriate financial rigour.	Thomas Man, Head of Capital Ambition	2	2	4
G3	Capital Ambition does not effect adequate project closures, and secure legacy.	Reputation Operational Project External London	Risk there is no coordinated dissemination and access to knowledge and learning for London authorities. Reduced reputation for London Councils as leader in improvement and efficiency agenda in London.	3	1	3	CAB provided scrutiny of legacy plans. Continue to work with project leaders, collating and communicating information where available, using the Capital Ambition web presence as the communication tool.	Thomas Man, Head of Capital Ambition	2	1	2
G4	Capital Ambition does not use unallocated resources to best strategic effect.	Project Reputation London Strategic Compliance Financial	Capital Ambition Board fails to use unallocated resources to optimise improvement, innovation or efficiency resulting in strategic opportunities being missed and/or resources used but don't deliver demonstrable benefits.	2	3	4	Clear strategic options are articulated for decision-makers (CAB), including business cases, delivery mechanisms and anticipated costs and benefits.	Thomas Man, Head of Capital Ambition	1	2	2

Risk No.	Risk	Type of Risk	Risk Description (including Implications)	Risk Rating (without controls)			Controls in Place	Risk Owner (Name & Position)	Risk Rating (with controls)		
				Likelihood (1-4)	Impact (1-4)	Overall			Likelihood (1-4)	Impact (1-4)	Overall
G5	London Ventures partnership with EY becomes inconsistent with London Councils values.	Reputation London Strategic	Working with a private sector partner risk London Councils is seen to be 'selling' products and services.	3	3	9	CAB provides rigour, scrutiny and leadership. London Councils role is articulated in commercial deals - explicit we assist in the promotion of opportunities London Ventures brings to local authorities. Any (potential) conflicts of interest are discussed openly with EY and are brought to the attention of the CAB.	Thomas Man, Head of Capital Ambition	2	2	4
G6	London Ventures does not bring forward projects with demonstrable benefits for participating local authorities and boroughs.	External Project Reputation London Strategic	London Ventures' portfolio of projects is neither strategically important enough nor provides boroughs with significant financial savings to be relevant. Ventures are considered too risky for boroughs to implement. Risk to reputation.	3	3	9	Projects are assessed by CAB for their strategic fit and commercial attractiveness. Regular consultation events with senior stakeholders to ensure priorities are known. Regular partnership meetings with EY to monitor progress. Additional support to de-risk borough implementation through CAB investment cases.	Thomas Man, Head of Capital Ambition	2	2	4
G7	London Ventures fails to become financially self-sustaining.	External Financial Reputation	London Ventures is behind schedule in reaching financial sustainability and is currently working at risk, with CAB and EY sharing the risk. Either CAB or EY may withdraw their commitment - causing London Ventures to cease. If it were to cease it would cause a reputational issue for CAB and London Councils.	3	4	12	CAB are regularly asked to review and restate their commitment - ensuring their awareness of risk. CAB have agreed to the targeting of resources at Ventures providing greatest financial return. Commercial deals are negotiated to drive best deals for local authorities and London Ventures. London Councils and EY have regular financial monitoring meetings.	Thomas Man, Head of Capital Ambition	2	3	9

London Councils' Transport and Environment Committee

Membership of London Councils' TEC 2015/16 (Revised)

Item No: 05

Report by: Alan Edwards **Job title:** Governance Manager
Date: 18 June 2015
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

Summary: This report sets out the latest details of the Committee's Membership for 2015/16. 31 boroughs, the City of London and Transport for London nominations have now been confirmed. It was agreed that the TEC membership would be reported at the AGM.

Recommendation: The Committee is recommended:

- to note the membership as at 18 June 2015, of London Councils' TEC for 2015/16

Borough Representation for the Municipal Year 2015/16

LB Barking & Dagenham

Main Rep: Cllr Lynda Rice

Deputies: Cllr Sanchia Alasia
Cllr Laila Butt
Cllr Cameron Geddes

LB Barnet

Main Rep: Cllr Dean Cohen

Deputies: Cllr Richard Cornelius

LB Bexley

Main Rep: Cllr Alex Sawyer

Deputies: Cllr Peter Craske
Cllr Melvin Seymour

LB Bromley

Main Rep: Cllr Colin Smith

Deputies: Cllr William Huntington-
Thresher
Cllr Lydia Buttinger

City of London

Main Rep: Michael Welbank

Deputies: Marianne Fredericks

LB Ealing

Main Rep: Cllr Julian Bell

Deputies: Cllr Bassam Mahfouz

RB Greenwich

Main Rep: Cllr Danny Thorpe

Deputy: Cllr Jackie Smith

LB Brent

Main Rep: Cllr Michael Pavey

Deputies: Cllr James Denselow
Cllr Maggie McLennan
Cllr Ellie Southwood
Cllr Roxanne Mashari

LB Camden

Main Rep: Cllr Phil Jones

Deputy: Cllr Meric Apak

Cllr Abdul Hai
Cllr Jonathan Simpson

LB Croydon

Main Rep: Cllr Kathy Bee

Deputies: Cllr Robert Canning
Cllr Stuart Collins
Cllr Paul Scott

LB Enfield

Main Rep: Cllr Daniel Anderson

Deputy: Cllr Derek Levy
Cllr Guney Dogan
Cllr Vicki Pite

LB Hackney

Main Rep: Cllr Feryal Demirci

Deputies: Cllr Sophie Linden
Cllr Jonathon McShane
Cllr Guy Nicholson

LB Hammersmith & Fulham

Main Rep: Cllr Wesley Harcourt

Deputy: None given

LB Haringey

Main Rep: Cllr Joanna Christophides

Deputy: Cllr Joe Goldberg

LB Harrow

Main Rep: Cllr Graham Henson

Deputies: None given

LB Havering

Main Rep: Cllr Robert Benham

Deputies: Cllr Osman Dervish
Cllr Melvin Wallace

LB Hillingdon

Main Rep: Cllr Keith Burrows

Deputy: Cllr Jonathon Bianco

LB Hounslow

Main Rep: Cllr Amrit Mann

Deputies: Cllr Manjit Buttar
Cllr Bob Whatley

LB Islington

Main Rep: Cllr Claudia Webbe

Deputies: Cllr Janet Burgess
Cllr Paul Convery

RB Kensington & Chelsea

Main Rep: Cllr Tim Coleridge

Deputies: Cllr Marie-Therese Rossi
Cllr Charles Williams

RB Kingston-upon-Thames

Main Rep: Cllr David Cunningham

Deputies: Cllr Kevin Davis
Cllr Richard Hudson

LB Lambeth

Main Rep: Cllr Jennifer Brathwaite

Deputy: Cllr Jack Hopkins

LB Lewisham**Main Rep: Cllr Alan Smith**

Deputy: Cllr Rachael Onikosi

LB Merton**Main Rep: Cllr Nick Draper**Deputies: Cllr Andrew Judge
Cllr Maxi Martin
Cllr Martin Whelton**LB Newham****Main Rep: Cllr Ian Corbett**

Deputy: Cllr Unmesh Desai

LB Redbridge**Main Rep: Cllr Baldesh Nijjar**Deputies: Cllr Sheila Bain
Cllr Ross Hatfull
Cllr Jas Athwal
Cllr Paul Canal**LB Richmond upon Thames****Main Rep: Cllr Stephen Speak**

Deputy: Cllr Pamela Fleming

LB Southwark**Main Rep: Cllr Darren Merrill**

Deputy: Cllr Barrie Hargrove

LB Sutton**Main Rep: Cllr Jill Whitehead**

Deputy: None given

LB Tower Hamlets**Main Rep: Not received**

Deputy: Not received

LB Waltham Forest**Main Rep: Cllr Clyde Loakes**Deputies: Cllr Marie Pye
Cllr Grace Williams**LB Wandsworth****Main Rep: Cllr Caroline Usher**Deputies: Cllr Jonathan Cook
Cllr Guy Humphries
Cllr Kim Caddy

City of Westminster

Main Rep: Cllr Heather Acton

Deputies: Cllr Richard Beddoe
Cllr Melvyn Caplan
Cllr Robert Rigby

Transport for London

Main Rep: Alex Williams

Deputy: Colin Mann

London Councils' Transport and Environment Committee

Appointment of the Executive Sub Committee for 2015/16

Item
No: 06

Report by: Alan Edwards **Job title:** Governance Manager
Date: 18 June 2015
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

Summary: This report sets out the arrangements for the Executive Sub-Committee.

Recommendations: The Committee is asked to:

- Elect eleven members to serve on the Executive Sub-Committee for the municipal year for 2015/16 on the basis set out in the report, and the Independent from the City of London; and
- Note the procedure for taking urgent decisions as set out in paragraphs 7 to 9.

Background

1. This Committee on 13 October 2000 considered a report which set out the relationship between itself and the Executive Sub Committee.
2. The Committee agreed that all the executive functions of TEC should be delegated to the Executive Sub Committee with the exception of the following:
 - election of committee officers;
 - election of members of the sub committee;
 - agreement of budget;
 - agreement of work programme;
 - agreement of annual report;
 - appointment of adjudicators;
 - agreement of parking penalties;
 - agreement to major changes in policy for the lorry ban;
 - agreement to the annual concessionary fares scheme;
 - agreement of the draft annual policy statement for agreement with the London Councils' Leaders' Committee; and

- consideration and agreement of major transport and environmental policy issues.
3. This delegation was agreed on the basis that a committee of 34 members would find it difficult to meet sufficiently frequently to take decisions on the more executive and detailed issues that require member level decisions. The arrangement has worked well over the last twelve years and members are recommended to continue this arrangement.
 4. The TEC Main Committee as a whole, will continue the role of considering and, where necessary, confirming the actions of the Sub Committee through consideration of the minutes of the Sub Committee and calling for other actions and reports as members. All members of the Main Committee will receive the Sub Committee's agenda and will be welcome to attend the Sub Committee's meetings.

Composition of the TEC Executive Sub Committee

5. Under statute the composition of the Sub Committee must reflect the political balance of members of the Main Committee. The Executive Sub Committee has hitherto been made up eleven members with the representative of the City of London specifically invited to attend meetings.
6. On the basis of the London Councils' approach to proportionality (the d'Hondt formula) this would give the Labour Group 7 members and the Conservative Group 4 members and one representative from the City of London, after the 2014 local elections. However, in the spirit of cross party working, members may like to consider, as in previous years, that representation on the TEC Executive Sub Committee would be as follows: Labour Group 6, Conservative Group 4 and the Liberal Dem Group 1. In addition, the City of London's representative has been invited to attend meetings of the TEC Executive Sub Committee.

Last Year's Composition was as follows:

Cllr Chris Bond	LB Enfield	Labour
Cllr Feryal Demirci	LB Hackney	Labour
Cllr Julian Bell (Chair)	LB Ealing	Labour
Cllr Claudia Webbe	LB Islington	Labour
Cllr Alan Smith	LB Lewisham	Labour
Cllr Mark Williams	LB Southwark	Labour
Cllr Don Massey	LB Bexley	Conservative
Cllr Tim Coleridge	RB Kensington & Chelsea	Conservative

Cllr Colin Smith	LB Bromley	Conservative
Cllr Caroline Usher	LB Wandsworth	Conservative
Cllr Colin Hall	LB Sutton	Liberal Democrat
Michael Welbank	City of London	Independent

Procedure for Taking Urgent Decisions

7. The London Councils' Standing Orders allow for urgent matters that cannot wait until the next full TEC meeting to be decided by the Committee's elected officers. The Chair of the Committee and Group Leaders are the Committee's elected officers.
8. If at least two of the Elected Officers agree with the relevant London Councils' Corporate Director, that the matter in question is urgent and agree on the Corporate Director's recommendation, then the decision shall be taken by the Corporate Director in accordance with such recommendation, subject to the decision being recorded in writing and signed by the elected officers agreeing the recommendation and the Corporate Director.
9. The Elected Officers and the Corporate Director may nominate persons to act in their absence for the purpose of this Standing Order. Any urgent decisions taken under this procedure will be reported to the next meeting of the Committee.

Equalities Considerations

10. There are no specific implications for equalities arising from this report.

Financial Considerations

11. There are no specific financial considerations arising from this report.

Background Papers

Short Title of Document	Date	File Location	Contact Officer	Exempt Info Para under Schedule 12A
ALG Standing Orders	Dec 2001	ALG Offices, Southwark St	Alan Edwards	N/A
TEC Committee Report	Oct 2000	ALG Offices	Alan Edwards	N/A

London Councils' Transport and Environment Committee

Nominations to Outside Bodies and Appointment of Advisers to the Committee 2015/16

Item
No: 07

Report by:	Alan Edwards	Job title:	Governance Manager
Date:	18 June 2015		
Contact Officer:	Alan Edwards		
Telephone:	020 7934 9911	Email:	Alan.e@londoncouncils.gov.uk

Summary: This report seeks the Committee's nominations to various outside bodies which relate to the work of the Committee for 2015/16.

All nominations to outside bodies are made by the London Councils Leaders' Committee which has delegated this function to an Appointments Panel comprising of the Executive Officers. The Appointments Panel further delegated the task to the Chief Executive of London Councils, within agreed guidelines including consultation with the chair of the relevant London Councils member body, in this case the Chairman of London Councils' Transport & Environment Committee. The list of approved nominations will then go before London Councils Executive Officers sitting as the Appointments Panel for ratification.

Recommendations The Committee is asked to:

- Agree names to be passed on to the Chief Executive of London Councils, for appointment to outside bodies; and
- Appoint Advisers to the Committee as listed in the report, and

1. Member Level Appointments to Outside Bodies

There are several outside bodies which have member-level representation from London Councils. All nominations to outside bodies are made by the London Councils Leaders' Committee which has delegated this function to an Appointments Panel comprising the Executive Officers of London Councils. The Appointments Panel further delegated the task to the Chief Executive of London Councils, within agreed guidelines including consultation with the chair of the relevant London Councils member body, in this case the Chair of London Councils' TEC. The list of approved nominations will then go before London Councils' Executive Officers, sitting as the Appointments Panel for ratification. This report seeks the guidance of London Councils' TEC in agreeing which names are to be passed on to the Chief Executive for appointment to the bodies listed below.

2. Bodies Seeking Nominations

The following bodies have sought member nominations from London Councils in the field of transport and the environment:

(a) **Heathrow Airport Consultative Committee (HACC)**

The HACC is a statutory "watchdog" for Heathrow Airport which reviews all matters of interest to stakeholders in London relating to Heathrow airport, including surface access, employment and safety and operational issues. Meetings are held at Heathrow every two months. London Councils is asked to make one nomination per year, plus one deputy.

The TEC members for 2014/15 were Cllr Alan Smith (LB Lewisham) and Cllr Tim Coleridge (RB Kensington & Chelsea) as deputy.

The HACC have requested that TEC select a representative from a borough that is not in the general vicinity of Heathrow Airport, for 2015/16, as these boroughs are already represented on the HACC in their own right. A Conservative deputy from TEC is also requested for 2015/16.

(b) **Thames Regional Flood & Coastal Committee (RFCC)**

The Thames Regional Flood & Coastal Committee (RFCC) was established by the Environment Agency (EA) under the Flood and Water Management Act 2010. It brings together members appointed by Lead Local Flood Authorities (LLFAs) and independent members with relevant experience to ensure there are coherent plans for identifying and managing flood risks, to ensure investment is value for money and efficient, and provide links between the EA and LLFAs

Borough membership of the Committee (7 borough members) is made through London Councils' TEC. Nominations are made on a yearly basis, and deputies for each region are required, where possible. The RFCC meets quarterly.

Group	Boroughs	Rationale and characteristics
West	Hillingdon, Hounslow, Ealing, Brent, Harrow, Barnet (<i>Conservative</i>)	Virtually all of the Brent, Crane and Pinn catchments are contained within these boroughs
South West	Richmond upon Thames, Kingston upon Thames, Sutton, Merton, Wandsworth, Croydon (<i>Labour</i>)	All of the Hogsmill, Beverley Brook, Wandle and Graveney catchments are contained within these boroughs
South East	Bromley, Lewisham, Greenwich, Bexley (<i>Labour</i>)	Virtually all of the Ravensbourne catchment is within these boroughs
North East	Havering, Barking and Dagenham, Redbridge (<i>Labour</i>)	These boroughs comprise the parts of the Roding, Beam and Ingrebourne catchments that flow through London
Central North	Hammersmith and Fulham, Kensington and Chelsea, City of Westminster, City, Camden, Islington (<i>Conservative</i>)	Most of the risks within these boroughs are from surface water flooding (or from Thames tidal flooding managed by the Environment Agency).
Central South	Lambeth, Southwark (<i>Labour</i>)	Most of the risks within these boroughs are from surface water flooding (or from Thames tidal flooding managed by the Environment Agency).
North	Hackney, Tower Hamlets, Haringey, Enfield, Waltham Forest, Newham (<i>Labour</i>)	The River Lee and its tributaries are largely within these boroughs

The representatives to the Thames RFCC for last year (2014/15) for each of the seven groups are listed below:

- West: Cllr Dean Cohen – LB Barnet
- South West: Cllr Nick Draper – LB Merton
- South East: Cllr Alan Smith – LB Lewisham
- North East: Cllr Cameron Geddes – LB Barking & Dagenham
- Central North: Cllr Tim Coleridge – RB Kensington & Chelsea
- Central South: Cllr Mark Williams – LB Southwark, and
- North: Cllr Stuart McNamara – LB Haringey

Members are now asked to nominate a TEC representative and a deputy for each of the above groups for 2015/16

(c) The London Sustainable Development Commission (LSDC)

The LSDC works to develop a coherent approach to sustainable development throughout London, not only to improve the quality of life of Londoners today and for generations to come but also to reduce London's footprint on the rest of the UK and the world. Ensure the views of London boroughs are represented on the Commission and the work they are undertaking, including the setting of performance indicators. Meetings take place every quarter and nominations are made on an annual basis

Cllr Danny Thorpe (RB Greenwich) was the TEC representative on the LSDC for 2014/15. Members are asked to nominate a Labour TEC representative on the LSDC for 2015/16

(d) London Electric Vehicle Partnership (LEVP)

The LEVP was established by the Mayor of London to encourage and promote the take-up and use of electric vehicle technology in London. It includes representatives from London Councils, GLA, TfL, energy suppliers and vehicle manufacturers.

The LEVP meets twice a year at City Hall and also has three working groups that all members of the partnership are invited to participate in, which consider the following issues: Vehicles, Infrastructure, Incentives, communication and marketing

London Councils can nominate up to three representatives to attend the LEVP. These representatives can be elected members or senior London Councils officers, or a mixture of the two. Nominations are on an annual basis.

The London Councils representatives for 2014 were: Cllr Alan Smith (LB Lewisham), Cllr Phil Jones (LB Camden), and Cllr Heather Acton (City of Westminster). Members are now asked to nominate two Labour representatives and one Conservative representative to the LEVP for 2015

(e) Urban Design London (UDL) T

The UDL aims to help practitioners create and maintain well-designed, good quality places. It does this through events, training, networking and online advice. Nominations take place on an annual basis. The UDL meets 3 to 4 times per year.

Cllr Daniel Moylan (RB Kensington & Chelsea) and Cllr Nigel Haselden (LB Lambeth) were previously nominated to this body and would like to be re-appointed. The Committee may wish to re-appoint the two current co-chairs of the UDL for a further year (2015/16)

(f) London Waterways Commission (LWC)

The LWC is chaired by Assembly Member Murad Qureshi and is the key forum for the consideration and development of the Mayor's waterways and Blue Ribbon Network (BRN) policies. The BRN has significant strategic importance for sustainability, regeneration, leisure and transport and is an important area for London Councils to engage with other stakeholders to direct and influence regional policy. London Councils have four seats on the Commission. *The LWC meeting dates for 2015 are as follows: 22 June, 21 September and 14 December – all 5pm at City Hall.*

Appointments made in 2014 were as follows: Cllr Nick Draper (LB Merton – Labour), Cllr Colin Smith (LB Bromley - Conservative) and Mr Michael Welbank (City of London).

TEC Nominations to the London Waterways Commission for 2015/16 are now required (two Labour representatives, one Conservative and the City of London).

(g) The Thames River Basin District Liaison Panel (Thames LP)

The Water Framework Directive requires all inland and coastal water bodies to reach at least "good status" by 2015. The Environment Agency uses Liaison Panels to achieve broad participation from stakeholders within each river basin. London boroughs, through London Councils nominate one representative to sit on the Thames LP as one of 15 strategic "co-delivers" of the objectives of the Directive. Nominations are for a 2-year period.

Cllr Danny Thorpe (RB Greenwich – Labour) was nominated as the TEC representative from 2014 to 2016. A new Labour nomination may wish to be considered from 2015 to 2016.

(h) London City Airport Consultative Committee

The London City Airport Consultative Committee (LCACC) was set up by London City Airport in 1986 as a consultative body whose membership represents users of the airport, local authorities in whose area the airport is situated or whose area is in the neighbourhood of the airport and other organisations representing local communities. Its primary function is to serve as an organised forum in which the Airport can inform its stakeholders of current issues and seek their feedback. It meets four times a year.

The membership includes representatives from the boroughs most directly affected by the Airport's operations namely Newham (three members as required by the Airport's S106 planning agreement), Tower Hamlets, Greenwich, Bexley and Barking and Dagenham. Recent changes by National Air Traffic Services to flight paths in the Terminal Control North area mean that increasingly residents of other boroughs are also affected by the Airport's operations, particularly those in Waltham Forest, Redbridge and Havering. In January 2010, the LCACC invited London Councils to nominate a representative from one of these boroughs to represent all three of them on the Committee. The LCACC meets four times a year and nominations are on an annual basis.

The TEC member for 2014 was Cllr Baldesh Nijjar (LB Redbridge), for a one year period. The Committee may wish to nominate the TEC member from LB Havering, who's turn it is to represent TEC at the LCACC for 2015/16.

(i) London Waste & Recycling Board (LWARB)

Appointments to the Board are for 4 years (renewable once) running from 12th August 2012 to 11th August 2016. The current London Councils appointments to the Board are:

Councillor Clyde Loakes (London Borough of Waltham Forest)
Councillor Bassam Mahfouz (LB Ealing)
Councillor David Williams (London Borough of Merton)
Councillor Nicholas Paget-Brown (RB Kensington & Chelsea)
Barbara Anderson (Independent)
Melville Haggard (Independent)

TEC nominations are not required to LWARB for 2015.

(j) London Cycling Campaign (LCC) Policy Forum

On the request of TEC, the LCC policy Forum included a representative from TEC since September 2012.

Members of this Forum are voted in, which is why the TEC representative is a non-voting member. The Policy Forum meets quarterly and reviews and develops LCC's policy positions and priority issues. Nominations are on an annual basis

Councillor Feryal Demirci (LB Hackney) was the TEC representative for 2014. The Committee may wish to re-appoint Councillor Demirci for a further year, or nominate a new member to the LCC for 2015.

3. Appointment of Committee Advisers 2014/15

The role of a committee adviser is to provide expertise and advice to both officers and members of London Councils' TEC. It is customary to appoint advisers annually to assist with the spectrum of issues that are likely to arise throughout the year. Advisers should be employed directly by one of London Councils' member authorities.

The committee is asked to consider and then confirm the following appointments:

Waste & Recycling (Officers Advisory Panel on Waste)

- Stephen Didsbury (LB Bexley)
- Chris Whyte (LB Brent)
- John Woodruff (LB Bromley)
- Malcolm Kendall (LB Croydon)
- Peter Robinson (LB Enfield)
- Mark Griffin (LB Hackney)
- Kevin Crook (LB Lambeth)
- Sam Kirk (LB Lewisham)
- Jon Hastings (LB Newham)
- Fiona Heyland (LB Tower Hamlets)
- Debbie Stokes (LB Waltham Forest)

Transport (Officers Advisory Panel on Transport)

- Louise Bond (LB Camden)
- Iain Simmons (City of London)
- Ian Plowright (LB Croydon)
- Kim Smith (LB Greenwich)
- Malcolm Smith (LB Haringey)
- Martyn Thomas (LB Havering)
- Hanif Islam (LB Harrow)
- Mark Frost (Hounslow)
- Mark Chetwynd (LB Kensington & Chelsea)
- Andrew Darvill (LB Richmond)
- Matthew Hill (LB Southwark)

Air Quality

- Ruth Calderwood (City of London), Chair of the London Air Quality Forum

Climate Change and Sustainability

- Alastair Baillie (LB Bromley), Chair of the London Environment Coordinators Forum
- Deborah Southwell (LB Enfield), Secretary of the London Environment Coordinators Forum

Flood Risk Management

- Chris Chrysostomou (LB Barnet), Chair of the London Drainage Engineers Group
- Hash Patel (LB Brent), Coordinator of the London Drainage Engineers Group

Environmental Health and Licencing

- Trudi Penman (LB Havering), Chair of the London Licensing Managers Forum

Local Environmental Quality

- Neil Isaac (LB Enfield), Chair of the Association of London Cleansing Officers
- Stephen Didsbury (LB Bexley), Honorary Secretary of the Association of London Cleansing Officers
- Michael Singham (LB Wandsworth), Information Officer of the Association of London Cleansing Officers

Background Papers:

Short Title of Document	Date	File Location	Contact Officer	Exempt Info Para under Schedule 12A
TEC AGM Mins	June 2013	London Councils/ K-Drive/ Committees/TEC /June 2013	Alan Edwards	N/A

London Councils' Transport and Environment Committee

Constitutional Matters

Item
No: 08

Report by: Christiane Jenkins **Job title:** Director, Corporate Governance
Date: 18 June 2015
Contact Officer: Christiane Jenkins
Telephone: 020 7934 9540 **Email:** Christiane.Jenkins@londoncouncils.gov.uk

- Summary:** This report informs the Transport and Environment Committee of changes to constitutional documents which were agreed at Leaders' Committee AGM on 2 June 2015. Changes were made to the following documents;
- London Councils Agreement (a minor variation relating to appointing an auditor)
 - Standing Orders
 - Scheme of Delegation to Officers
 - Financial Regulations
- The Leaders' Committee reports which outlined the rationale for the changes are attached to this report as appendices. This report is for information only.
- Recommendation:** The Committee is recommended to:
- Note the changes to London Councils constitutional documents.

Constitutional changes

1. London Councils Leaders' Committee considered six constitutional reports at its AGM on 2 June 2015. Four of the six reports made changes which apply to the Transport and Environment Committee and are therefore reported for to the Committee for information.
2. The changes made are summarised below;
 - A minor variation to London Councils governing agreement to enable Leaders Committee to appoint an external auditor. This was a change necessitated by the abolition of the Audit Commission;
 - Minor changes to Standing Orders to add clarity and ensure consistent wording to procedures;

- Approval of the Scheme of Delegation to Officers including three additions;
 - i. to clarify the delegated authority within Financial Regulations
 - ii. Enable the Chief Executive to approve appointments to the Young People's Education and Skills Board
 - iii. To confirm the Chief Executive as the proper officer for the purposes of section 33(2) Localism Act 2011 (granting dispensations for a Member to take part in any discussion and vote on a matter in which they have a disclosable pecuniary interest, in some circumstances).
- Update the Financial Regulations following the introduction of introduction of the Public Contract Regulations (PCR) 2015 and other minor changes, including an increase in the Director of Corporate Resources authority to write off small value debts up to the value of £1,000.

Recommendation:

3. Note the changes to London Councils constitutional documents

Legal Implications for London Councils

4. It is necessary that changes to London Councils governance documents are properly made in a manner which is consistent with the joint committees' Governing Agreements. Consequently Leaders' Committee has approved the changes noted in this report. Transport and Environment Committee are now advised of these changes and will be required to operate in accordance with the updated documents.

Equalities Implications for London Councils

5. There are no specific equalities implications for London Councils.

Financial Implications for London Councils

6. There are no specific financial implications to London Councils

7. Appendices

Appendix 1 – Leaders Committee AGM Report item 15A – Constitutional Matters – Minor Variations

Appendix 2 - Leaders Committee AGM Report item 15B – Constitutional Matters – Standing Orders

Appendix 3 - Leaders Committee AGM Report item 15C – Constitutional Matters – Scheme of Delegation to Officers

Appendix 4 - Leaders Committee AGM Report item 15F – Constitutional Matters – Financial Regulations

Leaders' Committee AGM

Constitutional Issues – minor variation to London Councils Governing Agreement

Item no: 15A

Report by: Christiane Jenkins

Director Corporate Governance

Date: 2 June 2015

Contact Officer: Christiane Jenkins

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Summary

This report proposes a minor variation to London Councils Governing Agreement 2001 to take into account the abolition of the Audit Commission.

The proposed change does not alter any of the functions of the Committees or the responsibilities delegated to them.

Recommendations

As detailed in paragraph 9 of this report Leaders' Committee is asked:

- As permitted under clause 15.4 of the Leaders' Committee Governing Agreement, to agree a minor variation to London Councils' Governing Agreement 2001 substituting the reference to "the Audit Commission" with "London Councils' Leaders' Committee" in clause 7.5..

Constitutional Issues – Minor Variations to London Councils Governing Agreements

Background

1. “London Councils” is a term that is used to refer collectively, and for convenience, to three separately constituted, but inter-related, statutory joint committees appointed by the 33 London local authorities for the joint discharge of their functions i.e.:
 - London Councils Leaders’ Committee (“Leaders’ Committee”);
 - London Councils Transport and Environment Committee (“LCTEC”); and
 - Grants Committee.¹
2. Leaders’ Committee has been established with the authorities’ agreement under sections 101 and 102 of the Local Government Act 1972 and section 9EB of the Local Government Act 2000 (and the relevant Regulations). LCTEC is similarly constituted. The Grants Committee has been established in accordance with the London Grants Scheme made under section 48 of the Local Government Act 1985 and which forms part of the Leaders’ Committee Governing Agreement.
3. The Leaders’ Committee Governing Agreement dated 13 December 2001 has been formally amended (varied) once in 2004² to give effect to a new Grants Scheme. The LCTEC Governing Agreement has been formally amended (varied) five times since 2001 to delegate the exercise of additional functions to LCTEC.³ A number of minor variations to both Agreements were agreed by Leaders’ Committee on 15 July 2014.
4. London Councils must operate within the delegations which have been made to the joint committees (Leaders’, Grants and LCTEC) by the London local authorities (and as relevant for LCTEC, TfL) as set out in the Governing Agreements. There have been

1

On 11 March 2014, in accordance with the Leaders’ Committee Governing Agreement, Leaders Committee approved the terms of reference of a new sectoral joint committee which was to be established under the London Councils governance arrangements. This sectoral committee, Pensions CIV Sectoral Joint Committee, was constituted on 17th July 2014.

² Variation to Agreement dated 13 December 2001 to make a New Scheme for Grants to Voluntary Organisations, dated 1 February 2004. The Grants Scheme is made pursuant to section 48 Local Government Act 1985.

³ Refer: LCTEC Agreement dated 13 December 2001, the First Variation dated 1 May 2003, the Further Variation dated 30 November 2006, the Second Further Variation dated 8 June 2009, a delegation made pursuant to Part 3(D) on 27 October 2014, and the Third Further Variation dated 14 May 2015.

occasions when it has been necessary to supplement or amend these arrangements and this has been achieved by varying the terms of the Governing Agreements.⁴ If this is not done, decisions taken by London Councils without appropriate delegated authority will be *ultra vires*. Additionally, a failure to comply with the governance framework, set out in the Governing Agreements, to support the effective discharge of the functions delegated to the London Councils joint committees, could be subject to challenge.

5. Leaders' Committee can approve minor variations to the Leaders' Committee Governing Agreement (clause 15.4) by a simple majority vote (clause 7.3 and Standing Order 13.2).

Proposed change

6. The Audit Commission was abolished on 31 March 2015 following the implementation of the Local Audit and Accountability Act 2014. Whilst the Act does not require joint committees to prepare audited accounts, clause 7.5 of the Leaders' Committee Governing Agreement and London Councils' Financial Regulations require the Director of Corporate Resources to prepare and arrange the audit of the annual accounts of London Councils and its associated/sectoral joint committees.
7. At their meeting held on 19 March 2015, London Councils Audit Committee, a sub-committee of Leaders' Committee, considered the accounting and arrangements for London Councils' functions from 2015/16 onwards and agreed to recommend that Leaders' Committee approve a revision to that sub-committee's Terms of Reference to include the responsibility to make recommendations "on the appointment, re-appointment and removal of external auditors." It is proposed that that revision to that sub-committee's Terms of Reference is agreed as presented at Item [INSERT] on your Agenda today. However, it is recommended that the responsibility of formally appointing external auditors remains with Leaders' Committee which is the consequence of the abolition of the Audit Commission and the obligation to procure the audit of the annual accounts required under the Governing Agreement.

⁴ Amending a Governing Agreement, due to the number of parties, is a time consuming, and at times complex, process. Therefore, when the LCTEC Governing Agreement was varied in 2006 to delegate the exercise of additional functions to the joint committee, it was also varied to include provision for a more streamlined procedure to facilitate further delegations to the joint committee in appropriate cases .

8. In order to formally reflect these changes, this report asks Leaders' Committee to approve a minor variation to the Leaders' Committee Governing Agreement. Paragraphs 9 and 10 below detail the current and proposed wording, with the change underlined.

9. Currently, clause 7.5 of Leaders' Committee Governing Agreement says;

7.5 The Finance Officer shall make appropriate arrangements to procure the audit of the annual accounts of London Councils and (subject to Schedule 5 and the LCTEC Agreement) the associated committees and any Sectoral joint committee at the end of each financial year by an Auditor approved by the Audit Commission. Copies of audited accounts shall be provided to London Councils Leaders' Committee, the associated committees and any Sectoral joint committee and sent to each of the London Local Authorities.

10. The proposed amendment is to remove the reference to the Audit Commission as the body responsible for approving the appointment of the external auditor and substitute it with Leaders' Committee. The section would then read;

7.5 The Finance Officer shall make appropriate arrangements to procure the audit of the annual accounts of London Councils and (subject to Schedule 5 and the LCTEC Agreement) the associated committees and any Sectoral joint committee at the end of each financial year by an Auditor approved by London Councils Leaders' Committee. Copies of audited accounts shall be provided to London Councils Leaders' Committee, the associated committees and any Sectoral joint committee and sent to each of the London Local Authorities.

Recommendations

11. Leaders' Committee is asked to:

- Agree a minor variation to the Leaders' Committee Governing Agreement 2001, substituting the reference to "the Audit Commission" with "London Councils Leaders' Committee" in clause 7.5, as detailed in paragraph 10 of this report.

Financial Implications for London Councils

12. There are no specific financial implications arising from this report.

Legal Implications for London Councils

13. Variations to London Councils Governing Agreements must be properly made in a manner which is consistent with the terms of those Agreements. Each Governing Agreement makes provision for minor variations to the governance arrangements for each joint committee, albeit by different procedures.
14. It is the responsibility of the relevant joint committee to determine whether a change can be considered minor. In the past, variations have been considered minor if they do not involve any additional financial contribution or changes to the delegated powers or the functions of the joint committees.
15. The changes proposed in this report relate solely to the way the joint committees operate. They retain the existing relationships between the joint committees and do not change the functions delegated to each of them.
16. Clause 15.4 of the Leaders' Committee Governing Agreement enables minor variations to be made by a decision of the joint committee without requiring a formal written variation to the Governing Agreement which would need to be authorised and executed individually by all the participating authorities.

Equalities Implications for London Councils

17. There are no specific equalities implications for London Councils arising from this report.

Leaders' Committee AGM

Constitutional Matters – Amendments to London Councils Standing Orders

Item no: 15B

Report by: Christiane Jenkins

Job title: Director, Corporate Governance

Date: 2 June 2015

Contact Officer: Christiane Jenkins

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Summary:

This report proposes a number of amendments to London Councils Standing Orders.

These provide additional clarity to procedures and consistency of wording throughout the document. The changes are minor and do not alter the provisions for managing meetings.

Recommendations:

Leaders' Committee is asked to:

- Agree to the proposed amendments to London Councils Standing Orders, as detailed in Appendix 1.

Constitutional Matters – Amendments to London Councils Standing Orders

1. London Councils Standing Orders are contained in Schedule 6 of the Leaders' Committee Governing Agreement. In accordance with section 27.2 of the Standing Orders, they can be amended by a decision of London Councils Leaders' Committee.
2. The Standing Orders have been amended a number of times since 2001. The current version was approved by Leaders' Committee on 15 July 2014.
3. The proposed amendments are detailed in Appendix 1. The current Standing Orders and a revised version, as proposed, are available as background papers.
4. The changes are intended to provide additional clarity to procedures and for consistency, for example in using the term 'clear working day' instead of 'working day' throughout the document. The provisions for filming meetings have also been updated to reflect current practice and The Openness of Local Government Regulations 2014. The changes are minor and do not alter the provisions for managing meetings. Some further minor drafting changes are also proposed to ensure clarity of language throughout the document. These are not included in the Appendix attached but a version including all the proposed changes can be provided upon request.

Recommendations

5. Leaders' Committee is asked to:
 - Agree to the proposed amendments to London Councils Standing Orders as detailed in Appendix 1.

Financial Implications for London Councils

There are no specific financial implications arising from this report.

Legal Implications for London Councils

It is necessary that changes to London Councils governance documents are properly made in a manner which is consistent with the joint committees' Governing Agreements. Leaders' Committee has the authority to approve changes to London Councils Standing Orders. Should these revised Standing Orders be approved, they will be deemed to be substituted as Schedule 6 to the Leaders' Committee Governing Agreement.

Equalities Implications for London Councils

There are no specific equalities implications for London Councils from this report.

Appendix 1

- The proposed amendments to London Councils Standing Orders

Background Documents:

- The current Standing Orders (last revised July 2014)
- A revised version as proposed in this report.

Appendix 1 – Proposed Changes to London Councils Standing Orders June 2015

London Councils STANDING ORDERS¹

Annual Meetings of Leaders' Committee and associated [joint](#) committees and sectoral joint committees

Timing and Business

1.8 Leaders' Committee, each associated joint committee and each sectoral joint committee shall hold an Annual General Meeting (AGM) before the end of July of each year.

The relevant joint committee will at its AGM:

- (i) appoint a Chair and up to three Vice Chairs;
- (ii) approve the minutes of the last meeting of that joint committee;
- (iii) receive the minutes of the last AGM;
- (iv) receive any announcements from the Chair and/or Head of Paid Service;
- (v) appoint such sub committees and forums as considered appropriate to deal with matters which are not otherwise reserved to London Councils, LCTEC, Grants Committee or any sectoral joint committee;
- (vi) decide the size and terms of reference for those sub committees and forums;
- (vii) decide the allocation of seats [and substitutes] to political groups² in accordance with the political balance rules, [unless the terms of reference \(or constitution\) of a sub-committee or forum makes specific provision for the make up of its membership;](#)
- (viii) approve a programme of ordinary meetings for the joint committee, sub committee or forum for the year;
- (ix) consider any business set out in the notice convening the meeting.

Comment [ES1]: Addition for clarification

¹ Also known as Schedule 6 of London Councils Agreement, 2001

² Whilst not specifically bound by the legislation that governs this issue in [borough](#) councils, London Councils has operated on a similar basis to boroughs in recognising a party group as being one with two or more members which declare themselves as a group with a Leader. In the context of London Councils, members are the members of Leaders' Committee. No other metric - for example the overall proportion of London Councilors' – is used in determining proportionality among the groups. [Current practice is that party groups are able to offer seats to other elected representatives but are under no obligation to do so.](#)

Comment [ES2]: Addition for clarification

~~1.12 Each sectoral joint committee shall hold an annual general meeting before the end of July each year. Each sectoral joint committee will:~~

- ~~(i) receive the minutes of the last Annual General meeting;~~
- ~~(ii) receive any announcements from the Chair and/or Head of Paid Service; (iii) approve a programme of ordinary meetings for the year;~~
- ~~(iv) consider any business set out in the notice convening the meeting.~~

Comment [ES3]: Deleted as covered in 1.8

Ordinary meetings

1.13 London Councils Leaders' Committee

- (viii) receive nominations and make appointments to fill vacancies arising in respect of any sub-committee, forum or outside body for which the joint committee is responsible;
- (ix) receive and consider minutes of meetings, any sub-committees and forums which have taken place since the joint committee last met.

Comment [ES4]: Additions for clarification

Deputy Representatives

- 2.9 If the appointed representative of a London Local Authority is unable to be present at a meeting of London Councils Leaders Committee, an associated joint committee or sectoral joint committees, that member authority may be represented by a deputy who shall be duly appointed for the purpose. A deputy attending a meeting shall declare him/herself as such but shall otherwise be entitled to speak and vote as if he/she were a member of that London Councils committee.

Comment [ES5]: Amendment for clarification

Elected officers

- 2.15 In a year in which there are council elections, the elected officers of London Councils and all its member bodies shall cease to hold office on the day of the council elections and shall cease to be remunerated save that London Councils Leaders Committee may, by agreement, decide to remunerate members for activity in pursuance of the discharge of the business of London Councils under SO 19.2. Notwithstanding, the outgoing Chair shall be able to preside at the subsequent AGM until a new Chair is elected.

Comment [ES6]: Amendment for clarification

- 4.2 The Chief Executive shall, not less than five clear working days before the intended meetings of Leaders' Committee and any associated joint committee or sectoral joint committee, circulate a notice thereof to each representative and deputy representative and the Town Clerk/Chief Executive or the nominated officer of every London Local Authority subscribing to Leaders' Committee, the associated committees or sectoral joint committee. The notice will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

Comment [ES7]: For consistency

20 DECLARATIONS OF INTEREST

- 20.1 If you are present at a meeting of London Councils' Leaders Committee or any of its associated joint committees or their any sub-committees or any sectoral joint committee and you have a disclosable pecuniary interest as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 ("the Regulations") and set out in paragraph 20.5 below relating to any business that is or will be considered at the meeting, you must not:

- (i) participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting, participate further in any discussion of the business; or
- (ii) participate in any vote or further vote taken on the matter at the meeting.

Description of disclosable pecuniary interests

- ~~20.6 If you have any of the following pecuniary interests, they are disclosable pecuniary interests under the Regulations. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.~~

- ~~(i) Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.~~
- ~~(ii) Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-~~

Comment [ES8]: Whole section deleted as this information is more appropriate on the Declaration of Interests form than within Standing Orders

~~election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.~~

- ~~(iii) — Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority:
 - ~~(a) under which goods or services are to be provided or works are to be executed;~~
 - ~~and~~
 - ~~(b) which has not been fully discharged.~~~~
- ~~(iv) — Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.~~
- ~~(v) — Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.~~
- ~~(vi) — Any tenancy where (to your knowledge):
 - ~~(a) the landlord is your council or authority; and~~
 - ~~(b) the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.~~~~
- ~~(vii) — Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where:
 - ~~(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and~~
 - ~~(b) either —
 - ~~(I) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or~~
 - ~~(II) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.~~~~~~

26 ACCESS TO MEETINGS AND DOCUMENTS

- 26.2 Applications to film or record meetings of London Councils ~~are requested should be submitted not less than~~ 48 hours before the meeting. Filming will be permitted in accordance with The Openness of Local Government Bodies Regulations 2014 and any relevant guidance issued by the government at the relevant time. ~~The final decision on whether filming or any other recording can take place at a London Councils meeting will be made by the Chair of the relevant joint committee or sub-committee.~~

Leaders' Committee AGM

Constitutional Matters – Approval of and amendment to London Councils Scheme of Delegation to Officers

Item no: 15C

Report by: Christiane Jenkins

Director Corporate Governance

Date: 2 June 2015

Contact Officer: Derek Gadd

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Summary

This report requests approval of London Councils' Scheme of Delegation to Officers which includes the following amendments and additions to the Scheme approved in 2014:

1. expressly clarifies the delegated authority granted to the Chief Executive and Finance Officer to negotiate minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations;
2. provide for an additional delegation to the Chief Executive to approve appointments to the Young People's Education and Skills Board;
3. includes an additional notification in the list of the functions of proper officers, confirming the Chief Executive is the proper officer for the purposes of section 33(2) Localism Act 2011.

Recommendations

Leaders' Committee is asked to approve:

- the Scheme of Delegations to Officers incorporating the amendments detailed in paragraphs 5 - 8 of this report.

Approval of/Amendment to Scheme of Delegation to Officers

Background

1. As required by London Councils' Standing Orders, London Councils' Scheme of Delegation to Officers is approved annually at Leaders' Committee's AGM, although additional delegations may be made during the year. The current Scheme was approved at the Leaders' Committee Annual General Meeting on 15 July 2014.
2. London Councils' joint committees have retained the authority to make decisions on policy and service provision and have delegated to officers the administrative functions relating to running of London Councils.
3. The Scheme of Delegation to Officers reflects the current structure of London Councils and enables effective and transparent decision making processes. It does not seek to repeat the delegations contained within the Governing Agreements in full, only repeating them if it enhances the usefulness and clarity of the relevant delegation. The Scheme also does not repeat the specific delegations granted to the Director, Corporate Resources, where the responsibilities are included within the financial regulations. The Scheme of Delegations to Officers refers largely to administrative functions such as staffing, which are delegated in the first instance to the Chief Executive.
4. This report requests approval of London Councils' Scheme of Delegation to Officers which includes the following amendments and additions to the Scheme approved in 2014. The following changes to the Scheme are proposed:
 - (a) to expressly clarify the delegated authority granted to the Chief Executive and Finance Officer to negotiate minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations;
 - (b) to provide for an additional delegation to the Chief Executive to approve appointments to the Young People's Education and Skills Board
 - (c) to include an additional notification in the list of the functions of proper officers confirming the Chief Executive is the proper officer for the purposes of section 33(2) Localism Act 2011.
5. The Financial Regulations detail the responsibilities, procedures and working practices adopted by the joint committees under their Governing Agreements. These Regulations currently provide for the Chief Executive and the Director of Corporate Resources

(referred to as the Finance Officer, being the Responsible Financial Officer of London Councils) to take certain decisions are relevant to the responsibilities of their roles and offices. The amendment to the Scheme of Delegations to Officers in Section 1 by inserting a new paragraph 3 (with all other paragraph numbering changing accordingly) will expressly clarify the delegated authority granted to the Chief Executive and Finance Officer to negotiate minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations. The proposed wording of the express delegation will be:

3. *The Chief Executive and the Director of Corporate Resources (Finance Officer) will have the authority to negotiate minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations.*
6. In order to facilitate the effective operation of the Young People's Education and Skills Board (YPES Board/the Board) it is proposed to delegate authority the Chief Executive to approve appointments to a casual vacancy on the YPES Board which arises between AGMs. The Board is a forum of London Councils and operates under a constitution (or terms of reference) which is approved by Leaders' Committee as required under Standing Orders. A revised constitution will be considered by Leaders' Committee on 2 June 2015 at the AGM under Item 15 E on the Agenda. Both the existing and the revised constitution enable specific organisations to nominate representatives to the Board. These nominations require the approval of Leaders' Committee. The proposed delegation allows the Chief Executive to approve appointments to fill casual vacancies to the Board. A full list of nominations to the Board will be presented for approval to Leaders' Committee annually at Leaders' Committee AGM.
7. Inclusion of this delegation within the Scheme does not change the way in which appointments to outside bodies are made, it relates specifically to the YPES Board. Inclusion in the Scheme is appropriate for the purposes of effective governance to enable casual vacancies on a London Councils forum to be filled throughout the year. The actual wording of the delegation is set out in italics, below:

Section 6 – Appointments to Young People's Education and Skills Board (YPES Board)

The YPES Board is a forum of London Councils which operates under a constitution (terms of reference) approved by Leader's Committee in accordance

with Standing Orders. Leaders' Committee has the power to approve the appointment of representatives to the YPES Board upon their nomination by those organisations who are members of the Board. On behalf of Leader' Committee, the Chief Executive will have delegated authority from Leaders' Committee to approve appointments to casual vacancies of the YPES Board..

8. The Scheme of Delegation also includes an addition to the proper officer list, confirming the Chief Executive is the proper officer for Section 33(2) Localism Act 2011. This enables the Chief Executive to grant a dispensation for a Member to take part in any discussion and vote on a matter in which they have a disclosable pecuniary interest, in some circumstances and in accordance with Standing Order 20 of London Councils Standing Orders. The notification is as follows:

LOCALISM ACT 2011		
33	Section 2 – The officer to grant a dispensation for a Member to take part in any discussion and vote on a matter in which they have a disclosable pecuniary interest, in some circumstances.	Chief Executive

Recommendations

Leaders' Committee is asked:

- To approve the Scheme of Delegations to Officers incorporating the amendments detailed in paragraphs 5 - 8 of this report.

Financial Implications for London Councils:

There are no specific financial implications arising from this report.

Legal Implications for London Councils:

It is important that London Councils' joint committees properly delegate the exercise of functions to Officers in a manner which is consistent with the relevant Governing Agreements, and any legal restrictions on delegable functions, to ensure that the work of London Councils (through Leaders' Committee, Grants Committee and LCTEC) is delivered efficiently and effectively and to avoid any grounds for challenge to decisions made pursuant to those delegations.

Equalities Implications for London Councils:

There are no specific equalities implications for London Councils arising from this report.

Background Document:

[London Councils Scheme of Delegation to Officers \(last revised July 2014\):](#)

London Councils Scheme of Delegations to Officers is available from London Councils' website in the constitutional information section. It is the second document listed in 'related documents' on the right hand side of the page.

Leaders' Committee

Constitutional matters – Amendments to London Councils Financial Regulations

Report by:	Frank Smith	Job title:	Director of Corporate Resources
Date:	2 June 2015		
Contact Officer:	Frank Smith		
Telephone:	020 7934 9700	Email:	Frank.smith@londoncouncils.gov.uk

Summary This report outlines changes necessary to London Councils Financial Regulations following the introduction of the Public Contract Regulations (PCR) 2015, which came into effect on 26 March 2015. The report also recommends other minor changes to the Financial Regulations, including an increase in the Director of Corporate Resources authority to write off small value debts up to the value of £1,000.

Recommendations Leaders' Committee is asked to:

- agree to the proposed amendments to the Financial Regulations.

Constitutional matters – Amendments to London Councils Financial Regulations

Introduction

1. The Financial Regulations were last reviewed in 2013 following the recommendations arising from a review of arrangements for making payments for commissioned services under the S.48 grants programme.
2. Appendix A to this report highlights the proposed changes, the most significant being in respect of revised contract and procurement arrangements necessary following the introduction of the Public Contract Regulations (PCR) 2015 in March 2015.
3. Attention is drawn to the specific changes as contained in Appendix A, indicated by track changes and summarised as follows:
 - Accounting and Document retention – paragraphs 5.5 to 5.8; retention period now to reflect HMRC guidance, plus a rewording of the arrangement for presenting the annual final accounts to members;
 - Contracts and Procurement – a number of revisions to Section 8 to reflect requirements of PCR 2015; and
 - Debt write offs – paragraph 15.1 – recommends increasing the limit to which the Director of Corporate Resources can write off low value debts from £500 to £1,000. For information, London Councils has written off 28 small value debts amounting to £3,891 in the past three financial years.
 - Travelling and Subsistence claims – paragraph 21.1 – clarification of the process for reimbursement of expenses claims.

Recommendations

4. Leaders' Committee is asked to agree to the proposed amendments to the Financial Regulations, as detailed in Appendix A.

Financial Implications for London Councils

None

Legal Implications for London Councils

None

Equalities Implications for London Councils

None

Appendix A

Recommended changes to London Councils Financial Regulations

5 Accounting and Document Retention

- 5.1 All accounts, financial records, including computerised records, and financial administration procedures shall be kept or undertaken in a form approved by the Finance Officer who shall also be responsible for keeping the principal accounting records. It is the responsibility of the Chief Executive to retain securely, and in an easily retrievable form, all other information relating to the Organisation's financial and operational activity in support of the accounting and final account process.
- 5.2 In the allocation of accounting duties, the following principles shall be observed:-
- 5.2.1 The duties of providing information regarding sums due to or from London Councils and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them;
- 5.2.2 Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any such transactions.
- 5.3 The Chief Executive shall make returns of outstanding expenditure, income and any other relevant information in the form and by the date specified by the Finance Officer for the reporting process detailed in Financial Regulation 9.6 and the closure of the annual accounts.
- 5.4 All computerised financial systems should be capable of producing relevant accounting analysis capable of transfer in a format, level of detail and manner approved by the Finance Officer. The information transfer should include specific types of transaction such as write offs. The Chief Executive shall consult with the Finance Officer before introducing, amending or discontinuing any record or procedure relating to financial transactions or accounting.
- 5.5 All accounting records shall be retained in safe custody for such a period as shall be determined by the Finance Officer and all vouchers must be kept for a period of ~~six~~^{seven} years in line with HMRC guidance after the specified accounting period has elapsed. The ultimate disposal of financial records should be arranged by the Chief Executive as "confidential waste" and on no account should sensitive information be disposed of through the normal waste collection process. All such confidential waste disposal arrangements shall be subject to the prior approval of the Finance Officer.
- 5.6 The Finance Officer in consultation with the Chief Executive shall be responsible for the production and publication of the organisation's final accounts in such a form and in accordance with such a timetable as to make them consistent with any relevant statute and the general directions of London Councils and any Sectoral joint or associated committee.

5.7 As soon as practicable after the end of each financial year and before the 30 June, the Finance Officer in consultation with the Chief Executive shall report provisional out-turn figures for income and expenditure to London Councils and any Sectoral joint or Associated committee, comparing these to the approved estimates. The Finance Officer shall present the Statement of Accounts for the year in question to London Councils' External Auditors as early as possible following the presentation of the provisional outturn figures to the London Councils Executive.

5.8 The Finance Officer shall retain, in safe custody, copies of audited Statements of Accounts including the External Auditor's signed certificate and opinion and annual report. The Finance Officer shall present the audited Statement of Accounts to London Councils Audit Committee for approval by 30 September. All significant issues raised by the External Auditor's annual report on the accounts together with any accompanying management letter must be reported to London Councils Audit Committee, including the issues that relate solely to the accounts of any Sectoral joint committee. The Finance Officer in consultation with the Chief Executive shall be responsible for the production and publication of the organisation's final accounts in such a form and in accordance with such a timetable as to make them consistent with any relevant statute and the general directions of London Councils and any Sectoral joint or Associated committee.

8 Contracts & Procurement

8.1 All contracts and procurement that exceed the current EU threshold¹ of £139,892 are regulated by EU Procurement Directives regulations, and UK domestic legislation law as defined in the Public Contracts Regulations (PCR) 2006/2015. In addition, each and every contract shall also comply with these Financial Regulations. The EU regulations and UK law take precedence over the Financial Regulations and no deviations or exceptions are permitted for contracts in excess of the threshold. Also, cContracts with a full life value between £25,000 and below the EU threshold are governed under Part 4 of the PCR 2015 by the Financial Regulations and no exception from any of the following provisions shall be made otherwise than at the direction of London Councils or any Sectoral joint or associated committee, as appropriate. Every exception made by a Committee Member or an officer to which the power of making contracts has been delegated shall be reported to the relevant committee, and the report shall specify the emergency by which the exception shall have been justified.

8.2 Contracts may be defined as being agreements for the supply of goods or materials, or the carrying out of works or services. Contracts are also deemed to include the engagement of professional consultants (excluding Counsel).

8.3 It is a breach of the Financial Regulations to artificially divide contracts where the effect is to circumvent the regulations concerning the following financial threshold limits.

¹ The current Threshold for public supply and service contracts is €207,000 / £172,514. This is reviewed every two years, the next due January 2016

8.4 Financial Thresholds

- 8.4.1 The following minimum number of invitations to tender or quote shall apply, subject to EU procurement rules (including aggregation) and the exemptions, before any order for works, supplies or services is placed:

Procurement Threshold	Procedure
(a) up to £10,000	No formal tender process required. At least one written quotation obtained, duty to secure reasonable value for money
(b) between £10,001 and £50,000 <u>£25,000</u>	Obtain 3 documented quotations or use formal tender process if desirable
(c) between £50,001-001 <u>£25,001-001</u> and EU limit (currently £172,514) (€207,000)	The use of the formal tender process is mandatory <u>advertising the opportunity on Contract Finder</u>
(d) over EU limit (currently £172,514 ((€207,000)) and £249,999	The use of the formal tender process is mandatory and subject to the EU procurement rules.
(e) £250,000 and over	Committee approval prior to formal tender process and subject to the EU procurement rules.

- 8.5 Each proposed contract for works or services, with an estimated value equal or greater than £250,000 must be the subject of a separate detailed report to London Councils or any Sectoral joint or associated committee as appropriate, requesting approval to seek tenders for the recommended design solution. This report must state the size of any contingency provision to be included in the tender documents or estimated costs, as well as any prevalent risks to the organisation as a result of the recommended design solution.

- 8.6 No contract shall be made, nor any tender invited, unless provision has been made in the annual budget for the proposed expenditure or that written confirmation has been received from the appropriate third party that external funding is available to fund the full contract and associated costs.

8.7 Formal Tender Process

- 8.7.1 Competitive tendering will be required where the estimated value of the contract is expected to exceed ~~£50,000~~£25,000. which is split into two categories

8.7.2 Below Threshold (£25,000 to less than the EU limit £172,514

8.7.2.1 It is now a requirement that for any contracts estimated to be between £25,000 and the EU limit in force at the time (currently 172,514), the contracting authority must advertise the opportunity on Contracts Finder.

8.7.3 Above Threshold £172,514 where full EU processes apply

8.7.3.1 For above threshold ~~The~~ tendering the choice of procedure are detailed and regulated in the PCR.(Chapter 2 Rules on Public

Contracts) options are to noting that when awarding public contracts, contracting authorities shall apply procedures that conform to the regulations.

Open Tendering — whereby any person wishing to submit a bid must be allowed to do so;

Selective Restrictive Tendering — where only a certain number of bidders are allowed to tender, usually following a pre-assessment stage;

Selective Tendering using an Approved List — where bidders are invited to tender from an approved list of contractors.

Competitive Dialogue — for complex procurements where the restricted procedure may be too inflexible, in such cases officers could follow the competitive dialogue procedure.

8.7.2 All public procurement in the UK is governed by the EU Treaty and the EU Procurement Directives and UK Procurement Regulations that implement the Directives. This legal framework helps to ensure that public procurement is conducted in a fair and open manner both within the UK and across the EU. Every tender must comply within the legal framework of both the EU Treaty and Common law rules. This applies to all contracts and/or commissioning and the acquisition of goods and services. Detailed guidance on procurement procedures is provided in the Procurement Toolkit (Appendix 6), reflecting the PCR and any specific guidance as the Minister for the Cabinet Office may issue.

8.8 Contract Advertising

8.8.1 Contracts above the EU financial thresholds prevailing at the time as for Supplies and Services set out in the Regulations should be advertised in the Official Journal of the European Union (OJEU). Procurement opportunities where the value falls below these limits and £25,000 must be placed on Contracts Finder, with no exceptions. In addition all contracts should be advertised on London Councils website In addition, in order to fully test the market, it may be desirable to place an advert in the appropriate trade journals.

8.8.2 Advertising tenders below these thresholds or supplementing OJEU contract notices with internet or journal advertising for above threshold contracts are at discretion of the appropriate Corporate Director.

8.8.3 Due to the high value, contracts above the EU Threshold are considered to be of high risk and, therefore, it is advisable that consultation with affected stakeholders is carried out prior to advertising.

8.8.48.8.2 No contract which exceeds £50,000 in value or amount for the supply of goods or services shall be made unless at least 10 days public notice has been given on the London Councils website, unless the relevant committee has agreed that for a particular contract

~~tenders can be sought from a selected list. In addition, in order to fully test the market, it may be desirable to place an advert in the appropriate trade journals.~~

~~8.8.5 Steps should be taken to ensure that minority interest groups are advised of forthcoming tender opportunities. As a minimum, any advert placed in trade journals shall include a journal having a substantial ethnic minority readership.~~

~~8.8.68.8.3~~ After the expiration of the period specified in any notice, invitations to tender for the contract shall conform with Section 5 sub section 7 of the PCR, (paragraphs 65 and 66 refer), ~~be sent to not less than 3 persons selected in the manner determined by the committee, or if fewer than 3 persons have applied and/or are considered suitable, to all such persons.~~

8.9 Receipt of Tenders

8.9.1 Every invitation to tender shall state that no tender will be accepted unless it is received in a plain sealed envelope or package which shall bear the words TENDER - followed by the subject to which the tender relates, and shall not bear any name or mark indicating the sender. Every invitation to tender should also state the deadline date and time (usually 12 noon) for receipt. When received, an entry shall be made upon such envelopes or packages indicating the time and date of receipt and these will then remain in the custody of the Chief Executive or the Finance Officer until the time appointed for their opening.

8.9.2 Electronic versions of the tender submission will be accepted; however these are to be received **in addition** to hard copies. Electronic tenders must be received by the deadline date and time, with the hard copy being received by 5pm on the deadline date. Electronic tender submissions sent by e-mail should be sent to: tenders@londoncouncils.gov.uk. E-mailed tenders will not be accepted in isolation.

8.9.3 All tenders received after the deadline date and time shall not be opened and will be disregarded for the purposes of the tender exercise to which they relate.

8.10 Opening of Tenders

Tenders shall be opened at one time in the presence of:-

8.10.1 For tenders valued at over ~~£5025~~,000 but less than £250,000 – in the presence of two officers appointed by the Chief Executive;

8.10.2 For tenders valued at £250,000 and over – such members of a committee as may be designated for the purpose by London Councils or any Sectoral joint or associated committee as appropriate, to which the power of making the contract to which the tenders relate has been delegated

8.11 Acceptance of Tenders and Quotations

Quotations

- 8.11.1 Where the value is under £10,000, the appropriate Corporate Director, or one of his/her designated authorised signatories, shall be authorised to accept the quotation by signing off the purchase order to place the order with the supplier;
- 8.11.2 Where the value is between £10,001 and £50,000, the appropriate Corporate Director shall be authorised to evaluate and accept the quotation by signing off the purchase order to place the order with the supplier;

Tenders

- 8.11.3 Where the ~~lowest tender~~ tender is between the £25,000 and the prevailing EU Limit £50,000 or less, the Chief Executive ~~or his nominated representative~~ shall be authorised to evaluate and accept the tender;
- 8.11.4 Where the ~~lowest~~ tender is above the EU Threshold and £249,999 £50,000, the Chief Executive in consultation with the Chairman, Deputy-Chairman and one other Member of the appropriate committee shall be authorised to evaluate and accept the ~~lowest~~ tender;
- 8.11.5 For tenders of £250,000 and over – such members of a committee as may be designated for the purpose by London Councils or any Sectoral joint or associated committee as appropriate, to which the power of making the contract to which the tenders relate has been delegated, shall be authorised to evaluate and accept the lowest tender;
- 8.11.6 A tender which exceeds the approved estimate shall be referred to the appropriate committee for consideration. Where the tender can be amended to fall within the approved budget by a minor adjustment to the approved works, goods or services and otherwise complies with these regulations order, the Chair or Vice Chair of the appropriate committee or Sub committee should be consulted with regard to the necessary adjustment.
- 8.11.7 ~~Where the recommended tender is above £50,000 and is not the lowest tender, a report must be made to a meeting of the appropriate committee, for approval to accept the tender. If necessary a special meeting of the appropriate committee shall be convened for this purpose.~~
- ~~8.11.8 Where the recommended tender or quotation is below £50,000 and is not the lowest tender, the approval of the Chairman, Deputy-Chairman and one other member of the appropriate committee must also be obtained to authorise the acceptance of the tender.~~
- 8.12 Contract Provisions and Payments
- 8.12.1 Every contract in writing (unless such contract is let by a Lead Authority in accordance with Schedule 8) shall be signed by the Chief Executive or the Finance Officer.
- 8.12.2 Every contract in writing shall specify:-
- 8.12.2.1 the work, materials, matters, or things to be furnished, had or done;

8.12.2.2 the price to be paid, with a statement of discounts or other deductions;

8.12.2.3 the payment process, including the process for resolving disputes;

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8.12.2.4 the time or time within which the contract is to be performed;

8.12.2.5 insurance, employers liability and professional indemnity;
and,

8.12.2.6 the place or places for delivery of performance.

~~8.12.2.3 the time or time within which the contract is to be performed;~~

~~8.12.2.4 insurance, employers liability and professional indemnity;~~

~~and, 8.12.2.5 the place or places for delivery of performance.~~

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8.13 Contracts where tenders are not required.

8.13.1 Contracts or orders which exceed £10,000 and not exceeding £~~5025~~,000 in value require at least 3 written quotations from suitable suppliers before the contract order is placed. The formal tender process can be used for contracts or orders under £50,000, if desirable.

8.13.2 Quotations may be submitted by post, facsimile or e-mail.

8.13.3 If the full life value of a contract is below the current EU threshold of £25,000~~£130,893~~, it shall not be obligatory to invite formal tenders, nor give public notice of the intention to enter into a contract where:-

8.13.3.1 effective competition is prevented by Government control, or

8.13.3.2 the special nature of the work to be executed limits the number of contractors capable of undertaking the work to less than 3
~~of contractors capable of undertaking the work to less than 3,~~

or

8.13.3.3 the goods, services or materials to be purchased are only available from less than 3 suppliers, or
available from less than 3 suppliers, or

8.13.3.4 the work is a continuation of a previous contract or order, or

8.13.3.5 a corporately tendered and managed or framework

contract has been established for all officers of the organisation
organisation- to use:

e.g. supplies of Stationery, Computers, Office Furniture etc.-, or
etc., or

8.13.3.6 goods or services are of a proprietary manufacture, including sole distribution or fixed price, or the services to be provided are of a proprietary nature , or

8.13.3.7 any repairs or works to be executed or parts, goods or materials to be supplied in connection with existing machinery, vehicles plant or equipment are of a proprietary nature and involve sole distribution or fixed price, or
to be supplied in connection with existing machinery, vehicles plant

~~or equipment are of a proprietary nature and involve sole distribution or fixed price, or~~

8.13.3.8 urgent supplies necessary for the protection of life or property.

8.13.4 The Chief Executive shall maintain a record of those contracts let without competitive quotations as detailed in 8.13.3, detailing the reasons why these have not been obtained.

8.13.5 The EU regulations and ~~UK law~~PCR do not provide for any exemptions from the tendering process for contracts which exceed the EU threshold

8.14 Withdrawal of Tender

8.14.1 In the event of any person withdrawing a tender, or not signing the contract after his/her tender has been accepted, or if the Chief Executive or the Committee are satisfied that a Contractor has not carried out a contract in a satisfactory manner, or for any other justified reason, then tenders will not be accepted from such contractors in future, except after specific Committee approval.

8.15 Communications with Tenderers

8.15.1 Accounting records for all contracts must be maintained as agreed by the Finance Officer.

8.15.2 No members of the relevant Committee shall have or allow any interview or communications with any person or representative of any person proposing to tender or contract, except by the authority of that Committee. Where such interview or communication does, nevertheless, take place then it is to be reported to the relevant Committee at the first available opportunity.

8.16 Contract Variations

8.16.1 Subject to the provisions of the contract, every variation shall be instructed in writing and signed by the designated officer prior to the commencement of work on the variation concerned or as soon as possible thereafter. Designated officers may authorise variations which are essential for the completion of a contract, and minor variations of an optional nature, provided the cost remains within the approved estimate. Major variations to contracts shall require the approval of the appropriate committee.

8.17 Contract Payments

8.17.1 All ex gratia and non contractual claims from contractors shall be referred to the Finance Officer and also to the Chief Executive for comments before settlement is reached.

8.17.2 Where contracts, valued in excess of £~~50~~25,000, provide for payments to be made by installments, all payments to contractors shall be made on a certificate issued and signed by London Councils designated officer. Those contracts not subject to the issue of certificates, may be paid on invoices and/or any means allowed by the Finance Officer.

8.17.3 The Finance Officer shall, to the extent he/she considers necessary, examine the final accounts or interim valuations for contracts and he/she shall be entitled to make all such enquiries and receive such information and explanations as he/she may require in order to be satisfied as to the

accuracy of the accounts.

8.17.4 The final certificate for the payment of any contract, where the final cost exceeds £5025,000, shall not be issued until the Supervising Officer under the contract has produced to the Finance Officer a detailed statement of account with all relevant documents. Such papers shall be lodged with the Finance Officer two months prior to the due date of the final certificate or in exceptional circumstances a previously agreed period in order to allow a thorough review of their contents prior to the issue of the final certificate. In addition, all consultants' fee accounts that in total exceed £30,000 in value shall be forwarded to the Finance Officer for verification prior to the respective final payments being processed. A clause to this effect shall be inserted in the appropriate contract, bills of quantities, or specification.

8.17.5 Wherever works or services are let on a dayworks contract then every payment costing in excess of £100 shall be supported by daywork sheets. Such dayworks sheets shall contain adequate descriptions of the work carried out and the names of the operatives involved, together with details of the times during which the work was performed, the hourly rates applied and any plant or materials used. Daywork sheets shall be signed by the designated officer indicating that the amount claimed reasonably reflects the labour and materials content of the works executed.

8.18 Lead Borough Arrangements

8.18.1 Any contract let by a Lead Authority, in its capacity as administrator of an activity delegated by London Councils or any Sectoral joint or associated committee, as appropriate, shall be deemed to comply with these Financial Regulations so long as it is in compliance with the Financial Regulations and Standing Orders of that Lead Authority.

8.19 Corrupt Practices

8.19.1 Every written contract shall include the following clause:

“Any person firm or company engaged or appointed by London Councils ~~to~~ either provide services or execute works or supply goods or materials of any kind or nature whatsoever who shall give offer or allow either commission gratuity gift or benefit of any kind to any person in London Councils employ contrary to the provisions of the Public Bodies (Corrupt Practices) Act 1889 and the Prevention of Corruption Acts 1906 and 1916 (or any statutory amendment or re-enactment thereof for the time being in force) shall be liable to criminal prosecution and shall not be employed by London Councils or any of its committees in respect of any further works or services whatsoever”

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8.20 Claims from Contractors

8.20.1 Claims from contractors in respect of matters not clearly within the terms of any existing contract shall be referred by the Chief Executive to London Councils Legal Adviser for consideration of the Organisation's Association's legal liability and, where necessary, to the

Finance Officer for financial consideration before a settlement is reached. No payment will be made to a contractor without the specific approval of London Councils.

8.21 Bonds and Other Security

8.21.1 Every contract that exceeds £150,000 in value or amount and is for ~~the~~

~~the~~ execution of works or for the supply of goods or materials otherwise than at one time, shall require the contractor to provide sufficient security for the due performance thereof, except where the Divisional Director and Finance Officer consider this to be unnecessary.

8.21.2 Every contract for the demolition of premises shall require the contractor

to pay a deposit to the ~~Organisation Association~~ in a sum to be determined by the Service Head concerned unless he/she considers this to be unnecessary.

8.22 Use of Consultants

8.22.1 Consultants shall be engaged only where it is not feasible or cost effective to carry out the work in-house either by using existing staff or by employing new or permanent staff.

15 Write Offs

15.1 No debt, asset, or benefit due to London Councils, including Liquidated Damages, shall be written off without first obtaining the approval of the Finance Officer. The Chief Executive shall submit a list of such items to be written off, together with details of the reasons. The writing off of any such item valued in excess of £1,0500 must also be subject to the prior approval of London Councils or the relevant Sectoral joint or associated committee. Any report seeking such approval must detail the actions taken to recover these debts, assets or benefits.

15.2 The Chief Executive shall maintain a file for each debt to be written-off, containing relevant documentation to support the validity of the write-off. The file should also identify whether appropriate actions have been taken to recover or mitigate the loss.

21 Travelling and Subsistence Claims

21.1 Claims for travelling, subsistence and minor expenses other than those reimbursed via the ~~imprest accounts payroll system~~, are to be reimbursed ~~by cheque through the Organisation's creditor via the payroll~~ system. Each claim shall be promptly submitted to the Finance Officer for payment and shall be presented on an approved form clearly detailing the expenditure incurred, supported by receipts where applicable, dated, coded, signed by the claimant and counter-signed by the appropriate authorising officer. Claims with a total value of less than £50 (inclusive of VAT) may be met from ~~an imprest petty cash accounts~~.

- |
- 21.2 Every officer who receives a car loan or car allowance, whether casual or essential, must produce to the Chief Executive the registration document of the car, a valid and adequate certificate of insurance and an assurance to take all reasonable steps to maintain the car in an efficient and roadworthy condition. This is to take place on a yearly basis, but the Chief Executive shall be promptly informed of any subsequent changes to the above details.
 - 21.3 All car allowances are to be paid through the payroll system.
 - 21.4 The Chief Executive shall supply the Finance Officer with specimen signatures of all persons in the Organisation who are authorised to certify travelling and subsistence claims and the Finance Officer shall be notified of any changes as they occur.
 - 21.5 The certification by or on behalf of the Chief Executive shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred and all the requirements of the appropriate approved scheme have been observed.

DRAFT

London Councils' Transport & Environment Committee

London Local Air Quality Management Consultation – Overview of Proposals

Item no: 09

Report by:	Patrick Feehily	Job title:	Assistant Director – Environment, Greater London Authority
Date:	18 June 2015		
Contact Officer:	Elliot Treharne		
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Introduction

- 1.1 As outlined by Matthew Pencharz, the Mayor's Senior Environment and Energy Adviser at the March TEC, the Greater London Authority is planning to consult on proposals to establish a new statutory system for Local Air Quality Management (LAQM) in London, known as London Local Air Quality Management (LLAQM), to be operated by London's boroughs. This will replace the existing national LAQM currently managed by Defra.
- 1.2 The new LLAQM system is designed to:
 - Reflect the unique air pollution situation and challenges faced by London
 - Ensure a more co-ordinated and consistent approach to improving air quality across the capital, including ensuring better use of local authority planning and public health powers
 - Help ensure that local authority air quality responsibilities are clear, statutory and targeted
 - Help ensure that boroughs are complying with their European law and national statutory duties concerning air quality management
 - Create efficiencies by providing tools and templates for boroughs and by removing unnecessary bureaucracy.
- 1.3 A key priority is improving and enhancing the existing LAQM process while reducing the overall regulatory burden and cost to the London boroughs. This can be achieved by stopping unnecessary reporting where boroughs are fulfilling their statutory obligations or have met legal limits for pollutants (e.g. Benzene, 1,3 Butadiene and Lead, Carbon Monoxide) for a number of years and by providing stronger guidance and templates, which will reduce the amount of staff time needed to draw up proposals for action.
- 1.4 These 'saved' resources could then be refocused where they can have the greatest impact; delivering improvements on the ground to reduce emissions, concentrations and exposure to particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂) as well as to more generally raise awareness about air pollution.
- 1.5 We estimate that for those boroughs that are currently fulfilling their statutory duties there would be a small net reduction in officer time needed (equivalent to up to £148,000 over three years across the London boroughs) to deliver the new LAQM arrangements in London, which can be redirected to deliver more effective action to improve air quality. Boroughs will also be able to access additional financial resources through the Mayor's Air Quality Fund (MAQF) and Local Implementation Plan (LIPs) funding.
- 1.6 Separately to this LLAQM framework, the GLA will also look to deliver other efficiencies and savings where possible, such as through enhanced coordination of London's automatic monitoring network.

Proposed changes to London system

- 2.1 The proposed statutory changes are:
 - a. **Removal of reporting requirements for four pollutants where limit values have been consistently met**
- 2.2 In line with Defra's national proposals, 1,3 Butadiene, Benzene, Carbon Monoxide and Lead will be removed, for local authority reporting purposes, from the Air Quality (England) Regulations 2000 (as amended). Further details on this can be found in the [Defra consultation documents](#).

b. Role for local authorities in working towards reductions in PM_{2.5}

- 2.3 In line with Defra's national proposals, local authorities will be given a role to work towards reducing emissions of PM_{2.5} within statutory guidance. In doing so they will not be required, though they may choose, to carry out local monitoring and modelling, and will be invited to consider inclusion of PM_{2.5} in their AQMAs. Further details on this can be found in the [Defra consultation documents](#).

c. Streamlining of reports

- 2.4 In line with Defra's national proposals (but with some London-specific differences), the Local Air Quality Management reporting process will be streamlined. Under the current system progress reports are required annually and more detailed Updated Screening Assessments (USAs) are required every three years. Under the new system USAs will be abolished.
- 2.5 The proposed new annual report will, for the first time, include a plain English public-facing executive summary which boroughs should make available on their websites. The Mayor also intends to publish these summaries on the GLA website.
- 2.6 The draft templates for these new reports will be available with the consultation documents.

d. Air Quality Management Areas

- 2.7 The statutory process to create or revoke Air Quality Management Areas (AQMA) will not change. In accordance with current practice, any declarations of an AQMA should be sent to the GLA for consideration. However, there are some changes to the way in which local authorities will be required to review and assess their existing AQMAs.
- 2.8 As USAs are being removed, the historic mechanism for ensuring that AQMAs are still valid will no longer be in place. In order to address this, but still ensure that burdens on boroughs are kept to a minimum, boroughs will be required to undertake a desktop assessment of AQMAs every four years. The majority of the information required for this will be provided by the GLA via the London Atmospheric Emissions Inventory (LAEI) air quality modeling, and Defra via their air pollution maps, so the burden on local authorities will be minimal. Boroughs will also need to use local automatic and diffusion tube monitoring data to assess their AQMAs, in addition to any other resources they may have available, such as air quality modeling undertaken for other purposes.

e. Requirement to consider and report on air quality focus areas

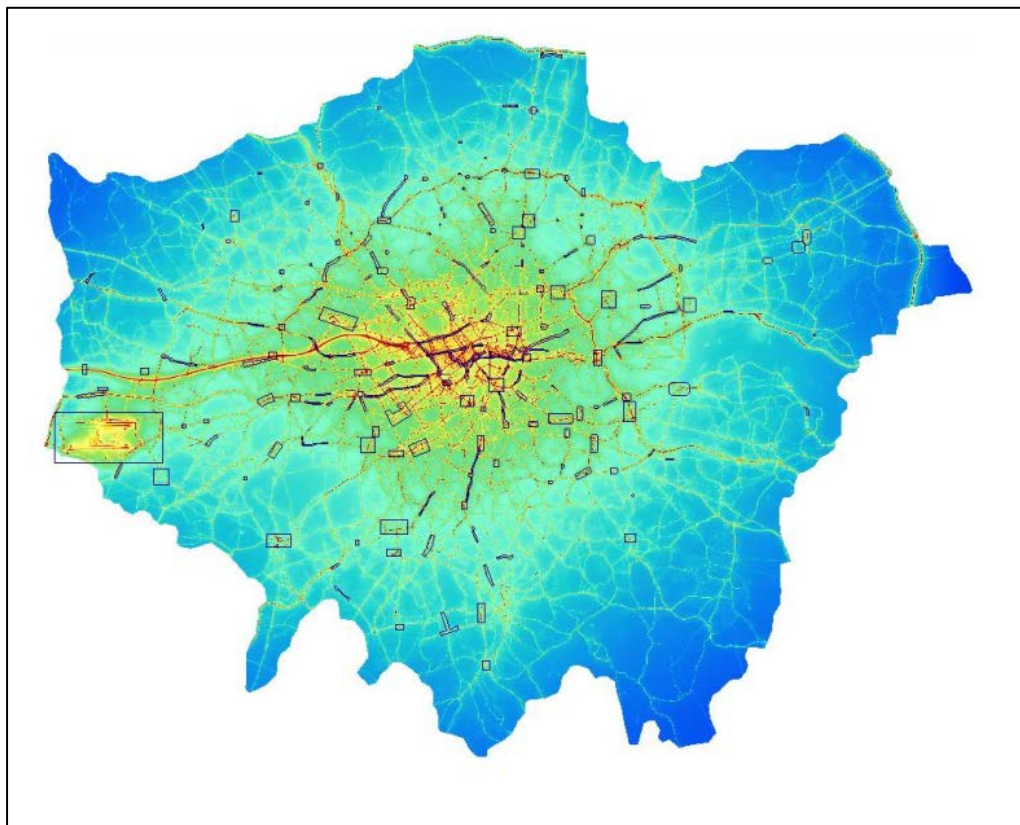
- 2.9 As AQMAs are so large, often covering the whole of London boroughs, they do not necessarily help to target action in the most problematic areas, see map in Figure 1. Boroughs will therefore be required to consider the GLA Air Quality Focus Areas when developing and annually reviewing their Air Quality Action Plans, and should concentrate action and project delivery in these areas as far as is practicable.
- 2.10 In addition to using the GLA Focus Areas, see map in Figure 2, boroughs may also identify their own local priority areas as "Local Focus Areas", based on levels of pollution and human exposure.
- 2.11 Local Focus Areas may include, for example, a polluted area which hosts a number of sensitive receptors such as schools and hospitals that the borough wishes to focus on.

- 2.12 Boroughs should advise the GLA of any plans to designate a Local Focus Area, and the GLA can potentially assist with ongoing modelling and assessment of areas through the LAEI. Focus Areas are designed to be local tools to help boroughs deliver action, but not to create additional bureaucracy. Boroughs will therefore not be subject to any restrictions or requirements regarding designation of these areas.

Figure 1 Map of Air Quality Management Areas (AQMA's represented in orange)



Figure 2. Map of GLA Air Quality Focus Areas



f. Action Planning

- 2.13 Boroughs with a declared AQMA are required to have an Air Quality Action Plan (AQAPs). Under LLAQM boroughs will be expected to update their AQAPs every four years as a minimum. AQAPs are subject to public and stakeholder consultation and are subject to consideration by the Mayor before they can be adopted.
- 2.14 There are a number of proposed improvements to the way that boroughs undertake air quality action planning within the proposed LLAQM Framework. The two major improvements proposed are:

- The GLA will provide a template for Air Quality Action Plans. This should significantly reduce the administrative burden on boroughs, especially when combined with the additional modelling, maps and other data that will be provided through the LAEI.

The draft Air Quality Action Plan Template will be available with the consultation documents. Boroughs will be expected to use this template as a basis for all future Air Quality Action Plans, however, this template can be used flexibly. Boroughs will be free to add additional sections, and are encouraged to include images and any additional local context.

- The GLA will provide an Air Quality Action Matrix (a draft of this will be included with the consultation documents), which assesses and prioritises a range of actions that boroughs can take to improve local air quality. Boroughs will be expected to use this Matrix when developing new Air Quality Action Plans but will not be obliged to deliver any specific actions at this time. However, they will be required to submit to the GLA a table which details all the actions from the Action Matrix which have not been selected for inclusion in their AQAP, along with a brief summary of how each action was considered and why it was discounted. This table will be required from boroughs in order for the GLA to consider the final AQAP. Before submitting

the table to the GLA it should be placed on the borough's website for consultation and submitted responses from the public and stakeholders copied to the GLA.

- 2.15 In addition to providing the template Action Plan, and the Action Matrix, which will be regularly reviewed, the Mayor has listened to feedback from boroughs about what would be most helpful in terms of co-ordinating regional action. The GLA will therefore commit to compiling a compendium of new/innovative/successful actions that have been taken by London's boroughs, and will circulate this to all 33 to help share, recognise and support best practice across London.

g. Planning

- 2.16 Construction is responsible for 15% of PM and 12% of NO_x in London. In 2014 the Mayor published his Sustainable Design and Construction and his Control of Dust and Emissions from Construction Supplementary Planning Guidance documents, which are enforceable at the borough-level.
- 2.17 In September 2015 the Mayor will launch the Non Road Mobile Machinery (NRMM) Low Emission Zone, which will set emissions limits for construction machinery in Central London and Canary Wharf from September 2015, and then across London from 2020. The GLA will provide materials and training to support the enforcement of this.
- 2.18 As part of their duties under LLAQM boroughs will be required to enforce the requirements of the NRMM Low Emission Zone, as well as enforcing the policies within the two supplementary planning guidance documents for major developments. Boroughs will be asked to report annually on their delivery of these.

h. Accountability and Responsibility

- 2.19 We have received feedback from many stakeholders that there is often a lack of engagement and joint working between the various local authority departments that can impact on air quality. For effective action it is crucial that there is engagement and understanding between relevant departments. It is particularly important for Directors of Public Health (DsPHs) and Heads of Transport to take responsibility and ownership (alongside the dedicated air quality team) for air quality in the borough. In order to help facilitate this we propose the following:
- DsPHs be required to formally sign off Annual Status Reports, and Air Quality Action Plans
 - Heads of Transport be required to formally sign off Air Quality Action Plans.

i. Monitoring

- 2.20 Maintenance of the current automatic and diffusion tube monitoring network is vital in order to be able to continue to assess air pollution levels, the impact of current and future initiatives to reduce pollution, and wider trends in concentrations.
- 2.21 The strategic monitoring network is crucial in terms of our understanding of pollution; assessing the impact of interventions to reduce emissions; and raising awareness. It is therefore extremely important that local authorities ensure the maintenance of existing monitoring networks. It is also important to ensure that where possible the network will be fit to expand to accommodate future needs; such as a pan-London PM_{2.5} monitoring network.
- 2.22 To safeguard existing monitoring, boroughs will be required to formally consult with the Greater London Authority in writing about any proposals to remove, move or add

automatic NO₂ or PM monitoring stations, giving at least 4 months' notice of any proposed changes. Where possible, new monitors should be sited in line with requirements set out in the EU Ambient Air Quality Directive and associated regulations.

- 2.23 Separately from the LLAQM review we are exploring whether there are any opportunities to deliver improvements in monitoring for boroughs through increased central co-ordination of procurement or boroughs using a standard contract. Economies of scale could also mean that the same (or an improved) network could be delivered at a lower annual cost to boroughs. An impact assessment exploring various options will be published separately later in the year, and further consultation will be undertaken with all stakeholders before any plans are finalised.

j. Cleaner Air Borough Status

- 2.24 Within their new annual air quality reports, boroughs will be required to briefly report on their progress against the six Cleaner Air Borough (CAB) Criteria.
- 2.25 The GLA will undertake an annual review of the CAB status of each borough, which will be able to retain their CAB status if they:
- Have demonstrated significant action against all six of the CAB criteria.
 - Are in fulfilment of all of their statutory duties and have provided any other information reasonably requested by the GLA (such as the details of industrial processes for the LAEI).
- 2.26 It is suggested that the GLA will annually submit a report on local authority action on air quality to London Councils' Transport and Environment Committee. This will be an opportunity to highlight any areas of concern and under-performance, particularly with regards to statutory reporting, as well as being an opportunity to highlight best practice across London.

Timeline

- 3.1 To implement the new LLAQM Framework we aim to follow the process outlined in the timeline below.

Action	Date
Launch of 8 week consultation	June 2015 (TBC)
Close of consultation	August 2015 (TBC)
Publication of summary of consultation responses and final proposal	September/October 2015
Circulation of draft LLAQM Technical and Policy Guidance to boroughs for informal comments	September/October 2015
Publication of final Technical and Policy Guidance and formal launch of LLAQM	December 2015
First ASRs under LLAQM to be submitted by Boroughs	April 2016

Next steps

- 4.1 The consultation will launch in mid-June and we hope that all boroughs will respond to show your support for any elements that you feel will be particularly useful, and to make any suggestions for additions or improvements. We want this to be as collaborative a process as possible so that we jointly develop a robust and useful LAQM system for London.

London Councils' Transport & Environment Committee

How Local Authorities can help Schools Run on Sun-Report of London and South East England Roundtable

Item no: 10

Report by: Friends of the Earth **Job title:**

Date: 18 June 2015

Contact Officer: Quentin Given, Major Campaigns Co-ordinator, Friends of the Earth

Telephone: **Email:** Quentin.given@foe.co.uk

Summary:

The aims of the roundtable were to:

1. showcase good practice;
2. look at problems and solutions;
3. consider how to promote more widely.

Summary of Key Findings from the Roundtable:

- Solar projects make good economic sense
- There are multiple potential benefits
- Building relationships is key
- It pays to develop a strategic approach to your assets
- Local Authority and community energy partnerships can be winners
- Building capacity and expertise in Local Authorities is worthwhile
- Grid connection is an issue and not likely to go away
- The rules around procurement are unclear

Recommendations: Members are asked to note and discuss the report and presentation

Briefing

How Local Authorities can help Schools Run on Sun

Report of London and South East England Roundtable, September 2014

Friends of the Earth's [Schools Run on Sun](#) campaign was launched in the summer of 2014. The campaign aims to make it easy for schools to run on solar power.

Local Authorities have a key role to play in realising this ambition:

- top tier authorities are Local Education Authorities (LEA's) who maintain over 17,000 schools across England;
- many authorities at all levels are working on programmes to save energy, support community-owned renewable power and tackle climate change.

The picture remains patchy however and good practice in one area is not necessarily being adopted by neighbouring authorities who could benefit.

A recent sample of 49 LEAs revealed that they are spending £76 million a year on electricity for their schools. Kent alone spends £8.4 million and the London Borough of Barnet £2.4 million. Much of this cost could be eliminated; a school can save up to [£8000 a year](#) by installing solar pv - money that could be spent on books, kit or activities. Yet our best estimate is that to date only 1500 schools across the UK have solar power installed on their premises.

We want to see current Local Authority best practice more widely adopted and get more schools to Run on Sun. To this end we are organising a series of conferences and roundtables around England. The first of these was held in London on 19th September 2014.

For more than 40 years we've seen that the wellbeing of people and planet go hand in hand – and it's been the inspiration for our campaigns. Together with thousands of people like you we've secured safer food and water, defended wildlife and natural habitats, championed the move to clean energy and acted to keep our climate stable. Be a Friend of the Earth – see things differently.

The aims of the roundtable were to:

showcase good practice;

look at problems and solutions;

consider how to promote more widely.

Participants came from a diverse range of Local Authorities including the London Borough of Merton, East Sussex County Council and Southampton City Council. Also in attendance were representatives from community energy organisations from London, Oxford and Surrey and funders of solar installations. There is a full list of participants at Appendix 1.

Our thanks are due to all participants for their valuable contributions, whether as presenters or enthusiastic partakers of the conversation. This report is our distillation of what was said rather than a verbatim account; a fuller version is available on request. We have checked back with participants to ensure accuracy but any errors of interpretation are ours. Further feedback from reader is very welcome; we don't pretend even to have asked all the questions let alone found all the answers.

Summary of Key Findings from the Roundtable

SOLAR PROJECTS MAKE GOOD ECONOMIC SENSE

* Changes to the Feed-in Tarriff (FiT) have had some impact but the cost of pv technology has come down so rapidly that well planned projects still pay for themselves and generate financial and other benefits

THERE ARE MULTIPLE POTENTIAL BENEFITS

* Local authorities can get income from FiT or electricity export

* Schools can save with cheaper electricity or reduced consumption

* Shareholders can get competitive returns on their investment

* Wider benefits can include education, local employment and skills, building capacity and confidence in the community

* However it is unlikely that any one body will be able to deliver all of these so suitable partners are needed to make the most of the opportunities

BUILDING RELATIONSHIPS IS KEY

* Whether you are a Local Authority or a Community Energy Provider, you have to invest time in building your case and persuading the right people to work with you on projects

* Governors hold the power to make decisions on installations on school premises. It is unwise to make significant investment in a school project until the governors have signed an agreement

- * Schools get bombarded with offers from people they do not necessarily trust and some even have "solar fatigue" so trusted advocates and personal approaches are needed
- * For projects that need planning permission you need to work on getting political support

IT PAYS TO DEVELOP A STRATEGIC APPROACH TO YOUR ASSETS

- * Piecemeal installations on smaller sites are less rewarding
- * Better to have a portfolio of potential sites so you can manage your timetable of installations for the best returns and always have projects waiting their turn if needed
- * Don't just go for the quickest returns. You can bundle solar and other energy projects into an affordable package such that the easier and more profitable projects enable some more difficult ones. This is one way that Local Authority and community energy schemes score; commercial installers would not usually do this
- * There are economies of scale from being able to spread legal, financial and procurement costs across a larger range of sites. But at any scale the actual installation is by far the biggest proportion of the cost
- * Income from solar schemes can be re-invested in more projects or energy-saving work more generally

LOCAL AUTHORITY AND COMMUNITY ENERGY PARTNERSHIPS CAN BE WINNERS

- * Neither partner on their own can realise the full range of benefits from pv on schools
- * Working in partnership can give you more flexibility but it is important that schools and others are getting a clear and consistent message

BUILDING CAPACITY AND EXPERTISE IN LOCAL AUTHORITIES IS WORTHWHILE

- * Installing solar across a portfolio of buildings requires a complex mix of skills: legal, financial, procurement, project management, relationship management. Once this knowledge and experience has been gained it is an asset that enables the authority to manage projects across their own estate and a range of public and private bodies as well.
- * Schools that have moved or might move to being academies need different treatment and watertight legal agreements to ensure the Local Authority's investment is protected.

But the main barrier to installing on Academies may be political

GRID CONNECTION IS AN ISSUE AND NOT LIKELY TO GO AWAY

- * There is a clear mis-match between the amount of community-owned solar power envisaged by the Department of Energy and Climate Change and that actually being planned for by local grid operators

THE RULES AROUND PROCUREMENT ARE UNCLEAR

- * Local Authorities have different experiences and approaches

Funding and Finance

The key point to come out of the conversation was that investment in solar pv makes good economic sense for councils, schools and communities. Although FiT rates have come down so has the cost of solar installation so well-designed schemes pay for themselves and generate a surplus. We heard from more than one council that “We have capital to invest – it's the revenue budget that's the issue for councils, not capital”.

FiT income is guaranteed for 20 years so it underwrites loans: described by one of our contributors as a “no brainer”.

Both Southampton and Merton told us that energy costs from their schools are rising (while coming down for other council and public buildings) because of rising pupil numbers and more intensive use of IT.

In Southampton pv installations carried out in 2011-12 are now yielding 12% return, and funding three jobs. The City Council are now looking to install on as many as possible of the city's 15,000 social housing units, from which they project a total of £3.5m surplus by 2025.

"The pv installations we carried out in 2011-12 are now yielding 12% return and funding three jobs"

Southampton City Council

Waltham Forest were one of the LA's setting up revolving funds to invest surpluses in energy efficiency and solar on more corporate buildings. For this programme they can borrow from the Public Works Loan Board at 4%, with a 12-13 year payback.

A question was raised as to whether anyone is looking into investing **LA pension funds**? Lancashire made a small pioneer investment of £9-£10m in Westmill community solar and wind farm. As far as we knew no-one else has yet done anything like this; decisions on pension fund investment rest with Chief Executives or Heads of Finance. Southampton and Merton had looked into it; investment would have to be at scale, the best return would be from solar farms [NB this discussion took place before the coalition government effectively froze large scale solar developments]. Wey Valley solar considered that smaller projects could be aggregated to make them attractive to pension fund managers.

Oxford City Council have now committed to direct divestment from fossil fuels so a possible space has opened up, but they are not ready to take that step yet.

Pure Leapfrog are talking to pension funds – they want to invest in local pv but are looking for £30m minimum to enable divestment from fossil fuels. Could local authorities combine to offer this?

Pure Leapfrog and CSE will be running the **Urban Communities Renewable Fund**. This will offer some cash for local authorities to partner community groups in getting new schemes underway. It is due to launch in November.

Investment Models

There were several variants around the table of ways to finance and fund solar installations on schools. Some councils expressed a strong preference for maintaining as much control as possible by owning and installing pv themselves where they could. This was seen as a route that maximized returns and lowered risk. Others were using “Rent a Roof” models where the benefits are shared between the LA and/or an installer (who may be a third party) who get the FiT while the school benefits from reduced electricity use or a contract at lower price.

In Oxford the council wants to see solar installed on schools in the city but does not have sufficient funds to do this itself, so it sees community investment as the best route. Both

" We are trying to create a new culture of investment. Our solar school schemes are small but the social benefits are big"

10:10

County and City councils are supporting Oxford Low Carbon Hub as the body to manage installations and secure funding through community share offers. Shareholders get interest at 5% from FiTs and export tariff, which with EIS is worth 8%. Schools can buy the electricity generated at 7.5p/kWh – the usual rate being 10p - and one third goes to the organisation to invest in further community energy schemes, particularly focusing on fuel poverty.

Wey Valley Solar's share offer raised £750k from the public in 40 days. They project that their projects will deliver £1m of income to the schools over the lifetime of the arrays from an initial £600k investment by the public. They pay 5% to investors, most of whom are local.

A question that provoked lively discussion was whether to go for **small crowd-funded or big direct investment?** Could 10:10's crowd-funded donations approach be supplemented by councils being able to invest in schemes to get better returns? This way you could get engagement but also the biggest installation. Energy 4 All reported having worked with 10:10 on a school that raised £16k, they invested in E4All who expanded to a 50kWp scheme through a share offer, so considered they got the best of engagement and maximising the array.

10:10's view was that crowd funding for a school can build social capital; it gives communities confidence. The schemes are small but the social benefits big. They told us they are trying through their projects to cultivate a new culture of investment.

Camden said their priority is to use their own solar assets (maintained schools) for carbon reduction and council investment. They felt that local community investment schemes, while a laudable model amongst the roof-rental

"Inner-city communities are willing to invest, and community-owned models are good for work experience and green skills"

Repowering London

sector, would only appeal to an LA or school without the intention or ability to invest themselves, and opens up risks to assets.

Many local authorities have a policy against borrowing; this varies depending on their financial position and political decisions. The costs of finance are not that different for LA and community groups: the view around the table was to "go for whatever works".

Repowering London thought that we should look for the opportunity to engage young people around schools on energy efficiency. Even inner-city communities are willing to invest, and community-owned models can be good for work experience and green skills. People invest for many reasons. **Community groups** can be more flexible in procurement, and Repowering London's experience had been that going back to bidders has led to both a lower bid and a better social benefit. The bidders had to specify, for example, how local people would gain skills.

Merton said they were looking into crowd funding and believe they have quite a few suitable buildings they could do this for.

East Sussex reported that they were working with 5 or 6 community energy groups to strengthen them.

When working with **community partners** it's important that schools get clear and consistent message. There is a risk of confusion if the LA and the community partner give different messages. There are also potential conflicts of interest, around who gets the FiT for example.

Does a **community share-offer** only work in more affluent areas? In reality most school catchment areas are mixed. 10:10 saw no clear correlation between affluence of an area and its fundraising ability. You can cultivate a new audience for investment, or look at mixed models.

Wey Valley Solar found the investors were the grandparent generation and is not inherently local. But even in a deprived area there is local investment. All schools but one have fundraised and become shareholders themselves.

Scale

Oxford LCH and Wey Valley Solar both recommend installing at the largest scale they can; this means arrays of 100 – 150 kWp capacity. Oxford LCH considered that for their purposes schemes below 15kWp don't add up; in these cases they refer on to 10:10 Solar Schools, they view crowd-funding as a good alternative to investor funding at this level. They have 18 school installations underway or completed this year funded by a share offer of £1.5m, and hope to complete another 25 next year. There are probably about 200 schools of suitable size in Oxfordshire, but not all will prove suitable for pv installation owing to structural or grid connection issues

In East Sussex most installations have been small scale but they are now looking for bigger scale, and trying to do an assessment of all schools' capacity; they believe there is big potential.

Waltham Forest advocated getting clusters of schools to bid together. Of 50 schools surveyed in the Borough however they had found only 11 to be suitable for pv installation.

Packaging and Cross-subsidy

Southampton pointed out that Salix funds can't be invested in solar panels by themselves. But Salix can be used for packages of measures that includes pv. A Salix loan is at 0% so should definitely be used where it can!

Salix will only support energy measures up to a certain payback time. This was cited as another reason to develop packages. For example LED lighting pays back very quickly so could be one element in a schools or public building package to enable the longer term paybacks such as pv. Finance managers need to be won over by showing the whole package with early wins.

Oxford Low Carbon Hub reported that of their 18 schools two-thirds are loss-making but the bigger six are profitable, so they are cross-financing to an extent. Of Wey Valley Solar's seven schools' pv projects, one was loss-making but the others made up for it. We wouldn't expect to see a commercial company doing this, and nor can anyone if big companies grab the best schools.

"We take an overview of the whole estate, trying to optimise at the point of installation, rather than have a piecemeal approach"

London Borough of Merton

Merton told us they have surveyed more school buildings than can be delivered in any one phase, so if some turn out to be unsuitable (due to asbestos for example) they can go ahead with other buildings. They take an overview of the whole estate, trying to optimise at the point of installation, rather than take piecemeal approach only to have to revisit the same site later.

Building Local Authority capacity and expertise

East Sussex provide an energy management service to schools covering procurement of electricity and gas, energy efficiency, and renewables. This service includes provision of pv so schools can get a good deal.

Merton also provide a service. If a school wants to buy pv themselves the LA manages procurement and delivery so they get assurance and good value contract. Their experience is that schools tend to only want to pay for small schemes, so are often happy to let the council take over a project so they get a bigger array.

" We are now on 4th round of solar installations and have procurement and project management experience"

London Borough of Merton

Merton, like many local authorities, no longer has council-controlled housing, it has all been transferred to **housing associations**. The associations have money to invest but not the expertise so the LA could offer a scheme where the housing association pays and the LA delivers. They told us that they are now on the fourth round of solar installations and have procurement and

project management experience. They are looking for economies of scale. Merton also offers the chance to offset carbon emissions through “**allowable solutions**” (if developers can't easily meet the required CO₂ reductions through renewables installations on site) by investing in schemes on the public estate. This means they need to have schemes on the shelf and ready to go when opportunities arise.

Relationships with Schools

East Sussex County Council told us that “Getting buy-in from schools is often the most time-consuming part – finding the right person. Building relationships is key” and Oxford Low

“Getting buy-in from schools is often the most time-consuming part – finding the right person. Building relationships is key”

East Sussex County Council

Carbon Hub felt that “Building a good relationship with the school is critical. Sometimes we have persuaded head teachers but then been turned down by chair of governors. Our advice is not to spend money before the governors have signed up”.

They advise that “Cold calling is a waste of time, schools get lots of spam emails, don't have much money or time, and are relatively risk averse”.

A common concern of LA participants around the table was the risk of schools' leaving LEA control and becoming **academies**. Watertight legal agreements are

needed to cover this risk. Merton told us that their legal document has to be signed by heads and governors. The agreement covers:

- Site access, maintenance and monitoring,
- The right for the council to enter into a Power Purchase Agreement with the school
- Three routes out of the current arrangement: becoming a legally binding roof lease, purchasing the system off the council, or relocating the system

Southampton City Council told us that they have installed on 2 academies as well as their own schools. They get the FiT from these, the schools get free electricity. As with Merton, they have developed a legal framework for schools that leave the LEA to become academies.

Most secondary schools are now academies. Merton has installed pv on a school that then transferred to academy status. They thought it was good to go for secondaries because they have bigger roofs, but if they go into a PFI contract it becomes very complex to negotiate.

Councils would be expected to favour LEA schools over academies politically; “why not do your own first?” A Labour council might be reluctant to spend on an academy, but this has also been seen in a Conservative Authority in the recent past.

“Our solar projects all engage the schools who become investors themselves”

Wey Valley Solar

Many schools have outsourced maintenance to Carillion or Capita. This can create complex barriers. Some

schools have existing metering contracts so it can be hard or expensive to install proper export meters.

Oxford LCH stressed that they didn't want to be about "just installing pv and leaving it at that", but they also recognise that their expertise lies in funding and installation. They are working with partners to realise the educational and other benefits.

Wey Valley Solar's projects all engage the schools who become investors themselves. They work in partnership, whenever possible involving the local community and children. One school had a Run for the Sun with 1500 schoolchildren doing a sponsored run (the alternative was an extra homework session!) It raised £10k for the energy co-op - one generation of pupils raising money to benefit the next.

DNO / grid access problems,

Many participants had experienced problems with grid access and negotiations with DNOs. Oxford LCH for example were quoted £.5 m to connect a £.25m system. They are looking to develop smart grid solutions.

Aylesbury Vale were aware that solar farms are "mopping up" all the spare grid capacity so it will be harder for schools in future.

Hampshire design arrays to match best FiT rate and baseload of building to minimise actual export to grid, while still being paid for 50% deemed export.

Energy for London told us that there is a Mayoral **decentralised energy target** of 25% by 2025; so far they have got only 5% and the grid is at breakpoint from lack of power rather than too much. They consider they will need more CHP and District Heating to reach the 25% target, but will need solar too. Potential shortfall is a big issue; there are £millions at risk in London from even a short power outage. This gives London a big incentive to develop low carbon and decentralised energy.

Although the mayor does not see pv as a game-changer, Energy for London believe the Mayor, boroughs and community groups all have a big role to play.

***"We believe the Mayor,
boroughs and
community groups all
have a big role to play"***

Energy for London

Energy for London raised an alert that DNOs are now negotiating RIIO-ED1, the charging framework for the next 7 years. They include an estimate of distributed solar energy but it is much less than the 20GW envisaged in the DECC strategy. In other words, unless this is changed there won't be grid capacity for the expansion of solar we want to see. The National Grid held a scenario workshop on this a couple of months ago and projections for solar were very low.

Procurement rules

It was clear that there was a divergence in opinions around the table as to what procurement rules did and did not allow. Camden understood that even if pv installations are not purchased or owned by the school they are still an economic opportunity so public sector EU procurement rules will apply.

Oxford LCH says that smaller school arrays fall below the procurement threshold for OJEU.

Hampshire's approach is that if they were tendering for rent-a-roof schemes across a portfolio of buildings, they'd need to go through procurement rules. They couldn't just go with one installer without a competitive tender process.

Friends of the Earth have asked DfE to clarify the rules. DfE needs to look at it in more detail, to be clear which models might be problematic.

APPENDIX - LIST OF PARTICIPANTS

London boroughs	
Chloe McLaren Webb	London Borough of Greenwich
Damian Hemmings	London Borough of Merton
Gabriel Berry-Khan	London Borough of Camden
John Buick	London Borough of Merton
Juliet Nicholas	London Borough of Islington
Louise McNamara	London Borough of Hammersmith & Fulham
Nimish Shah	London Borough of Waltham Forest
Oliver Walton	London Borough of Kingston
South East authorities	
Andy Arnold	East Sussex County Council
Edward Barlow	Buckinghamshire County council
Ian Davies	Southampton City Council
Luciana Almeida	Essex County Council
Paul Roebuck	Hampshire County Council
Ruth O'Brien	West Sussex County Council
Steve Hall	Hampshire County Council
Toby Donhou	East Sussex County Council
Other practitioners	
Adam Marvel	Pure Leapfrog

Afsheen Rashid	Repowering London
Amy Cameron	10:10
Anthony Simpson	Oxford Low Carbon Hub
George Raszka	London Assembly Green Party group
Mike Smyth	Wey Valley Solar/Schools Energy Co-op
Syed Ahmed	Energy for London
Friends of the Earth	
Alasdair Cameron (by Lync)	Renewables campaigner
Andrew Pendleton	Head of campaigns
Anna Watson (by Lync)	Senior campaigner
Brenda Pollack	Regional Campaigner, SE England
Jenny Bates	Regional Campaigner, London
Mike Birkin	Regional campaigner, South West
Quentin Given	Campaign coordinator
Ted Burke	Campaign Assistant

GLOSSARY

Allowable Solutions: zero carbon standards will be mandatory on new homes from 2016`. Where carbon emissions cannot be cost-effectively mitigated on-site developers will be allowed to adopt other measures – “allowable solutions” - on other nearby or remote sites

Crowd Funding: sourcing capital or equity from a large number of individual investors, usually through an internet-based crowdfunding platform. We distinguish in this report between **community share offers**, which offer an annual rate of return to investors in a solar or other energy project, and other forms of crowdfunding where an investor does not necessarily expect such returns

DNO - Distribution Network Operator: a company licenced by the Electricity Market Regulator, OFGEM, to distribute energy from the high voltage grid to local homes and businesses

EIS - Enterprise Investment Scheme: a Government scheme where investors are entitled to claim back tax on part of their investment. Community energy schemes presently qualify for EIS relief but this is under review by the Treasury

FiT - Feed-in Tariff: additional payment, above the sale value of the electricity itself, for electricity generated from small scale renewable installations. Payments are guaranteed but the actual value of the FiT depends on the technology used, the size of the installation and the FiT rate that was in place at the date of installation.

kWp – Kilowatt peak: the peak generation of a solar array, used as a measure of its size. The actual annual output from an array will depend on its situation and the amount of sunshine over the course of a year.

LED - Light Emitting Diode: an increasingly versatile lighting technology that allows significant savings in maintenance and electricity consumption costs across a wide range of applications, in comparison with incandescent or fluorescent lighting.

OJEU - Official Journal of the European Union: under EU procurement rules contracts let by public bodies over a certain value must be open to tender by any business in the EU that meets the selection criteria, and advertised in the Official Journal

Power Purchase Agreement (PPA): an agreement between two parties one of whom is generating and selling electricity and the other purchasing.

pv – photovoltaic (cells): the technology for converting sunlight into electricity, the basis of solar panels or arrays

RIIO-ED1: a price control framework under which the Electricity Market Regulator, OFGEM, sets the outputs that the 14 electricity Distribution Network Operators (DNOs) need to deliver for their consumers and the associated revenues they are allowed to collect for the eight-year period from 1 April 2015 to 31 March 2023.

Salix: Salix finance is a not for profit company funded by the Department of Energy and Climate Change. Interest free loans are offered to public sector bodies aiming to improve energy efficiency in public sector buildings.

London Councils' Transport & Environment Committee

Chair's Report

Item no: 11

Report by: Katharina Winbeck **Job title:** Head of Transport and Environment
Date: 18 June 2015
Contact Officer: Katharina Winbeck
Telephone: 020 7934 9945 **Email:** Katharina.winbeck@londoncouncils.gov.uk

Summary This report updates Members on transport and environment policy since the last TEC meeting on 19 March 2015 and provides a forward look until the next TEC meeting on 15 October 2015.

Recommendations Members to note this report.

Update included in this report:

Transport

Meeting between TEC and TfL Commissioner
Office of Low Emission Vehicles 'Go Ultra Low City scheme' joint bid with GLA and TfL
Crossrail 2
London Assembly Investigation on Rail Devolution
TfL consultation on changes to night bus services
TfL statement on taxi and private hire matters
Consultation on builders skips PCNs

Environment

Meeting with CELC lead for the Environment
Meeting with Dan Rogerson, then Parliamentary Under-Secretary of State for Water, Forestry, Resource Management and Rural Affairs
Article in Cllr magazine on Green Infrastructure and Parks
Green Infrastructure Task Force
Recycling Guarantee
National Park City

Forward Look

Introduction

1. This report updates Members on London Councils' work on transport and environment policy since the last TEC meeting on 19 March 2015 and provides a forward look until 15 October 2015.

Transport

Meeting between TEC and TfL Commissioner

2. Items discussed at the meeting included the results of TfL's borough engagement survey, which had improved on last year but had still raised some points of improvement for TfL.
3. TfL confirmed their Freight Strategy could only be achieved in collaboration with boroughs and that re-timing deliveries in particular would only work in some areas, with certain types of business. The operation of the London Safer Lorry Scheme was also discussed.
4. We noted the general election result and new government and that TfL's budget was likely to be affected by Department for Transport spending cuts.
5. London's taxi industry, Door to Door services and Source London were also discussed.
6. Sir Peter Hendy will be writing to all borough Leaders and Chief Executives to highlight that the night bus consultation has been launched and that the introduction of the night tube necessitates a review of the placement of taxi ranks. Boroughs will be asked to consider how they can facilitate taxi ranks provision close to stations which will have the night tube that may not currently have taxi ranks. Members expressed that doing this by September 2015 would be challenging.

Office for Low Emission Vehicles 'Go Ultra Low City scheme' joint bid between London Councils, GLA and TfL

7. At the TEC meeting in March 2015, I reported that London Councils officers had been working with officers from 22 interested boroughs, TfL and the GLA to submit a screening bid for the Office for Low Emission Vehicles (OLEV) Go Ultra Low City Scheme. On 11 March 2015, London was announced as one of 12 cities invited to prepare full bids, from which 2-4 cities will be chosen to share £35,000,000 to significantly increase the uptake of Ultra Low Emissions Vehicles.
8. The screening bid proposed that London's full bid would include at least 8 low emission 'Neighbourhoods of the Future', a fund to deliver innovative solutions to tackle the challenges of providing residential charging infrastructure in areas with on-street parking, the retrofitting of car club bays and a network of rapid charging points for fleet and/or freight vehicles.
9. A working group of borough officers, along with TfL and the GLA has been established to help develop the full bid. It is considering how the proposed elements of the bid may be delivered.
10. The deadline for submitting the full bid is 31 August 2015, although OLEV has indicated that it may choose to extend this by around 2 weeks. It is proposed that the emerging bid will be discussed in more detail at the TEC Executive meeting on 16 July 2015 and then should be considered for sign off on behalf of London Councils by the chair and vice-chairs of TEC in August.
11. More detail on the process, currently participating authorities and potential content of the bid can be found at Appendix I, which is a briefing note for the working group of borough officers.

Crossrail 2

12. Whilst Crossrail 2 is part of the Infrastructure portfolio, members of TEC will be interested in its progress.
13. On 12 May 2015 the Executive received a report which set out modelling for a series of financial mechanisms that could be used to fund Crossrail 2. These are based on international experience and include a payroll tax, employer sponsored transit, and a hotel or tourism tax. This comes at a time when ever-tightened public finances mean London could be asked by government to contribute a higher proportion than half of the cost of Crossrail 2. By way of comparison, London is contributing approximately 60 per cent of the cost of Crossrail.
14. Support for Crossrail 2 was set out in the Conservative Party manifesto, and so it is anticipated that the project will continue.
15. TfL is currently working on the business case to Treasury to make the case for funding the necessary legal and parliamentary steps to gain the powers to build the new railway.

London Assembly Investigation on Rail Devolution

16. London Councils and interested boroughs have been invited to participate in a London Assembly investigation into London's rail services. The Assembly plans to primarily focus on the Mayor and TfL's proposals for devolution of rail services and how rail governance could be reformed. This will include asking how and whether TfL is going to renew its proposal for devolving the South Eastern franchise ahead of its expiration in 2018.
17. London Councils will be participating in the investigation and will be attending a meeting with London Assembly Transport Committee members on 26 June 2015 to present London Councils' position and concerns. In particular, I will focus on the impact of devolution to TfL on Freedom Pass usage and costs. At present the GLA Act 1999 requires the Freedom Pass to operate on services provided by TfL and so devolution to TfL of services to stations outside of London would increase journey options for passengers and also the potential cost.
18. I will also be making the case for boroughs to be offered the chance to get much more involved in the franchising process. This follows research on the views of boroughs on rail services in their areas in 2014, which indicated that they felt a lack of any real commitment from DfT to involve boroughs in decision making. If the Assembly agrees then this could become part of its recommendations for devolution and reform of rail governance in London.

TfL Consultation on Changes to Night Bus Services

19. From the early hours of 12 September 2015, the following sections of the Tube will be open throughout Friday and Saturday nights:
 - The Central line between Ealing Broadway and Hainault / Loughton.
 - The entire Jubilee line.
 - The Northern line, except the Bank and Mill Hill East branches.
 - The Piccadilly line, between Cockfosters and Heathrow Terminal 5 but with no service on the Terminal 4 loop, or between Acton Town and Uxbridge via Rayners Lane.
 - The entire Victoria line.
20. TfL is proposing to continue all Night Bus services, and introduce up to 20 new services and one extended service, in order to help customers travel to and from Night Tube

stations. 17 of these new services would only run on Friday and Saturday nights and the remaining 3 would run seven nights a week. All of these services would operate every 30 minutes

21. On 17 of the existing 117 Night Bus routes, TfL has forecast that it will no longer be necessary to run as many buses at weekends because passengers will use the Night Tube (operating at one train every 10 minutes, on average) instead. Five of these services will go from operating every 10 to 20 minutes to every 30 minutes. Some areas will experience a small reduction in the frequency of Night Bus services despite not benefiting from the Night Tube or benefitting only indirectly because they would be served by the half-hourly 'feeder' services that connect with the Night Tube (operating every 30 minutes). TfL has not published any information on average journey time changes from these stations to show how the Night Tube and new Night Bus journeys compare with existing Night Bus journeys.
22. More detail on the changes to Night Bus services can be found here: <https://consultations.tfl.gov.uk/buses/night-bus-review>.
23. A Member Briefing is being prepared on the potential implications of the introduction of the Night Tube, including these changes to Night Buses. A response to this consultation will also be prepared before the deadline of 1 July 2015.

TfL statement to TEC on taxi and private hire matters

24. In December 2014 the Greater London Assembly published its report, 'Futureproof,' concerning TfL's performance as the regulator of the taxi and private hire trade in the Capital. Of the 19 recommendations made by the GLA, TfL planned to implement or was already in the process of implementing 13 of the recommendations before the report was published. The remainder are now being delivered against specific implementation dates, with the exception of one that is a matter for Government.
25. Items TfL is working on that the TEC may find of interest includes its continuing enforcement work to combat touting, unlawful plying for hire and other illegal cab activity. TfL has put additional measures in place and substantially increased the levels of visible enforcement to deter and disrupt illegal minicab activity in hotspot locations in central London. Launched in May, Operation Neon is a high visibility, multi-agency operation involving TfL enforcement and compliance officers, TfL funded officers in the Metropolitan Police Roads and Transport Policing Command and Westminster City Council parking attendants. This is proving to be effective in dealing with the issues identified through the trade, keeping roads and ranks clear so that the legitimate, law abiding trades can operate.
26. TfL's experience has shown that much of the perceived illegal cab activity can be tackled through robust parking enforcement alongside taxi and private hire enforcement and compliance activity. The joint working with Westminster Council parking attendants has been critical to the success of Operation Neon seen so far. Joint working with other London Boroughs is essential to tackle these issues in other hotspot locations across London such as Cornhill, King's Cross St Pancras, Shoreditch, Clapham to name but a few. TfL is urging other Councils to support this enforcement activity in the late evenings when touting and unlawful plying for hire is more prevalent and poses a greater risk to the public.
27. In addition to enforcement, TfL would welcome TEC's support on implementing greater taxi rank provision in the Capital. In February TfL published its Ranks Action Plan which lays out plans for increasing the number of ranks in London from 500 to 600 by 2020, to ensure taxi facilities meet the needs of London's growing population. The plan is available at www.tfl.gov.uk/modes/taxis-and-minicabs/.
28. At the same time TfL is finalising delivery of Night Tube services in September. To maximise this opportunity TfL believe it is essential we encourage taxis to rank at Tube stations served by the Night Tube providing for the final leg of people's journey home. In

May the Commissioner of TfL, wrote to all borough Chief Executives seeking their support for implementing more rank space.

29. Other work underway with a greater focus on the private hire industry, but which overlaps with the taxi trade, is a public consultation on the regulations relating to private hire and plans for a new signage trial for private hire vehicles which will be designed to reduce touting and make enforcement quicker and easier.
30. TfL is happy to provide further details on these matters if the TEC would find it useful.

Consultation on builders skips PCNs

31. At the last TEC meeting on 19 March 2015, members approved running a public consultation on setting a PCN level for builders skips contraventions under the LLAA & TfL Act 2013. London Councils ran a six-week public consultation from 24 April 2015 to 22 May 2015 inviting responses from skip companies, highways authorities and members of the public. The responses received indicate that a penalty level of £130, reduced to £65 if paid within 14 days, is not supported. Alternative penalty levels were not conclusive, so officers will now undertake further research and consultation work to establish a more appropriate level. It is hoped that the TEC meeting in October will receive these results with clear recommendations.

Environment

Meeting with CELC Lead

32. I met with Niall Bolger who is the Chief Executive lead for the Environment on CELC. We discussed:

- Devolution of landfill tax
- Recycling guarantee for London idea
- Thames RFCC
- London air quality management system
- RE:NEW
- Solar Panels for Schools
- Local Environmental Quality

Meeting with Dan Rogerson, then Parliamentary Under-Secretary of State for Water, Forestry, Resource Management and Rural Affairs

33. On 19 March 2015 I jointly with Matthew Pencharz, met with the then Parliamentary Under-Secretary of State for Water, Forestry, Resource Management and Rural Affairs, Dan Rogerson, to discuss air quality issues in London.
34. Matthew introduced the idea and background for a potential London Local Air Quality Management System, of which Dan was supportive.
35. Within the context of the Ultra Low Emission Zone, we covered the issues of diesel Euro VI, the importance of them delivering the expected emission reductions and the potential for a scrappage scheme for older diesel vehicles given previous incentives to buy diesel.
36. We made the point that passing on any potential EU fines to local authority level would be unfair and unproductive and we pressed the need for further funding to be made available to London to tackle air quality issues.

Article in Cllr magazine on Green Infrastructure and Parks

37. In April 2015 I wrote an article for Cllr magazine, which is published every two months by the Local Government Information Unit (LGIU), entitled "Protecting the Parks" it focused on how we can continue to maintain parks by coming up with creative ideas for funding. It also discussed the work of the Green Infrastructure Taskforce, which I sit on as Chair of TEC, and that encouraging greater uptake of green infrastructure and sustainable drainage measures such as green walls and roofs is an important part of borough work to prevent flooding in cities. The article is included as Appendix II.

Green Infrastructure Task Force

38. The most recent meeting of the Green Infrastructure Taskforce was held on 15 May 2015. The focus of this meeting was governance and funding structures, and we heard presentations about joint working by boroughs in delivering their parks services; how the Wandle Valley Regional Park Trust intends to manage that site; and the Land Trust model of managing green spaces.
39. The Taskforce then discussed possible ways of managing green spaces strategically in London, as well as providing comments on the first draft of the Taskforce's report, which is anticipated to be published in Autumn 2015.

Recycling Guarantee

40. London Councils has met with LWARB to consider how the Recycling Guarantee can be taken forward. This initiative is delivered by Resource London with support from London Councils, and over the summer we will be seeking members' views on what the Recycling Guarantee will look like. At the next meeting in October it is hoped that the findings will be presented for discussion and approval by TEC.

National Park City

41. I met with Daniel Raven-Ellison who is championing the concept of making London a National Park City. Such a national park designation for London would not have planning powers or seek to limit growth, but would aim to improve opportunities and participation for all people, and particularly children, to reap the benefits of green spaces through health and recreation and celebrating nature. Another aim is to better manage the environment and offer opportunities for growth through promoting tourism and recreation, especially in outer London boroughs.
42. The group behind the National Park City welcomes comments on its proposals which it has published as a "Greater London National Park City Green Paper". Individuals and councils are invited to submit comments until 15 June. More information can be found here: <http://www.greaterlondonnationalpark.org.uk/get-involved/consultation/>.

Forward Look

June 2015

- 17 – Connectivity Summit, GLA
- 26 – Green Infrastructure Taskforce meeting
- 26 – London Assembly Investigation into rail devolution meeting
- 30 – Base London conference

July 2015

- 1 – Deadline for written evidence to the London Assembly Investigation into rail devolution, London Councils will submit evidence
- 1 – Deadline for consultation on night bus configuration, London Councils will respond
- 16 – TEC Executive
- 22 – TRFCC meeting

August 2015

- 31 – Current deadline for the final OLEV joint bid

September 2015

- 10 – TEC / TfL Commissioner meeting
- 11 – Green Infrastructure Taskforce meeting
- 15 – TEC Executive
- 19-23 – Liberal Democrats Party Conference, Bournemouth
- 27-30 – Labour Party Conference, Brighton

October 2015

- 4-7 – Conservative Party Conference, Manchester
- 14 – London Councils event on Opportunity Areas
- 15 – TEC Main

ITEM 11: CHAIR'S REPORT (APPENDIX 1)

Office for Low Emissions Vehicles – Go Ultra Low City Scheme

Briefing Note - June 2015

Office for Low Emissions Vehicles (OLEV)

OLEV exists to drive the uptake of Ultra Low Emissions Vehicles by providing funding and considering policy changes. The previous Government committed £500,000,000 to OLEV for the period 2015-20, which is to be spread across a number of schemes, including the plug-in car and van grants, funding for cleaner taxis and buses, funding for cleaner public sector fleets and a £35,000,000 Go Ultra Low City Scheme, which is the subject of this briefing note.

Summary of Guidance for Bidders

The £35,000,000 Go Ultra Low City Scheme is a competition, which will see 2-4 cities share the funding. The primary objective of the scheme is to drive the uptake of Ultra Low Emission Vehicles (ULEVs) and 50% of OLEV's assessment of bids will be based on this. Additional considerations for OLEV when assessing the scheme will be achieving exemplar status, delivering air quality improvements, driving innovation, delivering schemes that are integrated with other initiatives and delivering measurable outcomes.

Funding is available to local authorities but OLEV's guidance suggests that cities that work with partners – businesses, universities and third sector organisations are more likely to be successful. The funding will be for capital projects and has not been State Aid cleared by the Government, meaning that local authorities must satisfy themselves that their proposals are consistent with State Aid regulations.

Expressions of Interest

Local authorities were required to submit an expression of interest in the scheme by 31 December 2014. A joint expression of interest was submitted by GLA, TfL and London Councils, on behalf of 18 boroughs that expressed a desire to be part of a potential bid at that time. See the list at appendix A.

Screening Bid

A screening bid, setting out the types of initiatives that a London bid would be likely to include, was submitted by the GLA, TfL and London Councils by 20 February 2015. 22 boroughs expressed an interest in being involved in the bid at this stage (also detailed in appendix A).

The screening bid made the case for why London should be one of the 2-4 cities that would receive funding. These included:

- London presents the best opportunity to maximise the uptake of ULEVs and boost the UK economy.

- As a world city, London presents the best opportunity to create an international exemplar.
- The bid will build on other schemes such as the ULEZ and the Source London network.
- London accounts for 49 of the 50 roads with the highest NO₂ concentrations in the UK.

The schemes proposed in the screening bid were:

- **£8m to match fund at least 8 ‘Neighbourhoods of the Future’** across London, at least half of which are expected to be located in outer London areas. ‘Neighbourhoods of the Future’ will create exemplar high-streets or local areas, the function of which is centred around ultra-low and zero emission vehicles, by implementing an intensive package of infrastructure, regulation, awareness-raising and innovation to provide for and prioritise ULEVs for delivery servicing and general vehicular access.
- **£6m for innovative residential charging infrastructure**, which could include solutions such as pop-up charge points that can retract below ground level, inductive charging and street furniture integration. It would also develop best practice guidance for the conversion of existing resident bays to charging bays.
- **£4m to retrofit at least 1,000 existing car-club bays with charge points** and a requirement for all car-club vehicles using these bays to be ultra-low emission.
- **£2m for up to 50 rapid charge points aimed at commercial fleet and freight vehicles**, potentially including innovative solutions such as mobile charging units, which will be installed to provide a strategic rapid charge network.

The screening bid was clear that the split of proposed funding between different elements of the bid will be developed in more detail in the full bid.

In March 2015, London’s was announced as one of 12 cities invited to prepare a full bid during the next phase of the competition.

Developing London’s Full Go Ultra Low City Scheme Bid

OLEV has published a deadline for full bids to be submitted of 31 August 2015. It has, however, indicated that it may extend this by approximately 2 weeks. London bid partners will need to submit the full bid by this deadline to be considered in the final stage of the competition.

Officers from a number of the interested boroughs have put themselves forward to be part of a working group, along with London Councils, GLA and TfL officers to develop the full bid. This work will be able to draw on research that is already in progress, such as a study of the potential options to address the challenge of providing charging points in areas with on-street parking, commissioned by Hackney Council on behalf of a number of boroughs and

TfL, and a study to consider the likely uptake of electric vehicles and the infrastructure impacts, commissioned by TfL.

The full bid will need to address how electric vehicle charging infrastructure in London will be delivered, managed and maintained, if the bid is successful, as this will impact on what the funding will be used for. An initial idea being explored is that this could be through a public-private partnership that would ensure that boroughs would not be liable for the charge points on a long-term basis.

The full bid also needs to consider how the proposed Neighbourhoods of the Future will be selected and the types of infrastructure, regulation, awareness-raising or innovation that might be expected in these areas. An initial idea is that this could be through a subsequent competition, if the bid is successful, which would see officials from OLEV and a number of London's peer cities assessing bids by interested boroughs (possibly with support from Business Improvement Districts, for example).

It is likely that the bid will be more successful if it is backed by a wide range of other organisations, including the electric vehicle industry, business groups and universities. The working group is considering how best to do this.

The chair's report to the London Councils' Transport and Environment Committee (TEC) on 18 June will suggest that the London bid should be discussed in more detail at the TEC Executive meeting on 16 July 2015 and should then be agreed on behalf of London Councils by the chairman and vice-chairmen of TEC prior to submission (along with agreement by TfL and GLA).

Appendix A: Interested Boroughs

Boroughs included in the expression of interest (December 2014):

10 individual London boroughs expressed their commitment to being part of this bid in December 2014:

- Barking and Dagenham
- Brent
- Camden
- City of London
- City of Westminster
- Croydon
- Islington
- Hackney
- Haringey
- Richmond

Two sub-regional partnerships also expressed their commitment to be part of the bid, on behalf of all their member boroughs in December 2014. The initial expression of interest, therefore, also included the following boroughs

WestTRANS:

- Ealing
- Harrow
- Hillingdon
- Hounslow,
- Hammersmith and Fulham

CENTRAL:

- Lambeth
- Southwark
- Kensington and Chelsea

Subsequent expressions of interest:

The following boroughs contacted London Councils to say that they would be interested after December 2014:

- Greenwich
- Enfield
- Redbridge
- Waltham Forest

As we celebrate the 50th anniversary of the boroughs, it is deeply worrying that our city's local authority-run green spaces face an uncertain future, writes Julian Bell.

Protecting the parks

Fifty years ago, in April 1965, the 32 London boroughs were created and after the GLC was abolished in 1986 they took over responsibility for managing most of London's parks.

Councillors are rightly very concerned about funding green spaces. In my own borough of Ealing we have already had to reduce the parks budget as we face the need to cut nearly £100m of spending over the next four years.

From many vantage points across the capital it appears that the houses, flats and offices occupy the land left by clearings in some huge forest. This is no illusion: London is one of the greenest cities in the world – some 40 per cent of the city (173 square kilometres) is green space.

from the huge expanse of Hampstead Heath and sprawling Epping Forest to hundreds of smaller parks and gardens that play such an important role in local communities. London's 212 churchyards are also considered part of the green infrastructure due to their wildlife habitats and proliferation of trees.

London Councils represents the 32 boroughs and the City of London and its Transport and Environment Committee (TEC), of which I am Chair, has an important role to play in bringing together local authorities and other organisations in partnership to protect London's green spaces.

As part of my role as Chair of TEC, I represent the boroughs' interests on the Mayor's Green Infrastructure Task Force, formed to look at the threats and opportunities for London's green spaces, as well as other green infrastructure. Other stakeholders represented on the Task Force include Thames Water, the National Trust, Public Health England, the Greater London Authority, Defra, development corporations and the Environment Agency.

Examples of green infrastructure include permeable pavements (which reduce surface run-off), urban forests (which reduce urban temperatures, hold carbon, improve air quality and intercept water), natural or artificial wetlands (which improve water efficiency and quality) and green roofs and green walls (which help to lower urban temperatures, hold carbon, improve air quality and intercept water).

Boroughs must do all they can to encourage volunteering and

the development of more inventive ways to raise revenues, while protecting the health and vitality of our green spaces. Many support and encourage community groups to take care of green spaces by sharing expertise, equipment or resources. Dozens of other stakeholders across all sectors are responsible for other spaces, which underlines the sheer scale of the green resources London has available.

Despite the financial doom and gloom, there are some very positive proposals being developed by boroughs and their partners.


Local authorities are also encouraging people to plant green roofs or walls on new and existing buildings to improve insulation and reduce the excessive run-off which can cause flooding, which can be a particular problem in highly built-up areas.

These are just two of many innovations through which boroughs can protect our green spaces and put them at the very heart of London's future. But boroughs must be given the financial resources and legal powers to maintain these areas which not only form part of London's green infrastructure but also play a key role in daily life for millions of people.

It's clear that while cutting spending on parks might save money in any given financial year,



in the long-run this could be counterproductive. Parks are critical to promoting healthy lifestyles for people of all ages and so spending money on maintaining them now could help reduce pressure on social services in the future.

Boroughs are determined to ensure these natural resources remain a source of enjoyment for Londoners. We will keep searching for innovative ways to maintain our green space and keep it accessible to the public – despite the very challenging financial situation. 

Julian Bell is Leader of Ealing and Chair of London Councils' Transport and Environment Committee

“While cutting spending on parks might save money in any given financial year, in the long-run this could be counterproductive.”

While these places offer people of all ages somewhere to relax and enjoy the outdoors, they also form part of London's 'green infrastructure', harnessing nature as part of the very fabric of how the city functions. Green infrastructure fulfils a number of different functions and they have not always been fully recognised.

The parts owned and managed by London local authorities range

London Councils' Transport & Environment Committee

Flood Partnerships Update

Item no: 12

Report by: Cllr Alan Smith **Title:** TEC Lead for the TRFCC
Date: 18 June 2015
Contact Officer: Jennifer Sibley
Telephone: 020 7934 9829 **Email:** Jennifer.sibley@londoncouncils.gov.uk

Summary: As part of the TEC and Thames Regional Flood and Coastal Committee (TRFCC) Joint Working Arrangements, TEC receives a 6-monthly update on the work of the seven sub-regional flood partnerships, the TRFCC and the Environment Agency.

Recommendations: The Committee is asked to:

- Note and comment on the report.

Flood partnerships update

1. The Thames Regional Flood and Coastal Committee (TRFCC) is one of twelve Committees established in England that bring together the Environment Agency and Lead Local Flood Authorities (LLFAs; each borough and the City of London). Their role is to ensure plans are in place for identifying, communicating and managing flood risk across catchments; and for promoting efficient and targeted investment in flood risk management.
2. The TRFCC is based around the Thames catchment and so extends beyond London to encompass Essex, Surrey, Oxfordshire and the unitary authorities that were previously Berkshire. London has seven sub-regional partnerships which are each represented on the TRFCC by a lead member. They are:
 - North West (covers Hillingdon, Hounslow, Ealing, Brent, Harrow and Barnet).
 - South West (covers Richmond upon Thames, Kingston upon Thames, Sutton, Merton, Wandsworth and Croydon).
 - South East (covers Bromley, Lewisham, Greenwich and Bexley).
 - North East (covers Havering, Barking and Dagenham and Redbridge).
 - Central North (covers Hammersmith and Fulham, Kensington and Chelsea, City of Westminster, City of London, Camden and Islington).
 - Central South (covers by Lambeth and Southwark).
 - North (covers Hackney, Tower Hamlets, Haringey, Enfield, Waltham Forest and Newham).
3. The Joint Working Arrangements signed by TEC and the TRFCC state that TEC will receive an update on the work of the TRFCC, the sub-regional partnerships and the Environment Agency every six months.

Update on the six-year programme for London and the Thames catchment

1. The TRFCC is responsible for prioritising flooding investment in its catchment area, and has for many years taken a long-term approach. Since 2014, the twelve RFCCs submit proposals for six yearly investments to Defra, and the Chancellor decides where to target this investment. London has secured a significant amount of funding but also benefits from schemes being built in Essex, Hertfordshire and Windsor & Maidenhead and Surrey.
2. In summary, within London the six year plan comprises:
 - £21m of investment at the Thames Barrier.
 - £43m of investment in the walls and embankments along the Thames to ensure that all of London is protected from tidal flooding. This is the first phase of £1.2bn of investment over the next 25 years in the tidal defences.
 - £15m of investment to start to reduce the risks from surface water flooding in London.
 - £42m of investment to reduce the risk of flooding from rivers including large scale schemes for Bromley, Kingston, Ealing, Hillingdon, Redbridge, Waltham Forest, Brent and Harrow. These are areas at high risk of river flooding where there is the opportunity to reduce the risk of flooding to property, businesses and infrastructure before a serious flood happens.
3. Year 1 of the six year programme has now been launched and all local authority Chief Executives should recently have been notified of their 2015/16 Flood and Coastal Risk Management allocations by letter. This sets out the approved 2015/16 allocations of Flood and Coastal Risk Management Grant in Aid funding.

4. The table below sets out the investment in the Thames catchment for 2015/16, in comparison with 2014/15.

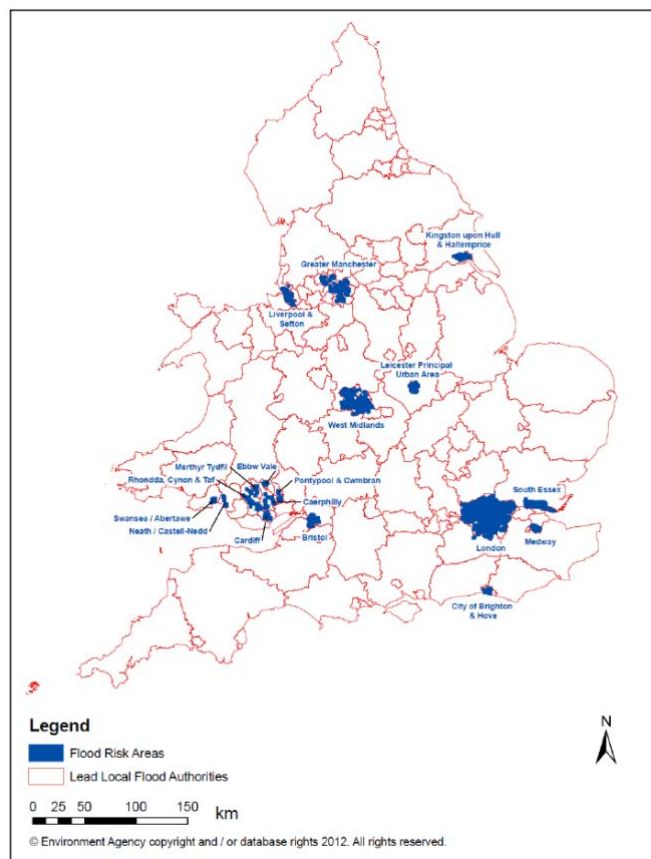
Thames RFCC	2014/15 Indicative Allocation (subject to securing additional partnership funding)			2015/16 Indicative Allocation (subject to securing additional partnership funding)		
<u>Type</u>	<u>Capital</u>	<u>Revenue</u>	<u>Total</u>	<u>Capital</u>	<u>Revenue</u>	<u>Total</u>
Environment Agency	£21.4m	£27.4m	£48.8m	£33.0m	£29.2m	£62.2m
Local authorities	£3.4m	£0.0m	£3.4m	£3.8m	£0.0m	£3.8m

4. Lead Local Flood Authorities continue to be encouraged to submit flood management projects for consideration by the TRFCC. The Committee is keen to continue growing the programme of work, and it is important to have a pipeline of schemes in the event of timescales slipping on a particular project, to ensure that investment is not lost.
5. The TRFCC is also proposing that a common risk register and progress tracker is used by all partners as a tool for scrutiny panels to monitor projects. This follows discussions by a member and officer sub-group of the TRFCC who identified the indicators they wanted to see. Sub-regional partnerships are discussing this at their meetings.
6. The TRFCC has discussed capacity and skill needs and this is also being considered by the seven sub-regional partnerships in their regular meetings, for reporting back to the next TRFCC meeting in July. TEC members are encouraged to give their views on whether there is a case for a shared resource (and at what level this would sit) and how this can promote more efficient and effective working.
7. The TRFCC are also pleased that closer working with Thames Water has been achieved after considerable effort and that the TRFCC and Thames Water are now looking for synergies between Thames Water's sewer investment programme and the TRFCC/ LLFA/ Environment Agency six-year programme.

Lead Local Flood Authorities (LLFAs)

Local Flood Risk Management Strategies

8. Lead Local Flood Authorities (LLFAs) lead on the delivery of surface and groundwater flooding projects and schemes on smaller watercourses.
9. LLFAs are ultimately responsible for producing Local Flood Risk Management Strategies which identify the risks and measures which could be taken. These strategies inform Flood Risk Management Plans which must be produced for all Flood Risk Areas. Almost all of London is designated a Flood Risk Area, and every borough and the City of London has at least some of its area within the Flood Risk Area (see map below).
10. The deadline for Flood Risk Management Plans is December 2015. The previous Parliamentary Under Secretary of State for Water Dan Rogerson recently wrote to Cllr Julian Bell, Chair of TEC, expressing concern that 23 boroughs were yet to consult on their Local Flood Risk Management Strategies.
11. Members are asked to encourage progress on these Strategies if their borough has not already consulted on it.



Map of national
flood risk
Source:
Environment
Agency

Sub-regional flood partnership updates

12. In London, LLFAs are grouped into seven sub-regional flood partnerships based on river catchment and flooding risk. The seven partnerships were asked for an update on their work over the six months. Six responded by 11 June and their updates are reproduced below.

South East – Update (covers Bromley, Lewisham, Greenwich and Bexley)

*S.18 reports*¹ – have all been submitted to the Environment Agency

Local Strategy – All four boroughs have completed their strategies and associated documents. Currently Lewisham and Bromley have consulted and both Bexley and Greenwich expect to be consulting on their Local Strategies in June 2015.

SuDS (Sustainable Drainage Systems) Statutory Consultee Role:

Bexley	Business as usual – Had already been commenting on planning applications prior to the introduction of the role.
Bromley	Business as usual – Had already been commenting on planning applications prior to the introduction of the role.
Lewisham	To be updated

¹ A requirement on the Environment Agency to report to the Secretary of State about flood and coastal erosion risk management.

Greenwich Commenting on applications, additional member of staff trained on SuDS to cover leave/busy periods. Developer's guidance written, to be made available on website.

South West – Update (covers Richmond upon Thames, Kingston upon Thames, Sutton, Merton, Wandsworth and Croydon)

In the last 6 months, we have completed/continued to work on the following:

- Local Flood Risk Management Strategy. All 6 London's boroughs carried out a joint procurement in order to appoint a consultant to develop our local strategies.
- Strategic Flood Risk Assessment. 4 of the 6 London boroughs (Merton, Croydon, Wandsworth and Sutton) carried out a joint procurement in order to appoint a consultant to carry out updates to our SFRA's.
- SuDS role. In conjunction with the new statutory role whereby LLFA's are consulted on major planning applications, the 6 London Boroughs are working on a procurement to provide the boroughs with shared SuDS Consultancy support.

North West (covers Hillingdon, Hounslow, Ealing, Brent, Harrow, Barnet)

13. Flood Risk Management Strategies have been drafted by Brent, Hillingdon and Harrow and in Hounslow and Ealing published for consultation.
14. All of the authorities within the group have been working together and sharing best practices and implementing changes to adapt to the changing role of LLFA in responding to planning consultations on Major application on surface water instead of the Environment Agency.
15. Hillingdon and Harrow have undertaken and published section 19 flood investigations².

Projects to manage risk

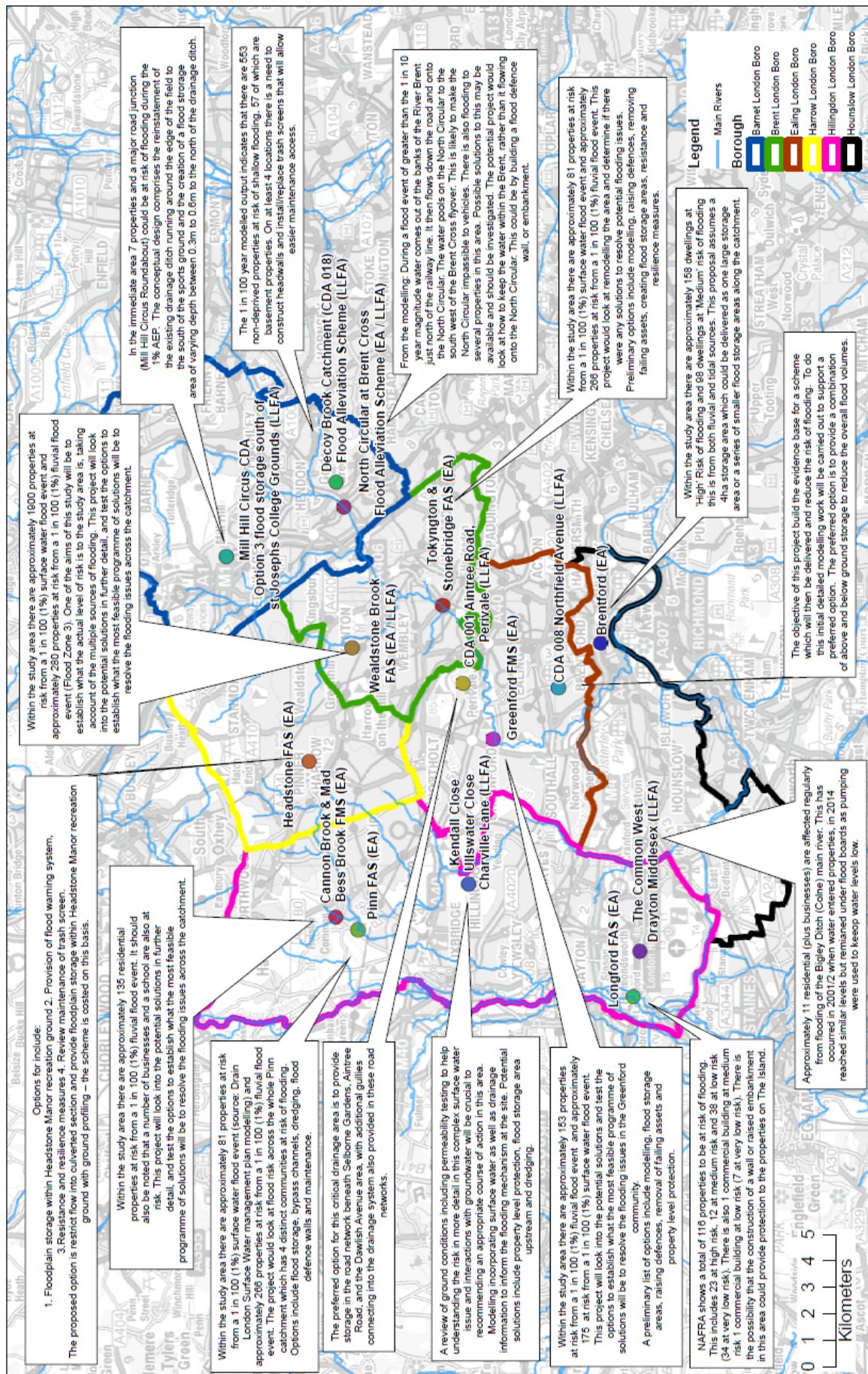
16. Within the published six year programme, there are 26 projects within the North West London partnership.
17. 17 of these are being led by the Environment Agency. Eight of these are for maintenance of Flood Alleviation Schemes and not awarded funding within the programme.
18. There are also a further nine projects led by Local Authorities which aim to reduce the risk of flooding to properties from other sources of flood risk (surface water and ordinary watercourses). See map below for the locations and a summary of these projects.

Challenges and the next 6 months

19. Sufficient resources to Project manage these specialists' projects, and securing better working relationship with Thames Water in order to facilitate solving flood risk events.

² On becoming aware of a flood in its area, if appropriate, an LLFA must investigate which risk management authorities have relevant flood risk management functions and whether these functions have been, or will be, exercised. An LLFA has to publish the results of any investigation and notify any relevant risk management authorities.

Current and Future Schemes in the North West London Partnership



North East – Update (covers Havering, Barking and Dagenham and Redbridge)

General update from LLFA's

London Borough of Redbridge – The Flood Risk Management Strategy was approved in March and Redbridge plan to include the details on their website and the newspaper, Redbridge Life, in June. Flood Station is being used for asset data. Locating and plotting all the flap valves on the Roding is a priority.

London Borough of Havering – The 2015 Strategy is now on the authority website. Havering is also using Flood Station for its asset data. Planning applications are increasing Havering are going to have to buy in extra expertise to deal with SuDS, this is going to be a major issue regarding the funding available.

London Borough of Barking and Dagenham – staffing changes with regards to responsibility for flood risk.

Current projects

London Borough of Redbridge:

Mayes Brook – Modelling sent to the Environment Agency.

Clayhall Area – Waiting for the report from the consultants.

Woodford Area – Surface Water flooding, the Environment Agency to finish off the threshold study.

London Borough of Havering:

Jacobs are working on the SuDS design guide. The Ingrebourne is the biggest risk for Havering. Planning applications have been affected by the Blacks Brook in the past but the Environment Agency has now completed the modelling for this stretch of river. Issues with ground water flooding at Queens Road, Upminster.

Thames Water:

Asset management plan signed off and approved to 31 March 2020. Money for resolving flooding of properties is calculated on a cost benefit basis. Twenty for Twenty scheme set up and will be looking at the Environment Agency six year programme.

Environment Agency projects:

Upminster – the levels were set incorrectly and there is now no risk to properties so the project will be closed.

Mayes Brook park and Loxford Water – surface water and fluvial flooding issues.

Dovers Corner – assessing the structures and condition of the assets.

Shonks Mill – full business case required by the end of the year. Outcomes revolve around the Woodford Study.

The next meeting will focus on the capital programme rather than an update on the added burdens as a LLFA. It will also review strategic planning policy and site allocations matters for discussion with Thames Water; with a view to identifying opportunities for surface water reduction through planning and opportunities for partnership working.

Central North – Update (covers Hammersmith and Fulham, Kensington and Chelsea, City of Westminster, City of London, Camden and Islington)

The group meets 3-4 times per year and circulates relevant consultation/discussion documents as appropriate between meetings. The last meeting was held in March 2015 where the key issues discussed were:

- Thames River Basin District Flood Risk Management Plan – Consultation. Members of the group have taken different approaches to completion of the Thames River Basin

District Flood Risk Management Plan. Timing of the deadlines for contributing to the collective plan has resulted in some authorities being unable to contribute and needing to carry out their own consultation.

- Local Flood Risk Management Strategies – Camden and City of London have adopted theirs. Other authorities are working towards adoption with consultations taking place for Kensington & Chelsea and Westminster during this six month period.
- Lead Local Flooding Authority (LLFA) Project Updates: Hammersmith and Fulham has a number of SuDS schemes in progress, Westminster has identified 17 hotspots for which funding has been sought through the Flood Defence Grant in Aid to undertake further investigations in these areas. Additional flood risk modelling is being carried out by some authorities.
- LLFA Resources Update – Resourcing of Flood Risk is undertaken differently in each authority with officers from Planning, Environment or Highways Departments taking on flood risk duties alongside other responsibilities.
- SuDS approvals process – all authorities are gearing up to undertake SuDS assessments as part of the planning application process from April 2015. There is concern about ongoing funding for SuDS assessments.

Central South (covers Southwark and Lambeth)

Southwark

- Herne Hill Scheme: completed on 03/02/15. Arrangements with maintenance agreed so that Southwark now maintain the scheme. The scheme won the Environment Agency's Project Excellence Awards in the partnership category, the ICE London Civil Engineering Award for community contribution and has been shortlisted for the British Construction Industry Award.
- Scheme Development: The Environment Agency has approved Flood Defence Grant in Aid and Flood and Coastal Risk Management funding for the development of East Camberwell and Peckham Rye Schemes.
- Pocket Parks Schemes: Two pocket parks schemes jointly funded by Southwark and the GLA are under construction.
- Local Flood Risk Management Strategy: Consultation for the strategy has now closed and an adoption report has been prepared for cabinet member approval in July.
- Strategic Flood Risk Assessment: We are in the process of updating this to incorporate current information on flood risk in the borough. The document will incorporate all sources of flooding. This is due for completion in autumn 2015.
- SuDS/Drainage consultee role: Southwark already commenting on applications particularly in critical drainage areas. Expecting to receive 100 major applications a year.

Lambeth

- Delivered SuDS schemes in Parks, on the Public Highway and in partnership with Risk Management Authorities on private land.
- Published the Lambeth Local Flood Risk Management Strategy and flooding leaflets to raise awareness of flooding and what to do in an emergency.
- Developed a flood guide for businesses due to be published in June 2015.
- Implemented the role of statutory consultee on all major planning applications.
- Three SuDS schemes in progress. All the schemes are funded through the Flood Grant and due for completion in April.
 - i. Norwood Park a series of swales/bunds and detention area to alleviate flooding to properties.
 - ii. Tivoli Park remedial works to paths and walls and a swale and bund to stop surface water flooding Tivoli Road.

- iii. Stockport Road playing fields swale and detention area to alleviate flooding to properties.
- Community flood projects
 - i. Rosendale allotments de-pave.
 - ii. Southwell Road de-pave.
 - iii. Cressingham Gardens - rainwater harvesting and rain gardens.
 - iv. Norwood green roofs.

Environment Agency-led schemes update

20. The Environment Agency leads on the delivery of river and tidal schemes.
21. Within London the six year programme includes 69 Environment Agency led schemes which represent a total investment of circa £120 million. Of these, 34 have funding allocated within the six year funding window, whilst the others are pipeline projects which will be developed.
22. Progress on these schemes is reported to the TRFCC. A table for the seven projects in construction in 2015/16 is included below.
23. The Thames Estuary 2100 Plan covers the Thames estuary from Teddington in the west to the mouth of the estuary at Shoeburyness (north bank) and Sheerness (south bank). It provides a plan for improving the tidal flood defence system for the period to 2100 so that current standards of flood protection are maintained or improved taking account of sea level rise. The Environment Agency is running an event for boroughs on 15 July 2015 which will cover what the Thames Estuary 2100 Plan means for boroughs and will enable boroughs to specify what further support they require from the Environment Agency in order to successfully deliver the actions required in their area.
24. London also benefits from schemes taking place outside its boundaries; for example:
 - The River Thames Scheme will benefit Windsor & Maidenhead, Surrey and the London Boroughs of Richmond and Kingston. Specific measures to protect individual properties from flooding are currently being installed on those properties which will remain at a high risk of flooding once the scheme is completed. This is being carried out in advance of any construction on the scheme itself and 180 properties will have been completed by the end of June.
 - The Oxford Flood Alleviation Scheme is likely to make the mainline rail connection to London more resilient against flooding in the future. The Strategic Outline Business Case for Oxford is likely to be forwarded to HM Treasury for approval this summer.

Project Name	Location	Project Type	Total in-year allocation	Total lifetime project cost	Partnership Funding (all years)		
					Local Levy Funding	Publicly Funded Contributions	Privately Funded Contributions
Thames Estuary Phase 1 Programme (Thames Tidal Defences)	Thames Estuary	Capital Maintenance	6,815,739	933,125,397	0	0	0
TBAG Drive Equipment	Thames Barrier, Woolwich	Capital Maintenance	1,400,000	25,879,969	0	0	0
Salmons Brook Flood Alleviation Scheme	Enfield, London	New Defences	1,475,000	15,083,156	4,126,000	0	0
Thames Tidal Frontages Programme 1 (construction on this is complete)	Thames Estuary	Capital Maintenance	10,000	8,414,384	0	0	300,000
Anton Crescent Flood Storage Area	Anton Crescent, Sutton	New Defences	122,500	250,000	221,000	0	0
Thames Barrier Store & Depot	Thames Barrier, Woolwich	Improvements to barrier area	3,150,000	3,150,000	0	0	0
Thames Estuary Phase 1 Programme Thames Tideway Defences Operational Area Works	Thames Estuary	Capital Maintenance	1,442,000	4,167,000	0	0	0

Programme Refresh – forward look to 2016/17 and onwards

25. The six year programme enables LLFAs and water companies to move from an annual request for funding to one where funding change requests can be submitted at any time, without any prior formal notification from the Environment Agency. It will use updates submitted to understand future programme needs and include them when it refreshes the programme.
26. There is now an opportunity for Local Authorities to update current schemes with new profiles or better information, and submit new schemes for consideration into the six year programme in readiness for the July round of TRFCC meetings.
27. The Environment Agency has written to LLFAs and water companies to inform them of this opportunity and asking them to submit returns to this request through Partnership and Strategic Overview contacts by 19 June 2015. They will have access to all relevant guidance for this exercise, which can also be found at <https://www.gov.uk/flood-and-coastal-defence-funding-submit-a-project>.
28. Business planning for 2016/17 will be a 'light touch' approach to refresh the programme already approved by the TRFCC. The vast majority of potential new schemes submitted for consideration into the programme will be assessed on their merits in terms of partnership funding score and their likely contribution towards important outcome, efficiency and contributions targets.

Update on the Flood and Water Management Act 2010

29. In the autumn, the government is due to continue their 5-year review of the Flood and Water Management Act 2010 and consider the future of local flood risk management. TEC members are asked for any comments they have which can inform the TRFCC and London Councils' responses to this review.

Recommendations

30. The Committee is asked to:
 - Note and comment on the report.

Financial Implications

31. There are no financial implications to London Councils arising from this report.

Legal Implications

32. There are no legal implications to London Councils arising from this report.

Equalities Implications

33. There are no equalities implications to London Councils arising from this report.

London Councils' Transport & Environment Committee

Setting FPN levels for the City of Westminster's Byelaws

Item no: 13

Report by: Jennifer Sibley **Job title:** Principal Policy Officer
Date: 18 June 2015
Contact Officer: Jennifer Sibley
Telephone: 0207 934 9829 **Email:** Jennifer.sibley@londoncouncils.gov.uk

Summary: This report sets out the results of the public consultation into setting an FPN level for three of the City of Westminster's byelaws: 'noise in streets and other public places'; 'urinating etc.'; and 'feeding of birds prohibited'. It asks Members to set fixed penalty levels for breaching these byelaws.

Recommendations: The Committee is asked to:

- Note the consultation outcome.
- Set an FPN level of £80 for breaches to the City of Westminster's byelaws on 'noise in streets and other public places'; 'urinating etc.' and 'feeding of birds prohibited'.
- Set the level of reduction at £50 if the fixed penalty is paid within 14 days from the date of the notice.

Setting Fixed Penalty Notice (FPN) levels for the City of Westminster's Byelaws

Background

1. On 12 October 2001 the Secretary of State confirmed the City of Westminster's byelaws on 'noise in streets and other public places', and 'urinating etc.' under Section 235 of the Local Government Act 1972, and they came into force on 8 November 2001.

2. These byelaws prohibit:

Noise in streets and other public places

No person in a street or other public place shall, after being requested to desist by a constable, or by any person annoyed or disturbed, or by any person acting on his behalf:

- i. *By shouting or singing;*
- ii. *By playing a musical instrument;*
- iii. *By operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument*

cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other person in the neighbourhood.

This byelaw shall not apply to properly conducted religious services or to any person holding or taking part in any entertainment held with the consent of the council.

Urinating, etc.

No person shall urinate or defecate in any public place.

Further information on these byelaws can be found here:

http://transact.westminster.gov.uk/docstores/publications_store/Good%20Rule%20and%20Government%20No%202.pdf

3. On 17 August 2007 the Secretary of State confirmed the City of Westminster's byelaw on 'feeding of birds prohibited' under Section 235 of the Local Government Act 1972 and it came into force on 3 September 2007.

Feeding of birds prohibited

No person shall within any area in the City of Westminster identified in the Schedule to these Byelaws –

- (1) *feed any bird (which shall include dropping or casting feeding stuff for birds); or*
- (2) *distribute any feeding stuff for birds.*

This byelaw applies to a specified area within the City of Westminster, which can be found in the papers relating to the byelaw, here:

http://www3.westminster.gov.uk/docstores/publications_store/Byelaws%20to%20Prevent%20the%20Feeding%20of%20Birds.pdf

4. Any person offending against a byelaw is liable on summary conviction to a fine not exceeding level 2 on the standard scale, currently £500.00. The City of Westminster wishes to introduce the option to discharge any liability to conviction by payment of a fixed penalty. Section 15 (1) (b) of the London Local Authorities Act 2004 (LLAA 2004) permits such an option.
5. Sections 15-18 of the London Local Authorities Act 2004 (LLAA 2004) establish the fixed penalty notices provisions for any byelaws made by borough councils.

6. By virtue of Section 17(6) of the LLAA 2004, the duty of borough councils to set the levels of fixed penalties payable must be discharged by the joint committee, London Councils' Transport and Environment Committee (TEC).

Process of setting the level of penalties under London Local Authority (LLA) legislation

7. On 19 March 2015, TEC agreed to undertake a public consultation on the levels of fixed penalties for breaching the City of Westminster byelaws. It was proposed that penalty levels should be in line with penalties for similar types of local nuisance behaviour.
8. On 13 April 2015, London Councils launched a six-week public consultation on fixed penalty levels for these byelaws. London Councils invited comments from a range of stakeholders with an interest in the topic, including Directors of Environment, Heads of Community Safety and Anti-Social Behaviour Managers from local authorities; as well as national and regional organisations including TfL, the Metropolitan Police, GLA, Defra, DCLG and Keep Britain Tidy. The deadline for consultation responses from all respondents was Tuesday 26 May 2015.
9. The consultation questions were:
 1. What is your name?
 2. What is your email address?
 3. What is the name of your organisation? Please state N/A if you are responding as an individual member of the public.
 4. Which of the following best describes your organisation?
 - Local authority
 - Other public sector
 - Music industry/trade body
 - Member of the public
 - Other (please state)

These questions relate to noise in streets. Do you wish to comment on these?

5. Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?
6. Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?
7. Legislation requires the fixed penalty to be reduced if paid early. Do you support or oppose the proposal that the level of fixed penalty should be reduced to £50 if paid within 14 days?
8. Do you have any other comments relating to the proposals for noise in streets in the City of Westminster?

These questions relate to the feeding of birds. Do you wish to provide answers on these?

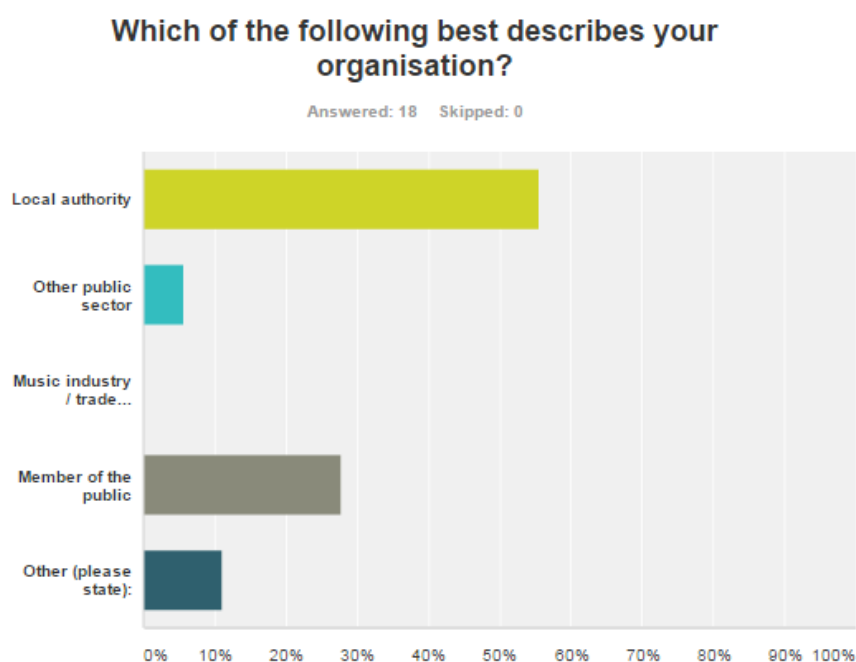
9. Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?
10. Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?
11. Legislation requires the fixed penalty be reduced if paid early. Do you support or oppose the proposal that the level of fixed penalty should be reduced to £50 if paid within 14 days?
12. Do you have any other comments relating to the proposals for bird feeding in the City of Westminster?

These questions relate to public urination. Do you wish to comment on these?

13. Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?
14. Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?
15. Legislation requires the fixed penalty be reduced if paid early. Do you support or oppose the proposal that the level of fixed penalty should be reduced to £50 if paid within 14 days?
16. Do you have any other comments relating to the proposals for public urination in the City of Westminster?

Consultation results summary

10. 18 responses to the consultation were received; ten from London boroughs and five from members of the public. The Metropolitan Police service, a residents association and a borough Community Safety Partnership also responded.



Noise in streets and public places byelaw

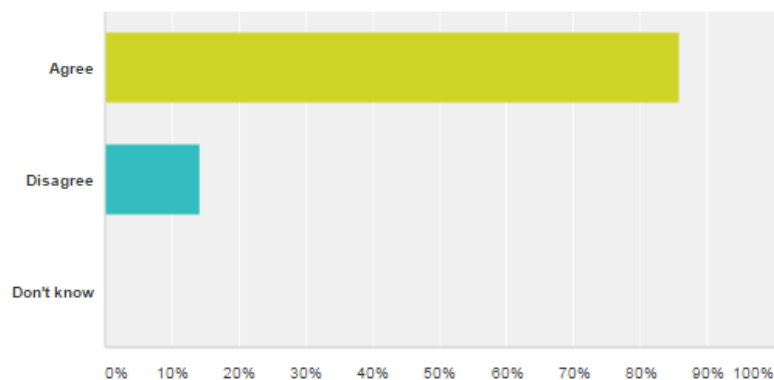
11. 14 people responded to these questions.

12. 86% supported offering an FPN for breaching this byelaw. 14% opposed this. Five comments were received, summarised below:

- The proportionality [of noise] should be considered.
- Offering an FPN would shorten the enforcement process.
- This is more proportionate than full prosecution.
- The FPN could be misused; not all noise is offensive.
- The final comment gave details of noise nuisance an individual had experienced.

Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?

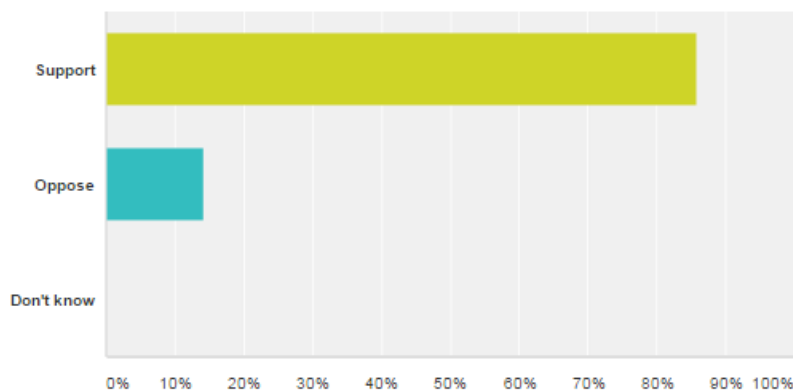
Answered: 14 Skipped: 4



13. 86% of respondents supported setting a fixed penalty level of £80, with 14% against. Four comments were received: the FPN level should be higher; that penalties should be increased when associated with a particular premises, especially in late evening; and that this level is consistent with other byelaws and similar offences (two comments).

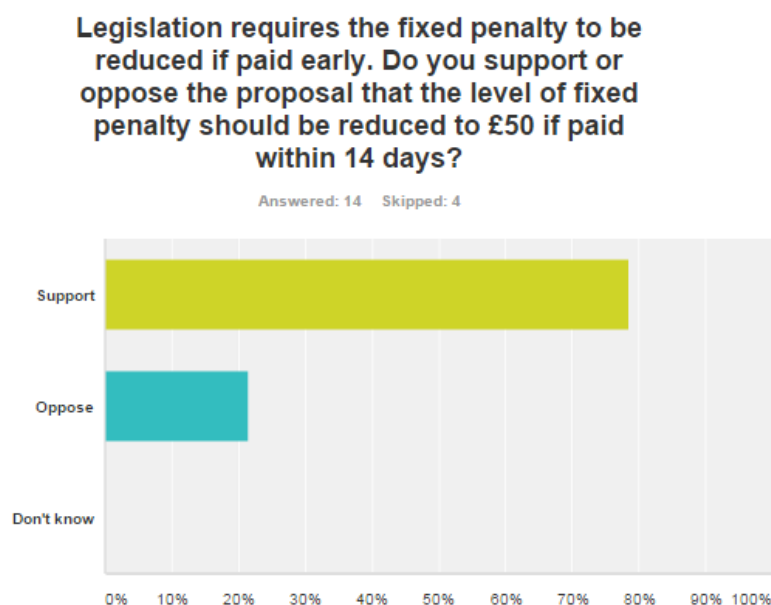
Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?

Answered: 14 Skipped: 4



14. 79% of respondents supported reducing the penalty to £50 if paid within 14 days. 21% opposed this. Five comments were received:

- The FPN amount should be higher and so therefore the early payment amount should be higher.
- Publicise the FPN and increase it if unpaid.
- The early payment amount is too high.
- Two comments affirmed its consistency with other FPNs and that an early payment facility worked well at the respondent's council.



15. The final question on 'noise in streets and public places' included space for additional comments. Two were received: one queried how it would be enforced; another stated it conflicted with powers available to the police under public order offences.

Recommendation: The Committee sets an FPN level of £80 for breaches to the 'noise in streets and other public places' byelaw; reduced to £50 if paid within 14 days.

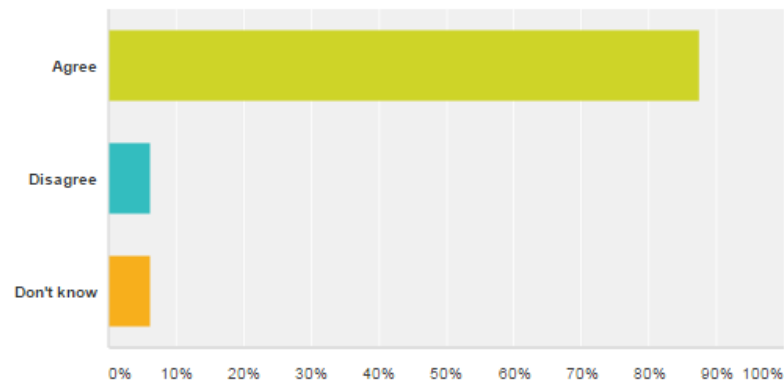
Urinating etc.

16. 17 people responded to these questions.

17. 87.5% supported the proposal to offer an FPN. 6.25% disagreed (1 person) and 6.25% did not know (1 person).

Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?

Answered: 16 Skipped: 2



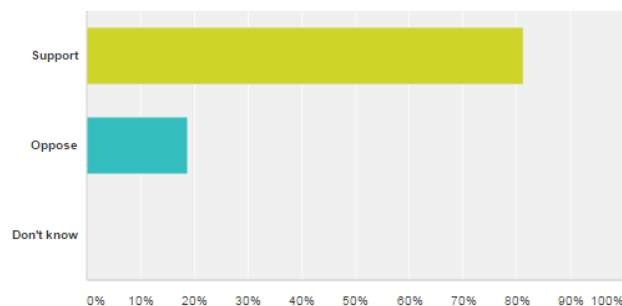
18. Five comments were received:

- One member of the public wanted to see this issue tackled across all of London's boroughs.
- One member of the public considered this behaviour disgusting.
- One member of the public felt it would be too difficult to enforce as in their view most people offending in this way would have consumed alcohol making enforcement inappropriate.
- One member of the public felt there was insufficient provision of public toilets in the City of Westminster and this needed to be addressed first.
- One borough supported the FPN approach as it could help shorten the enforcement process.

19. 81% of respondents supported an £80 FPN level. 19% opposed this. Of the four comments received, two felt a higher FPN was more appropriate; one expressed support as this was consistent across London; the fourth expressed support as long as individuals who had consumed alcohol were not issued with FPNs.

Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?

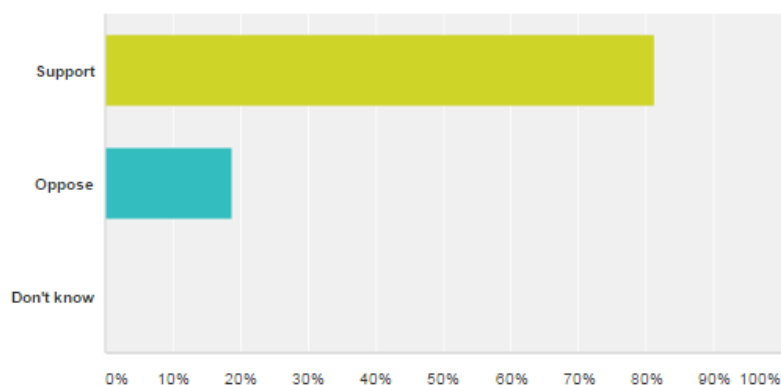
Answered: 16 Skipped: 2



20. 81% of respondents supported a reduction to £50 if the FPN was paid within 14 days. 19% opposed this.
21. The four comments received were in line with those given previously; two comments sought higher penalties; a third considered it consistent; the fourth expressed concern about issuing FPNs to people who had consumed alcohol.

Legislation requires the fixed penalty be reduced if paid early. Do you support or oppose the proposal that the level of fixed penalty should be reduced to £50 if paid within 14 days?

Answered: 16 Skipped: 2



22. The final question asked if respondents had any further comments. Seven people commented. Two stated it would be difficult to enforce; three felt businesses should be encouraged to provide access to their toilets and that more public toilets were needed; one stated their council enforced public urination as a litter FPN; the sixth stated that the FPN was a simple and efficient way to tackle these offences and was proportional to the costs involved and behaviour the FPN was intending to address.

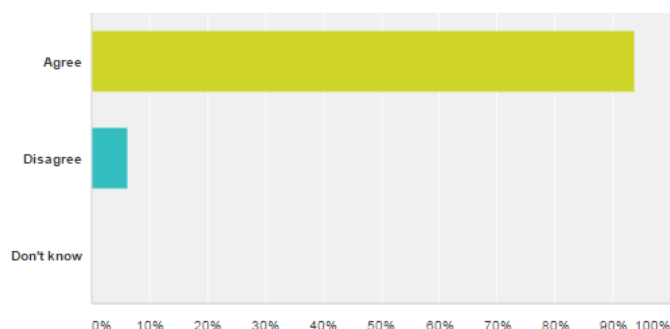
Recommendation: The Committee is asked to: set an FPN level of £80 for breaches to the 'urinating etc.' byelaw; reduced to £50 if paid within 14 days.

Feeding of birds

23. 16 people responded to these questions.
24. 94% of respondents supported having the option of paying an FPN for this offence. 6% of respondents opposed this. Four comments were received:
- Support from one borough intending to tackle this using litter FPNs.
 - Two comments queried how it would be enforced, especially against foreign tourists.
 - Support from a member of public who considered feeding pigeons to be unacceptable.

Do you agree or disagree that the option of paying a fixed penalty notice for this offence, rather than a fine, should be possible?

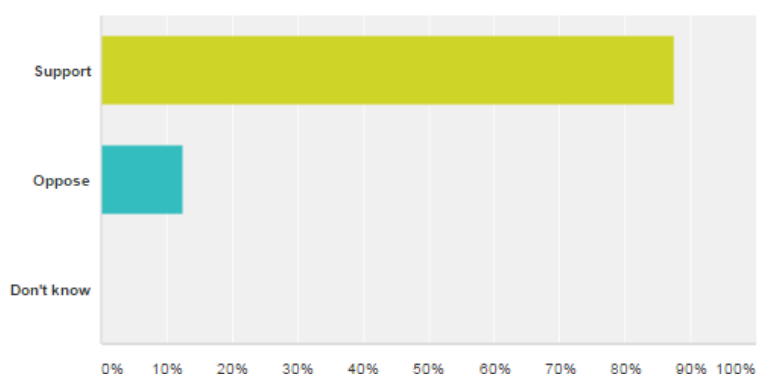
Answered: 16 Skipped: 2



25. 87.5% of respondents supported the proposal to set the FPN at £80. 12.5% opposed this. Of the three comments received, two expressed support for this level as consistent with other offences and a third stated a higher penalty would be more appropriate.

Do you support or oppose the proposal that the level of fixed penalty for this offence should be £80, in line with other anti-social offences such as dog control orders, littering, graffiti and fly posting?

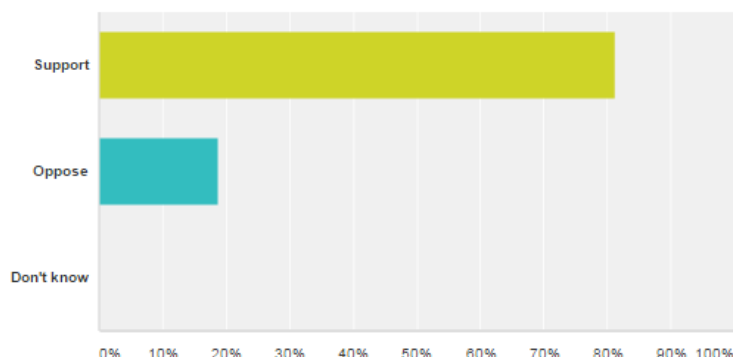
Answered: 16 Skipped: 2



26. 80% of respondents supported the proposal to reduce the FPN to £50 if paid within 14 days. 19% opposed this. Five comments were received, of which two supported the level for consistency; one felt the level was too high; one felt it was insufficiently high; and the fifth wanted the penalty level increased if it was not paid within 14 days.

Legislation requires the fixed penalty be reduced if paid early. Do you support or oppose the proposal that the level of fixed penalty should be reduced to £50 if paid within 14 days?

Answered: 16 Skipped: 2



27. The final question on 'feeding of birds' asked for any further comments, with three received. Two related to concerns about public health and animal safety. A third concerned enforcement against tourists and whether this would weaken the byelaw's effectiveness.

Recommendation: The Committee is asked to: set an FPN level of £80 for breaches to the 'feeding to birds prohibited' byelaw; reduced to £50 if paid within 14 days.

Next steps

28. If TEC decides to set fixed penalty level and a discounted amount for early payment for the City of Westminster's byelaws, London Councils will communicate this to the Secretary of State, as required by the legislation.
29. The FPN levels for byelaws come into force one month after the day of the notice to the Secretary of State, unless before this period ends he objects to the level of penalty, in which case they do not come into force.
30. If the Secretary of State considers the level of penalty excessive, he can make regulations reducing the level of fixed penalty notice.
31. In the event that the Secretary of State did make regulations, TEC would not be able to set any further fixed penalty notices for 12 months.
32. London Councils will communicate to the City of Westminster whether the level of penalty comes into force or is objected to by the Secretary of State. London Councils will inform all other boroughs of the outcome in the Chair's Report at the next TEC meeting.

Recommendations

33. The Committee is asked to:
 - Note the consultation outcome.
 - Set an FPN level of £80 for breaches to the City of Westminster's byelaws on 'noise in streets and other public places'; 'urinating etc.'; and the 'feeding of birds prohibited'.
 - Set the level of reduction at £50 if the fixed penalty is paid within 14 days from the date of the notice.

Financial Implications

- 34. There are no financial implications to London Councils arising from this report.
- 35. The enforcing authority, the City of Westminster, will determine its own financial implications of enforcing these byelaws.

Legal Implications

- 36. TEC is asked to set the level of FPN for breaches to the City of Westminster's byelaws, by virtue of its powers under s.17(6) of the LLAA 2004 (the duty of borough councils to set the levels of fixed penalties payable must be discharged by the joint committee).

Equalities Implications

- 37. A Relevance Test for whether to carry out an Equalities Impact Assessment has been undertaken by London Councils officers (see Appendix A).
- 38. It is considered that the 'feeding of birds prohibited' byelaw could have a Low Adverse Impact on the grounds of race. International tourists or people whose first language is not English may not understand signs prohibiting the feeding of birds. These concerns were raised in the consultation. The City of Westminster is encouraged to ensure its signs are pictorial in nature, to ensure this does not occur.
- 39. It is considered there is No Adverse Impact caused by the 'noise in streets and public places' byelaw.
- 40. It is considered there is No Adverse Impact caused by the 'urinating etc.' byelaw.
- 41. Therefore in accordance with the Equalities Impact Assessment policy of London Councils, a Full Impact Assessment is not required for the introduction of these byelaws.

Appendix A

LONDON COUNCILS EQUALITIES IMPACT ASSESSMENT FORM A: Relevance Test

Name of policy, service or function being assessed:

‘Feeding of birds prohibited’, City of Westminster byelaw

Mark on the grid below whether the policy/function might have an adverse impact on any of the grounds indicated.

Equality Area	No adverse impact	Low adverse impact	Medium adverse impact	High adverse impact
Race		✓		
Gender	✓			
Disability	✓			
Religion/belief	✓			
Sexual orientation	✓			
Age	✓			

Relevance test completed by:

NAME Jennifer Sibley
DIVISION Policy and Public Affairs
DATE 1 June 2015

If a medium or high adverse impact has been identified for any area then a full impact assessment must be undertaken using Form B.

LONDON COUNCILS EQUALITIES IMPACT ASSESSMENT
FORM A: Relevance Test

Name of policy, service or function being assessed:

‘Noise in streets and public places’, City of Westminster byelaw

Mark on the grid below whether the policy/function might have an adverse impact on any of the grounds indicated.

Equality Area	No adverse impact	Low adverse impact	Medium adverse impact	High adverse impact
Race	✓			
Gender	✓			
Disability	✓			
Religion/belief	✓			
Sexual orientation	✓			
Age	✓			

Relevance test completed by:

NAME **Jennifer Sibley**
DIVISION **Policy and Public Affairs**
DATE **1 June 2015**

If a medium or high adverse impact has been identified for any area then a full impact assessment must be undertaken using Form B.

LONDON COUNCILS EQUALITIES IMPACT ASSESSMENT
FORM A: Relevance Test

Name of policy, service or function being assessed:

‘Urinating etc.’, City of Westminster byelaw

Mark on the grid below whether the policy/function might have an adverse impact on any of the grounds indicated.

Equality Area	No adverse impact	Low adverse impact	Medium adverse impact	High adverse impact
Race	✓			
Gender	✓			
Disability	✓			
Religion/belief	✓			
Sexual orientation	✓			
Age	✓			

Relevance test completed by:

NAME **Jennifer Sibley**
DIVISION **Policy and Public Affairs**
DATE **1 June 2015**

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London Councils' Transport & Environment Committee

Setting Penalty Levels for Waste Receptacles – Deregulation Act 2015

Item no: 14

Report by: Jennifer Sibley **Job title:** Principal Policy Officer
Date: 18 June 2015
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Summary: The Deregulation Act 2015 made changes to the enforcement of waste receptacle offences under the London Local Authorities Act 2007. This included specifying the maximum level of penalty that could be set, which is lower than the level currently set by TEC. This report asks members to set a new level of penalty to enable boroughs to use the powers.

Recommendations: The Committee is asked to:

- Agree a PCN level of £80, which is the maximum permitted.
- Agree an early payment reduction to £48, if paid within 14 days.

Setting a penalty level for waste receptacle offences under the London Local Authorities Act 2007

1. Provisions in the Environmental Protection Act 1990 (EPA 1990) allow local authorities to issue Fixed Penalty Notices (FPNs) to enforce requirements on the use of waste receptacles for household and commercial waste.
2. The London Local Authorities Act 2007 (LLAA 2007) created new enforcement routes for waste receptacles, which allow London local authorities to issue Penalty Charge Notices (PCNs) for household and commercial waste.
3. The Deregulation Act 2015 has changed the enforcement process for *household* waste under both the LLAA 2007 (see Schedule 12) and the EPA 1990 (see Section 58).¹ This information is set out in a member briefing, attached at Appendix A.
4. Regulations set by the Secretary of State for the Deregulation Act 2015 set a scale of penalty from £60-£80 for both FPNs and PCNs. Regulations also specify that an early payment amount must not be less than £40.²
5. Boroughs and the City of London set their own FPN levels for breaches of the EPA 1990 (within the range permitted).
6. TEC, as the joint committee, must set the PCN levels for breaches under the LLAA 2007 (within the range permitted). The Deregulation Act 2015 does not change this.
7. The Deregulation Act 2015 changes come into force on 15 June 2015. It is therefore prudent for TEC to set a PCN level as soon as possible so that boroughs can use the provisions if they wish to.
8. Normally TEC would consult before introducing a new penalty level. TEC previously consulted on the PCN level for waste receptacles and set it at £110, reduced to £66 (40 per cent reduction) if paid within 14 days, on 11 June 2009. The government, through the Deregulation Act 2015, now require the penalty level to be set at a much lower level. Officers do not consider it necessary to undertake a public consultation as TEC already has a mandate to set a much higher level.
9. Officers suggest that TEC set the penalty at the highest possible level of £80 with an early payment reduction of 40 per cent, setting this at £48.

Deregulation Bill lobbying

10. London Councils strongly opposed these changes throughout the passage of the Deregulation Bill. We secured cross-party support from members of the House of Lords, and proposed amendments that would effectively exempt London from the legislation at several stages during the Bill's passage in Parliament. We met and discussed the issues with the minister who refused to allow a London exemption. We therefore tabled an amendment at the final stage in the Lords to make the changes we believed were desirable, but despite strong support, it was defeated.

Recommendations

11. The Committee is asked to:

- Agree a PCN level of £80, which is the maximum permitted.
- Agree an early payment reduction to £48, if paid within 14 days.

¹ Both section references are to the Deregulation Act 2015.

² The Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015
<http://www.legislation.gov.uk/ukxi/2015/969/contents/made>

Financial Implications

12. Given the lower level of penalty and the likely higher costs of enforcement, the PCNs for waste receptacles are unlikely to allow boroughs to cover their costs.

Legal Implications

13. The decriminalised appeals route provided by PATAS remains unchanged.
14. The LLAA 2007 has been amended. The Second Further Variation to the ALGTEC Agreement permits TEC to set the penalty charges as required by the legislation.

Equalities Implications

15. There are no equalities implications arising from this report.



Enforcement of Waste Receptacle Offences Deregulation Act 2015

This briefing explains the changes to the Environmental Protection Act 1990 and the London Local Authorities Act 2007 as a result of the Deregulation Act 2015. It also summarises the lobbying work that London Councils undertook on behalf of boroughs.

Overview

The Deregulation Act 2015 has changed the processes for issuing penalties for waste receptacle offences by households under both the Environmental Protection Act 1990 and the London Local Authorities Act 2007. Boroughs are still able to issue Fixed Penalty Notices and Penalty Charge Notices under the respective legislation, but it is extremely difficult to issue either for a first offence, the process is lengthier and individuals have greater opportunity to appeal. In addition, the ability to prosecute and fine individuals for failure to comply with the Environmental Protection Act 1990 has been removed. These changes come into force on 15 June 2015.

Background to PCNs and FPNs

A Penalty Charge Notice (PCN) is a penalty paid when an individual is in contravention of regulations e.g. traffic, parking and waste which are under civil enforcement. The recipient of a PCN can make representations against the penalty to the local authority. If the authority rejects the representations, the individual can appeal to an independent adjudicator who will confirm or reject the PCN. Any failure to pay can be pursued by the local authority through the County Court. This is a similar mechanism to that currently undertaken with parking enforcement.

Fixed Penalty Notices (FPNs) are payable for a range of offences, including moving traffic offences (e.g. speeding and driving through red lights), as well as anti-social behaviour such as littering, spitting and public disorder offences. Normally, a fixed penalty notice is a conditional offer – one can accept guilt, pay the fixed penalty, and close the matter; or reject the fixed penalty notice and be summoned to court. There is no formal route of appeal. However, the government's Deregulation Act 2015 has changed FPNs for waste receptacles; they have introduced a route of appeal and any unpaid FPNs are recoverable as civil debt, and are no longer a criminal offence.

Analysis

Environmental Protection Act 1990

Previously Section 47ZA of the Environmental Protection Act 1990 permitted boroughs to issue Fixed Penalty Notices (FPNs) to tackle household or business failure to comply with regulations the borough has made; for example regarding the use of certain waste receptacles (bins or boxes), what must be placed in them, and where and when they may be placed for collection etc.

Section 58 of the Deregulation Act 2015 adds a series of clauses to the Environmental Protection Act 1990, changing the enforcement process for offences relating to household waste (Section 46A). Enforcement of commercial and industrial waste is unaffected.

- The enforcement process for household waste is much lengthier and is it now very difficult to issue an FPN for a first or one-off offence. The FPN enforcement process for commercial and industrial waste remains the same.
- An offence is now committed only if:
There has been a failure to comply with requirements a local authority has made; and The failure to comply:
 - *has caused, or is or was likely to cause, a nuisance; or*
 - *has been, or is or was likely to be, detrimental to any amenities of the locality.*
- It is no longer possible in England to prosecute individuals (S.58(2)). The FPN is the only enforcement route.
- As the government intended to decriminalise waste receptacle offences, it has changed the conventional FPN system. For waste receptacle offences, there is now a route of appeal and unpaid FPNs are recovered as civil debt.

The new route for enforcing household waste and the unchanged route for enforcing commercial and industrial waste using the Environmental Protection Act 1990 are set out below:

Environmental Protection Act 1990, as amended by the Deregulation Act 2015 ¹	Environmental Protection Act 1990
<i>Route required from 15 June 2015 for household waste enforcement. It cannot be used for commercial or industrial enforcement.</i>	<i>This route is no longer available for household waste. It is still possible to use it for commercial and industrial waste enforcement.</i>
Offence committed – it must breach regulations set by the council and cause a nuisance or be detrimental to local amenities (see Section 46A(1)(b)).	Offence committed in breach of requirements (S.47(2) and (4)).
Local authority decides whether to issue a written warning. <i>If the council intends to take further enforcement action, a written warning must be issued.</i>	Opportunity to discharge criminal liability by paying a FPN, and avoid being taken to court. 14 days to pay. (Section 47ZA)
<u>If the failure to comply is continuous</u> the council must specify a date on the written warning for compliance (see Section 46A(3)(d)). If the person fails to comply, a Notice of Intent can be issued. The individual has 28 days to make representations to the council <u>If the failure to comply is not continuous</u> , only if an individual commits another same or similar offence within one year of the first offence can a Notice of Intent be issued (see Section 46A(7)). The individual has 28 days to make representations to the council.	Not possible to appeal an FPN. Failure to pay results in a court appearance.
table continues	

¹ Sections and clauses refer to Deregulation Act 2015

If the representations are rejected by the council, a Final Notice is issued. The FPN is payable within 28 days or the individual can appeal. There is a reduced amount if paid within 14 days.	
Appeal possible to a First-Tier Tribunal, which either confirms FPN is payable or rejects it. 28 days to pay from ruling.	
Further appeal possible. If it reaches the High Court or county court, it is recoverable as a civil debt.	

The Deregulation Act 2015 reduces the previous level of FPN (£100) to a scale of between £60 and £80, with an early payment amount of no less than £40. London boroughs and the City of London are able to set their own amount of penalty (within the range permitted) if they wish to continue using FPNs to enforce this legislation.

London Local Authorities Act 2007 (LLAA 2007)

Section 23 of the LLAA 2007 created a penalty charge provision, allowing boroughs to issue penalty charge notices to individuals and businesses who fail to comply with the requirements of the local authority with regards to the use of certain waste receptacles; for example what must be placed in them, where and when they may be placed for collection.

This decriminalised route was introduced in London to reduce the costs of enforcement, especially as the criminal route, used when FPNs were unpaid, could be expensive and lengthy for councils.

Schedule 12 of the Deregulation Act 2015 makes similar changes to the LLAA 2007 as it does for the Environmental Protection Act 1990, except that the changes are to the operation of the penalty charge system.

- The enforcement process for *household* waste is much lengthier and is it now very difficult to issue a PCN for a first or one-off offence. The PCN enforcement process for commercial and industrial waste remains the same.
- The level of penalty payable for *household* waste offences has been reduced from £110. The Deregulation Act 2015 sets a scale of £60-£80, with an early payment amount of no less than £40. London Councils' Transport and Environment Committee must set the level of penalty (within the range permitted) before the legislation can be enforced.

The LLAA 2007 already had a requirement to prove nuisance or detriment to the amenities in the locality (see Section 19 for household waste and Section 21 Clause 1 for commercial and industrial waste). This is therefore unchanged by the Deregulation Act 2015.

Under the new system, the legislation makes it difficult to issue a penalty charge for a first offence, unless the failure to comply is continuous and the individual fails to comply within the period given by the Written Warning.

The enforcement routes for household and commercial and industrial waste using the LLAA 2007 legislation are set on the following page.

London Only	
Deregulation Act 2015¹ <i>Route required from 15 June 2015 for household waste enforcement if using the LLAA 2007. It cannot be used for commercial or industrial enforcement.</i>	London Local Authorities Act 2007 <i>This route is no longer available for household waste. It is still possible to use it for commercial and industrial waste enforcement.</i>
Offence committed – it must be in breach of the council's regulations and cause a nuisance or be detrimental to the local amenities.	Offence committed – it must be in breach of the council's regulations and cause a nuisance or be detrimental to the local amenities.
Local authority decides whether to issue a written warning. <i>If the council intends to take further enforcement action, a written warning must be issued.</i>	Penalty charge notice issued to occupier of the premises. 28 days to pay. Either pay, or make representations to the borough that issued it.
<u>If the failure to comply is continuous</u> the council must specify a date on the written warning for compliance (see Section 20A(3)(d)). If the person fails to comply, a Notice of Intent can be issued. The individual has 28 days to make representations to the council. <u>If the failure to comply is not continuous</u> , only if an individual commits another same or similar offence within one year of the first offence can a Notice of Intent be issued (see Section 20A(7)). The individual has 28 days to make representations to the council.	If the representations are rejected by the council, the penalty charge is payable within 28 days or the individual can appeal to an independent adjudicator within 28 days.
If the representations are rejected by the council, a Final Notice is issued – the penalty charge is payable within 28 days or the individual can appeal. There is a reduced amount if paid within 14 days.	Independent adjudicator either upholds penalty charge notice and individual has to pay within 28 days; or adjudicator rejects charge and matter is closed.
Appeal possible to independent adjudicator. ² Independent adjudicator either upholds penalty charge notice and individual has to pay within 28 days; or adjudicator rejects charge and matter is closed.	No automatic right of appeal. Can request a review of the decision on very limited grounds: <ul style="list-style-type: none"> • The decision was wrongly made because of an error by administrative staff; • The individual failed to appear or be represented at a hearing for some good reason; • There is new evidence, the existence of which could not have been reasonably known of or foreseen before the decision; or • The interests of justice require a review. If the adjudicator has wrongly interpreted the law then the decision can be reviewed at the High Court (a Judicial Review).
No automatic right of appeal. Can request a review of the decision on very limited grounds: <ul style="list-style-type: none"> • The decision was wrongly made because of an error by administrative staff; • The individual failed to appear or be represented at a hearing for some good reason; • There is new evidence, the existence of which could not have been reasonably known of or foreseen before the decision; or • The interests of justice require a review. If the adjudicator has wrongly interpreted the law then the decision can be reviewed at the High Court (a Judicial Review).	

¹ Sections and clauses refer to Deregulation Act 2015

² PATAS acts as the independent adjudicator for all London boroughs for waste receptacle offences (as well as parking and moving traffic offences)

Commentary

London Councils strongly opposed these changes throughout the passage of the Deregulation Bill. We secured cross-party support from members of the House of Lords, and proposed amendments that would effectively exempt London from the legislation at several stages during the Bill's passage in Parliament. We met and discussed the issues with the minister who refused to allow a London exemption. We therefore tabled an amendment at the final stage in the Lords to make the changes we believed were desirable, but despite strong support, it was defeated.

The changes are disappointing, as London led the way on securing PCN powers in the 2007 Act that offered a decriminalised route which was more streamlined and less expensive, especially compared to the situation when FPNs are unpaid. We feel the Deregulation Act 2015 has created a bureaucratic and more heavily regulated system of enforcement, on entirely unjustified grounds. We also feel that the much reduced level of penalty (from £110 to a maximum of £80) is extremely unhelpful in acting as a deterrent and in reflecting the costs of enforcement for boroughs, especially with a lengthier enforcement route.

The length of the process and costs involved are likely to deter boroughs from using the powers. The complexity of enforcement is likely to undermine efforts by boroughs to require households to recycle, and recycle correctly. Contamination is a major problem for the recycling industry; reducing the amount of waste boroughs can recycle as well as reducing the quality of the end product.

Notwithstanding these concerns, our informal research during the lobbying process indicated that boroughs were not currently using the enforcement powers in the LLAA 2007 for households, but only businesses. The enforcement mechanisms for businesses are unchanged and there may in practice be little impact on boroughs. However, boroughs currently issuing FPNs using the Environmental Protection 1990 Act to households, together with those wishing to use the powers in future, are likely to find the process lengthier and more difficult to enforce.

London Councils will revise its Good Practice Guide on the use of the LLAA 2007 waste receptacles powers to reflect the Deregulation Act 2015 changes.

London Councils' Transport and Environment Committee must set a new penalty charge level for the waste receptacle powers in the LLAA 2007 as the Deregulation Act has removed the previous level. Officers will recommend TEC sets the level at the highest possible scale of £80.

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Links:

[Deregulation Act Section 58](#)

[Deregulation Act Schedule 12](#)

[Regulations on penalty levels](#)

This member briefing has been circulated to:

Portfolio holders and those members who requested policy briefings in the following categories: Environment

London Councils' Transport & Environment Committee

Construction Work and Damage to Highways Item no: 15

Report by: Steve Craddock **Job title:** Principal Policy Officer
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Summary: Building works and the delivery of equipment and materials can sometimes lead to damage to highways (including both roads and footpaths). Legislation allows councils to make good any damage caused by works on land adjacent to publicly maintainable footpaths or highways and recover the expenses incurred. However, there are a number of difficulties that boroughs wishing to pursue this have experienced. London Councils officers undertook a survey of borough officers on this issue in April 2015. This report summarises a number of potential solutions that were identified to address the issues raised and seeks the views of TEC members on the possible next steps

Recommendations: The Committee is asked to:

- Note and discuss the report
- Advise whether Members would like London Councils officers to help with sharing good practice
- Advise whether Members would like London Councils officers to pursue legislative change when opportunities to that effect arise (e.g. wider changes to the planning system are proposed)

Construction work causing damage to highways

Background

1. Building works and the delivery of equipment and materials can sometimes lead to damage to highways (including both roads and footpaths).
2. A number of members of TEC have raised concerns with London Councils officers about damage to highways and the difficulties of recovering costs.

Existing Powers

3. The Highways Act 1980 (section 133), as amended by the London Local Authorities and Transport for London Act 2013, allows councils to make good any damage caused by works on land adjacent to a publicly maintainable footpath or highway and recover the expenses incurred from the landowner, the person carrying out the works or the person on whose behalf the works were carried out.
4. Using this legislation in isolation can be challenging for local authorities because they need to know that work is being carried out, what state the highway was in before the work was undertaken and be able to prove that any damage was related to the construction work. They also need to be prepared to pursue legal proceedings to apply the legislation to recover the cost of repairing the damage done.
5. Also under the Highways Act 1980, local authorities have the power to control the use of temporary structures, such as scaffolding (section 169) and builders skips (section 139) on the highway. A licence for a temporary structure may contain such terms as the authority issuing it thinks fit, which the applicant has the right to contest in a magistrate's court on the grounds of unreasonableness. Some authorities are using this to secure deposits to cover potential damage to the highway when granting licences.
6. Section 106 of the Town and Country Planning Act (as amended) allows for restrictions or requirements to be placed on the use of land through a legal agreement when granting planning permission, where this is necessary to make developments acceptable in planning terms. These 'planning obligations' are most commonly used to secure the delivery of affordable housing or new infrastructure when development is permitted but can be used for other purposes. The agreement can be enforced through an injunction.
7. Planning conditions can be used to mitigate the adverse effects of development. Where a development is undertaken in a way that is inconsistent with the planning condition, local authorities are able to take planning enforcement actions, such as issuing Stop Notices and then requiring that the issue is rectified. Planning conditions cannot be used to require payments to the local authority and should relate specifically to the site covered by the permission.
8. Section 278 of the Highways Act 1980 also allows developers to enter into legal agreements to make improvements or alterations to the highway to support a proposed development. There are similarities between these agreements and Section 106 agreements. Where this legal approach is used, the agreement can allow for 'payments in respect of the maintenance of the works to which the agreement relates and may contain such incidental and consequential provisions as appear to the highway authority to be necessary or expedient for the purposes of the agreement'. There are means of enforcement set out in the legislation, which include preventing means of access to the site covered by the agreement.

Survey of borough officers

9. London Councils officers undertook a survey of borough officers in April 2015 to gain a better understanding of the challenges to preventing damage to the highway and reclaiming the costs of repairing the damage where it does happen.
10. 17 borough officers, from 12 councils, completed the survey. These councils were geographically spread across London and included inner and outer boroughs. The majority of responding officers were at a managerial level.
11. There was a significant range (0 to 300) in the number of reported incidents of construction work causing damage to the highway in 2013/14 and very little consistency between boroughs or a spatial pattern. Generally, those with better rates of successfully recovering costs had lower numbers of reports but it doesn't appear to follow that low numbers of reports result in higher levels of cost recovery.
12. There was also a significant range (£0 to £50,000) in the reported unrecovered cost of repairing damage, although too few boroughs provided information to be able to draw firm conclusions about this.
13. A significant majority of respondents identified this issue as very or fairly significant for residents, members and officers.

Difficulties encountered in recovery of costs

14. The vast majority of respondents consider the following to be very or fairly significant reasons why costs are not recovered more frequently:
 - A lack of information on when building work or development is beginning (100%)
 - A lack of information on the state of the highway before work began (100%)
 - A lack of information on the state of the highway immediately after work was completed (82%)
 - Proving that the damage to the highway was caused by the builder or developer (100%)
 - Insufficient financial resources to pursue builders or developers (83%)
 - Insufficient staff to pursue builders or developers (89%).
15. Of these, the issue that most respondents commonly identified as 'very significant' was "proving that the damage to the highway was caused by the builder or developer". One officer stated that it was difficult to get witnesses or photographic evidence that provide sufficient proof in order to apply powers under s133 of the Highways Act (see paragraphs 3 and 4, above). It was noted that "broken paving stones adjacent to a parked vehicle is insufficient".
16. There was less consistency on the extent to which officers considered a 'lack of knowledge of the powers that exist' to be a very or fairly significant issue. However, over 50% did consider this to be the case. The process for reclaiming costs was identified as time consuming and requiring sufficient legal support, which was said to not always be forthcoming.
17. The majority (76%) of respondents said that they knew of instances of damage being caused by work that they had no prior knowledge of because it did not require planning permission, building control approval by the council or licencing of equipment on the highway.
18. From the responses to the survey, it appears that there is a range of scenarios where damage occurs, which may suggest different solutions, including:

- a) Development of major sites permitted through a planning permission, where a legal agreement is more likely to be put in place.
- b) Development of small sites permitted through a planning permission, where a legal agreement is less likely to be put in place.
- c) Development permitted through permitted development rights but where there is a requirement for prior notification or approval of the Council's planning department.
- d) Building work that does not require planning permission but requires some other form of local authority control, e.g. building control approval or licencing of equipment on the highway.
- e) Building work that does not require planning permission or any other form of local authority control.

19. An issue that could cut across all of these scenarios is where damage is caused by illegal traders that cannot be traced and do not have insurance. It may be expected that this would be a greater issue for smaller, less visible construction works.

Potential solutions

20. A number of potential solutions have been identified, which can be grouped into the following categories:

- Using existing planning legislation or highways legislation that allows authorities to control temporary structures, plant and materials on the highway.
- Making better use of the existing legislation that specifically relates to local authorities reclaiming costs for damage to the highway (section 133 of the Highways Act, as amended) (see paragraph 3, above).
- Changes to legislation.

A summary of the specific suggestions made within these categories is presented below.

Using existing planning legislation or highways legislation

- 21. Some local authorities in London reported that they are successfully using highways legislation that requires licences for temporary structures, plant and materials on the highway to secure deposits to cover potential damage. Whilst this is unlikely to cover all forms of construction because not all will require such a licence, it could be part of a solution for local authorities that are not currently applying this approach.
- 22. Some local authorities also reported that they are using planning obligations or conditions (see paragraphs 6 and 7, above) to require developers to leave the highway surrounding the site in an agreed state of repair and/or submit Construction Traffic Management Plans. Whilst this is also unlikely to cover all forms of construction because not all will require planning permission, it could also be part of a solution for local authorities that are not currently applying this approach.
- 23. London Councils could assist by collating and sharing best practice amongst local authorities that are applying these approaches.

Making better use of section 133 of the Highways Act (as amended)

- 24. Not all construction work will require planning permission or licences for temporary structures, plant and materials on the highway. In addition, there may be cases where the local authority doesn't consider it proportionate to require planning conditions or obligations relevant to this issue. In these cases, local authorities can use section 133 of the Highways Act to recover the costs of any damage done to the highway. However, there are

challenges to applying this legislation (see paragraphs 3 and 4, above), in particular proving that damage was caused by the builder/developer.

25. Through the survey, borough officers suggested that better communications between council departments could help to ensure that the department responsible for investigating highway damage is aware when building work begins. Through using planning (including CIL) and building control information, for example, authorities could identify construction work that they may wish to monitor for damage to the highway.
26. Some borough officers identified a need for more staff out within the borough looking for damage as it occurs and investigating instances of damage. This could help to ensure that boroughs have proof that damage has been caused, which is necessary to recover costs under section 133 of the Highways Act. This would not necessarily require new staff. Existing staff that are patrolling the streets or frequently travelling within the borough could be made aware of this issue and asked to report any damage that they find or witness happening. Officers also raised the need for sufficient support from council legal departments to pursue the recovery of costs.
27. Officers also suggested raising awareness amongst residents and businesses of the issue and the powers available (see paragraphs 3 to 8 above). This may help to encourage members of the public to come forward as witnesses of damage to highways and help to deter companies and individuals from causing damage.

Changes to legislation

28. The majority of officers supported the suggestion of a formal procedure that requires the council to be notified, and a deposit paid, where the use of equipment or vehicles may result in damage to the public highway. Whilst some authorities are applying a similar scheme for work that requires a licence for temporary structures, plant and materials on the highway and developments that require planning permission, there is no legislation that allows this process to be put in place for all construction work. This would require a change in legislation to allow this. However, a system that imposes this requirement on all building work or the delivery of building materials is likely to be seen as being highly bureaucratic.
29. Some officers suggested imposing on-the-spot fines where damage occurs rather than recovering costs or allowing authorities to recover costs and impose penalties. Imposing penalties, in particular, may ensure that the legislation acts as a stronger deterrent and may provide a greater incentive for authorities to pursue legal action, especially in cases of relatively minor damage. However, there would be no guarantee that an on-the-spot fine would relate to the cost of repairing damage.
30. There were also suggestions that more general requirements could be placed on builders/developers, such as requiring them all to be accredited with Considerate Constructors status. To require every construction firm or builder to achieve accreditation may be unrealistic and be seen as overly bureaucratic for small firms or individuals that could be undertaking work that leads to damage. It may prove difficult to get legislation changed in this way, as it would introduce further regulation on the development industry.
31. Respondents to the survey suggested that there is a need to change the burden of proof so that the onus is on the builder or developer to prove that they did not cause the identified damage. This issue appears to be being overcome by boroughs where a licence for a temporary structure (see paragraph 5, above) makes the applicant liable for damage to it the period that the structure is in place on the highway. Some boroughs report that they are also using planning agreements (see paragraph 6, above) to overcome this issue by requiring the highway surrounding the site to be maintained during the construction and left in an agreed state. To change the burden of proof that applies to section 133 of the Highways Act (see paragraph 3, above) would require a change in legislation, which may prove difficult to secure. Through the survey, other suggestions for how boroughs may

more effectively collect evidence, include increasing the number of officers looking for damage (see paragraphs 25 and 26) and encouraging witnesses to come forward (see paragraph 27).

32. One respondent raised concerns about the impact of the previous Government's relaxation of permitted development rights. There is now the scope for developers to undertake certain works (such as the change of offices to residential use) without the need for planning permission and the types of legal requirement that boroughs used to be able to impose to ensure that highways were maintained or improved. Changes to legislation would be required for local authorities to be able to address damage to highways through the planning system in these cases.

Summary

<u>Scenario</u>	<u>Potential Solution</u>	<u>Implementation</u>
Development of major sites permitted through a planning permission	Local authorities could consider including a requirement for the developer to leave the highway in an agreed state of repair (or pay for any damage) in a Section 106 agreement (see paragraph 6).	Existing legislation; borough would need to implement
Development of small sites permitted through a planning permission	Planning conditions, for example requiring Construction Traffic Management Plans may be able to help to limit damage to highways in these cases. S106 agreements may be appropriate in some cases.	Existing legislation; borough would need to implement
	Smaller sites may also be more likely to need to place temporary structures, plant or materials on the highway so authorities could consider requiring a deposit when issuing licences.	Existing legislation; borough would need to implement
	Improved communications and information sharing between departments may help to identify construction work that should be monitored for damage.	Borough to implement improved communication mechanisms
Development permitted through permitted development rights	Improved communications and information sharing between planning and highway departments may help to identify development work that should be monitored for damage.	Borough to implement improved communication mechanisms
	Smaller sites may also be more likely to need to place temporary structures, plant or materials on the highway so authorities could consider requiring a deposit when issuing licences.	Existing legislation; borough would need to implement
	Changes to planning legislation that would allow authorities to control these issues through the planning system.	Achieving changes to planning legislation would be a long process
Building work that does not require planning	Requiring deposits to be paid to cover potential damage where authorities issue licence for temporary structure, plant and materials on the	Existing legislation; borough would need to implement

<u>Scenario</u>	<u>Potential Solution</u>	<u>Implementation</u>
permission but requires some other form of local authority control	highway. Improved communications and information sharing between departments may help to identify construction work that should be monitored for damage.	Borough to implement improved communication mechanisms
Building work that does not require planning permission or any other form of local authority control.	Raising awareness of the issue and the powers available may help to encourage members of the public to come forward as witnesses of damage to highways and help to deter individuals and companies from causing damage. More staff out within the borough looking for damage as it happens and investigating instances of damage could help. Changes to legislation could be sought to ensure that existing powers are more of a deterrent. Changes to legislation could also introduce new burdens on developers/builders regarding reporting of works that may cause damage or more general burdens relating to their overall approach to construction or running their business.	Borough to raise awareness of the issue within their communities Boroughs to train internal staff Achieving changes to planning legislation would be a long process

Potential next steps for Boroughs and London Councils

33. If considered appropriate, boroughs can decide to take forward some of the potential actions identified immediately, such as:

- a) Establishing systems that require deposits to be paid when licences for temporary structures, plant and materials on the highway are issued;
- b) Securing guarantees that damage will be repaired through the planning system;
- c) Raising awareness of the powers that councils have;
- d) Reviewing internal communications;
- e) Reviewing the resources and support available to the responsible teams.

34. There are actions that London Councils could take to help address this issue, if Members view it as a sufficiently high priority:

- a) London Councils could support boroughs in sharing knowledge and best practice in taking forward some of the above.
- b) Pursue changes to legislation when opportunities arise, e.g. if any changes to the planning system are proposed.

Recommendations

The Committee is asked to:

- Note and discuss the report
- Advise whether Members would like London Councils officers to help with sharing good practice
- Advise whether Members would like London Councils officers to pursue legislative change when opportunities to that effect arise (e.g. wider changes to the planning system are proposed)

Financial Implications

35. There are no financial implications for London Councils arising from this report.

Legal Implications

36. There are no legal implications for London Councils at this stage.

Equalities Implications

37. There are no equalities implications of the recommendation.

London Councils' Transport & Environment Committee

Freight Strategy Update

Item No: 16

Report by: Ian Wainwright

Job Title: Head of Freight & Fleet Programmes

Date: 18 June 2015

Contact Officer: Claire Small

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Summary:

This paper has been prepared for the Transport and Environment Committee (TEC) of London Councils to provide a high level update on our strategic approach to freight.

The paper also recommends the establishment of a borough officers freight working group through a partnership between London Councils and Transport for London (TfL) and outlines key areas of our freight work programme with boroughs to date.

Recommendations:

The committee is asked to:

- Note TfL's approach to developing a new freight strategy for London; our engagement with businesses, operators and local authorities; and the progress to date in defining our strategic approach and aims.
- Endorse the establishment of a borough officer freight working group and acknowledge this will be reviewing existing controls, including the London Lorry Control Scheme (LLCS).
- Note the key elements of TfL's current programme of work with boroughs described in appendix 1.

Background

Freight Strategy Development

1. Freight serves London's economy, helping to build schemes like Crossrail or new housing, delivering food and drink to shops, restaurants and cafes, and making sure our hospitals and hotels have supplies.
2. Around 90 per cent of all freight is moved by road in London so making sure it is moved safely, cleanly and as efficiently as possible is one of TfL's key priorities.
3. London is growing at a faster rate than anywhere else in Europe, from 8.6 million today to an expected 10 million in 2030. This is creating demands for new public spaces and less traffic-dominated streets. It also means that the number of other work sites or businesses, and deliveries to them, are on the rise. As a result there will be a significant impact on London's roads.
4. To date TfL's approach to freight has focused primarily on mitigating congestion impacts in central London. However, to deliver our key priorities we need to consider freight movements across the whole of London that result from national and global supply chains and individual customer choice. A delivery plan is required to mitigate the impact of the Road Modernisation Plan (RMP) in the short term. TfL also needs to respond to the Roads Task Force (RTF) report in a more strategic manner.
5. TfL are therefore developing a new strategic approach to freight that recognises there is no simple single solution to the impacts of serving and delivery. Our new approach aims to:
 - a) reduce the demand for road trips through modal switch and more efficient deliveries where possible
 - b) promote retiming to better match demand for our roads with their ability to cope
 - c) ensure the impact of freight is mitigated with the safest, cleanest and best managed vehicles possible. Our approach is outlined in the section below

Developing our strategic approach

6. TfL have deliberately engaged with all parts of the freight industry in our decision making and consultation process - operators, businesses, customers, regulators, boroughs and academics – to ensure our work is comprehensive and can achieve results. There is a broad acknowledgement among key freight stakeholders that current practices and relying on voluntary behaviour change alone will not be sufficient to deliver the amount of change needed. There is clear industry recognition of the need for additional incentives and regulations.
7. Given this, TfL's strategic approach is being developed in two parallel parts:
 - a direction of travel type document to clarify our priorities for freight management and
 - the development of specific schemes and options consistent with the agreed strategic direction.
8. TfL have yet to decide what form the final product will appear in but it is likely to be one of the following:
 - a fully-fledged strategy document
 - a set of individual policy approaches

- a generic 'Road Map' for managing freight in London

Borough officers working group on freight

Background

9. Our strategic approach places a strong emphasis on working with the boroughs and other partners to develop appropriate local and regional solutions to improve road safety, air quality and the local and business trading environment.
10. TfL has been working with boroughs on a number of freight programmes including retiming deliveries, FORS and CLOCS (see appendix 1).
11. The Changing Times – Delivering London's Future conference took place on 29 April 2015. The overarching message from freight industry attendees was that in the long-term clear policy, standardisation and planning is needed, with solutions that remove barriers and shares good practice between businesses and boroughs. In the short-term, they asked for a contact in each borough so that local issues could be discussed and overcome.
12. Officers from 20 boroughs and London Councils also attended the conference and suggested London Councils and TfL discuss whether a borough officer freight working group was needed to enable local authorities to co-ordinate their activities as much as possible.
13. The conference also highlighted concerns about the purpose and operation of the London Lorry Control Scheme (LLCS), which is managed and enforced by London Councils on behalf of the participating boroughs. Some operators believe the LLCS is one of the barriers faced by those wishing to change how they manage deliveries, especially where these result in longer journey times.
14. Although the scheme does not prevent anyone making a delivery to anywhere in London, it does control the routes that are used overnight and at weekends to minimise the environmental effects on local residents, particularly noise. Some businesses and operators have said they are not clear on the scheme's intentions and how it interacts with other restrictions.

Approach to establishing borough officers working group

15. Following the Changing Times event, Ian Wainwright, Head of Freight and Fleet Programmes, Transport for London and Spencer Palmer, Director of Transport and Mobility, London Councils, agreed that it would be helpful to establish a borough officer freight working group covering environment, planning, traffic, enforcement and regulations.
16. There are several areas where TfL and the boroughs can work together to maximise behaviour change from the freight industry, including:
 - reviewing existing controls (including the LLSC as well as local restrictions)
 - freight consolidation
 - quieter vehicle/ loading technology
 - development and sharing of best practice
 - trialling TfL's freight awareness programme which is currently under development

17. TfL propose working with London Councils and a small number of borough councils to devise a draft Terms of Reference for the working group. This will be presented at the initial meeting of the group, currently scheduled for July 2015.

Recommendations

The committee is asked to:

- Note TfL's approach to developing a new freight strategy for London; our engagement with businesses, operators and local authorities; and the progress to date in defining our strategic approach and aims.
- Endorse the establishment of a borough officer freight working group and acknowledge that this will include reviewing existing controls, including the London Lorry Control Scheme (LLCS).
- Note the key elements of TfL's current programme of work with boroughs described in appendix 1.

Legal implications for London Councils

None as a direct result of this paper.

Financial Implications for London Councils

None as a direct result of this paper.

Equality implications for London Councils

None as a direct result of this paper.

List of appendices to this report:

Appendix 1 – Freight Programme, summary key areas of work with boroughs

Appendix 1 – Freight Strategy Update

Key areas of work with boroughs

1. The Freight and Fleet team in TfL is establishing a broader programme of engagement with London boroughs and would welcome the support and involvement of TEC as we roll out our programme, including:

Retiming deliveries

2. We need to find ways of mitigating the impact of delivery and servicing in the short term, especially as we roll out our Roads Modernisation Plan. We believe that by working collaboratively with boroughs and others, retiming deliveries away from the busiest times can:
 - improve air quality
 - reduce congestion
 - improve local road safety, especially that of vulnerable users
 - improve the trading environment of local high streets and other areas of local business
3. We have been promoting retiming deliveries through a consortium of three boroughs (Kensington and Chelsea, Camden and Richmond), two supermarket retailers (Sainsbury's and Tesco), the Freight Transport Association, Road Haulage Association and London Councils.
4. For retiming to reach its true potential we need as many boroughs as possible to understand the role and potential benefits of retiming. This can be done by providing support to Retiming Delivery Consortium members and/or to participate in out-of-hours delivery trials.
5. TfL has commissioned a series of trials to demonstrate quiet vehicle technology, how to overcome delivery time restrictions and maximise the number of quieter deliveries occurring outside the peak periods. We have also produced step-by-step guidance on retiming for boroughs, businesses and operators.
<http://www.tfl.gov.uk/cdn/static/cms/documents/getting-the-timing-right.pdf>
6. We are offering a 'matchmaking' service for businesses and boroughs to nominate sites or locations that would benefit from different delivery times. We will work with boroughs to develop and implement action plans and overcome any issues that arise.

FORS

7. FORS encourages operators to maximise the safety and sustainability of their vehicles and drivers. According to our records 32 out of 33 boroughs are registered. Twelve have allowed their accreditation to lapse (Bromley, Lewisham, Lambeth, Kensington & Chelsea, Kingston upon Thames, Ealing, Waltham Forest, Barnet, Tower Hamlets, Wandsworth, Barking & Dagenham and Merton).
8. We encourage all boroughs and their contractors to become FORS registered. By simply re-registering online boroughs can once again become active and progress through the scheme. Further information can be found at www.fors-online.org.uk

CLOCS

9. The Construction Logistics and Cyclist Safety (CLOCS) programme is working to reduce the risks construction vehicles pose to vulnerable road users.
10. Over 100 organisations and construction projects have signed up as CLOCS Champions, including two London local authorities: Camden and City of London.
11. TfL asks all London boroughs to use planning conditions or other mechanisms to ensure new developments have delivery and servicing plans upon completion and implement the [CLOCS Standard for construction logistics: Managing work related road risk \(WRRR\)](#) during the build.

London Councils' Transport and Environment Committee

Freedom Pass Progress Report Item No: 17

Report by: Tony O'Connor **Job titles:** Mobility Services Manager
Date: 18 June 2015
Contact Officer: Tony O'Connor
Telephone: 020 7934 9501 **Email:** tony.o'connor@londoncouncils.gov.uk

Summary:

This report provides Members with an update on the progress of the renewal of approximately 970,000 Freedom Passes which expired on 31 March 2015, the development of a new first time application process, and a review of the policy on charging for replacement passes.

Recommendations:

Members are asked to:

1. Note the outcome of the Freedom Pass 2015 reissue
2. Note the establishment of new procedures for first time Freedom Pass applicants
3. Note that the policy on charging for replacement passes has been revised to make express mention that discretion to waive the administrative charge may be exercised in appropriate circumstances, and that this policy will be kept under regular review.

Background

1. A report to this Committee in March 2014 informed members of the progress on the 2015 Freedom Pass renewal and this report updates the Committee of the outcome of the renewal exercise. Around 870,000 older person and 100,000 disabled person Freedom Pass holders were invited to renew their passes. LB Camden handled its own renewal of older person passholders separately.
2. The Post Office decided last year that they no longer wished to process Freedom Pass applications, and it was agreed that the contract which expired on 31 December 2014 would

be extended to 30 June 2015 to enable London Councils and the boroughs to put alternative application procedures in place.

3. This Committee agreed in October 2012 to introduce an administrative charge of £10 for lost and damaged Freedom Passes. The Committee also agreed, having considered the equalities implications for protected groups, that there would be no express mention in that charging policy for the waiver of charges in other circumstances. This policy has recently been reviewed.

Outcome of the Older Persons Pass 2015 Reissue

4. During November and December 2014 letters were sent to 850,058 holders of the Older Person's Freedom Pass, whose passes expired on 31 March 2015, inviting them to renew. LB Camden handled its own renewal of 20,243 passholders, who are not included in the above figure.
5. As this is the first time passholders have been able to renew online and by post, London Councils did not have previous experience of this type of renewal. All previous renewals had been handled by the Post Office. However, evidence from the number of people transferring from the 60+ pass to Freedom Passes led officers to believe that between 85% and 90% would renew.
6. It was agreed with the transport operators – Transport for London, ATOC (on behalf of the train companies) and bus companies running non-TfL buses - that those passholders who had not renewed their passes by the 31 March deadline would be able to show them as 'flash' passes to bus drivers and other transport staff until 15 May. Staff were briefed to allow travel, but advised people to renew as soon as possible.
7. 83.77% had renewed by the 31 March deadline, and this had increased to 86.00% by 15 May, which was the cut-off date for accepting passes as flash passes. Since 16 May passholders with 2015 expired passes have not been allowed to travel. This has had very little impact in terms of calls or e-mails to the call centre, which is an indication that most people who intend to renew had already renewed.
8. 86.32% of passholders had renewed their passes by 04 June, the date of writing this report. The online portal will be closed for renewals on 15 June, which can be considered as the end date for the renewal exercise. We will accept postal and phone renewals after that date, but we believe that almost all those who intend to renew have done so already, and that only a small number are yet to renew.
9. Of the 86.32% of those who have renewed:
 - 534,486 were online renewals (74% of passes renewed)
 - 189,911 were postal renewals (26% of passes renewed)
10. London Councils' and borough officers are very satisfied with the percentage of those who have renewed online (74%), which is considerably higher than the initial 50% target. 57% of those who renewed online also set up a Freedom Pass account by providing an e-mail address. Library and other borough officers made a significant contribution to the success of the renewal by assisting applicants to complete their renewals online. Many people who would otherwise have posted their applications applied online with help from libraries. Sutton offered an online only renewal with their libraries primed to help passholders who were unable to renew at home, and just under half of those who renewed in Sutton did so at the library.

11. Appendix 1 gives a borough by borough breakdown of the number of renewals to date. An oral update with the most up to date renewal figures will be presented to the Committee.
12. A survey on the Freedom Pass renewal portal has had a good response and provided very positive results, particularly that over 11% of those who applied online had not used the internet before:
 - 30,974 online applicants responded and of these:
 - 92.6% of people found it easy or very easy to use
 - 65.6% of people who didn't find it easy had a technical problem with the form
 - 82.2% of people completed it on their own
 - 2.03% of people had to upload proofs
 - 81% of people who did upload something found it easy or very easy to use
 - 11.3% of respondents have never used the internet before
13. The London Borough of Camden managed its own older person's renewal using a different method. They performed internal residence checks of their 20,243 older person's passholders and identified 15,205 (75%) as still resident and eligible. These passholders were sent their passes automatically and did not have to apply to renew their passes. They identified 4,294 passholders to be written to asking them to provide proof of their Camden residence by post. The remaining passholders were identified as either deceased or no longer requiring the pass. 2,617 renewed by post, giving a total renewal figure of 17,822 out of a possible 19,499 (91%).
14. The number of phone calls and e-mails to the contact centre has been significantly lower than expected. They increased month on month from the beginning of the renewal in November until March, but the number has steadily reduced since early April. The number of calls received was 172,000 (20% ratio to letters sent) and e-mails is 47,000 (5% ratio to letters sent), meaning a total ratio of 25% call centre contacts to letters sent.
15. London Councils officers' have produced a specification to employ an external consultant to review its own renewal procedures and the different approaches taken by LBs Camden and Sutton, so that they may learn from the successes of each approach. London Councils' stakeholders, systems and customer service contractors are reviewing how the renewal went from their perspectives, which will feed into the wider review. The review findings will enable us to improve and streamline future annual renewals, the first of which is of around 177,000 passholders whose passes expire on 31 March 2016.

Communications and Publicity

16. The advertising campaign started in November, covering local newspapers and internet adverts. TfL provided free space during January and February on their advertising network to help publicise the renewal programme. Posters appeared inside buses, on bus shelters, tube ticket offices, and on Overground platforms. Scrolling digital display messages reminding people to renew on buses were particularly effective. ATOC (the Association of Train Operating Companies) also provided advertising on the suburban train network. The main purpose of this advertising campaign was to target those who hadn't yet responded to their letters to renew.
17. The Communications team will be reviewing the success of the advertising strategy and campaign and this will also contribute to the overall renewal review.

Disabled Person Passholders

18. Boroughs were responsible for reassessing their own disabled person passholders and had a deadline of 31 December 2014 to complete their renewal processes. Around 100,000 disabled passholders whose passes expired in March 2015 were identified at the start of the process. A number were identified as having moved away, deceased or no longer eligible. To date just fewer than 68,000 have renewed.

Consultation

19. Via regular reports and briefings London Councils consulted with members, borough officers and other stakeholders throughout the reissue process. A key part of the engagement has been the monthly project board meetings where borough officers, contractors, TfL, ATOC and London Councils' officers planned the reissue. Meetings have also been held with key user groups such as Transport for All and Age UK and London Councils' officers gave a number of presentations on the renewal at borough mobility forums.

Renewal Budget

20. It is envisaged that the final cost of the renewal will be considerably lower than the estimate of £3.141 million agreed by this Committee last July, and is likely to be approximately £2.63 million. A number of factors have reduced costs including a lower than projected number of phone calls and e-mails to the call centre, and 14% of passholders did not renew.

First Time Application Procedures

21. As reported to previous TEC meetings, the decision by the Post Office to end its contract with London Councils to process Freedom Pass applications for the boroughs on 30 June 2015 has necessitated the creation of new processes for first time Freedom Pass applications.
22. Two main methods of applying for the older person's pass were identified: applying online via the existing portal, which has been used for the 2015 renewal and 60+ applications, and by completing a paper application form and posting it for those unable to apply online. A downloadable version of the form will be available on the Freedom Pass website to minimize the number of paper application forms that need to be printed.
23. A test version of the application portal has been produced and has been tested by London Councils' officers. A specialist company was also employed, who sourced a number of older people to test the portal. This has produced valuable suggestions for improvement and final developments are being made before the planned go live date of 15 June 2015. A video has been produced by London Councils to guide people how to upload the required proofs and photos using mobile phones, and proved very helpful to the older people testing the site and is likely to lead to a higher online take up.
24. Procedures have also been agreed for our contractor to process paper applications submitted by post. A new application form has been printed and distributed to boroughs and processing applications will start from 22 June.
25. Disabled pass applicants will continue to apply to the borough. Once the application has been assessed and the applicant deemed as eligible the borough will enter their details directly on to the Freedom Pass database and arrange for a pass to be issued. This will

- mean a more convenient service to applicants as they will no longer have to take a letter of authorisation to a post office, but will receive their pass in the post once the borough authorises the application.
26. Further developments to enable disabled applicants to apply online directly are planned for later this year. However, this approach requires a greater degree of standardisation of application forms and eligibility criteria than is currently in place.
 27. Additional developments to enable current passholders to pay the charge for replacement passes online, and to set up an account, will also be in place by the end of June 2015.
 28. The previous report to this Committee outlined the potential savings of around £90,000 per year from the new application procedures. There will also be a direct annual saving to boroughs of around £42,000 from the Post Office processing charge, as the Post Office currently invoices boroughs for applications processed. However, this saving is offset in the first year by a cost of £43,000 to implement the new procedures, particularly the development of the portal.
 29. These annual savings are indicative only and are based on a number of assumptions in terms of the ratio of online to postal applications and the number of applications which will have to be returned for further information. The actual savings will not be known until the ratio of online to postal applications and the rate of returns are known in practice.

Charging for Replacement Freedom Pass

30. Approximately 94,000 passes are replaced each year at an approximate cost of £940,000 per annum. This is a significant administrative cost to the service which London Councils recharges to all of the authorities. Therefore, this Committee agreed in October 2012 to introduce a £10 charge to cover the cost of replacing lost and damaged Freedom Passes. That policy explicitly provides for exceptions in certain cases e.g. where passes are stolen and a crime reference number is provided or are faulty. (Of course, discretion may always be exercised to waive the charge in appropriate circumstances.) This policy has been accepted by the vast majority of Freedom Pass holders, with very few complaints being received.
31. Recently further consideration has been given to including specific criteria within the policy for the waiver of the replacement charge for pass holders who, by reason of their disability, may be more prone to losing their passes than others. At the current time, and having regard to the number of passes which have been replaced for these reasons to-date, it is considered that the adoption of blanket criteria in the policy is unnecessary and unworkable in practice. Rather it is recommended that requests continue to be considered on a case-by case basis with decisions being taken by the relevant local authority in which the individual resides on the provision of appropriate medical evidence of the condition in support of the waiver. However, it is also recommended that express mention be made in relevant published information, including on the London Councils' Freedom Pass website that discretion will be exercised in these circumstances as appropriate.
32. This charging policy will be kept under regular review.

Financial Implications for London Councils

The Director of Corporate Resources reports that a revised budget of £3.141 million for the 2015 renewal exercise was agreed at the July 2014 meeting of this Committee. Expenditure to date is £2.53 million, and indications are that the final renewal outturn will be approximately £2.60 million, £541,000 under budget for the reasons outlined in paragraph 20 of this report.

It is envisaged that savings in the region of £90,000 per year may be achieved with the introduction of new online and postal procedures for first time older and disabled applications. However, data from actual applications is needed to confirm that these estimates are robust and realisable.

Equalities Implications for London Councils

None

Equalities Implications for London Councils

The withdrawal of the Post Office from the application process may make it harder for a minority of vulnerable older and disabled people to apply for Freedom Passes. However, suitable arrangements have been put in place to support the application process for passholders, such as the implementation of an online application process, the ability to download a paper form and the provision of as many outlets as possible in boroughs to pick up a paper application form. This should negate any negative impact upon passholders from the loss of the Post Office service.

Recommendations

Members are asked to:

1. Note the outcome of the Freedom Pass 2015 reissue
2. Note the establishment of new procedures for first time Freedom Pass applicants
3. Note that the policy on charging for replacement passes has been revised to make express mention that discretion to waive the administrative charge may be exercised in appropriate circumstances, and that this policy will be kept under regular review

Background Papers

TEC – Freedom Pass Progress Report - 19 March 2015 (Item 10)
TEC – Freedom Pass 2015 Reissue Update - 11 December 2014 (Item 11)
TEC – Freedom Pass 2015 Reissue Update - 16 October 2014 (Item 7)
TEC – Freedom Pass 2015 Reissue Update - 17 July 2014 (Item 10)
TEC – Update on Freedom Pass Projects - 13 March 2014 (Item 7)
TEC – Freedom Pass Bulk Reissue 2015 - 12 December 2013 (Item 11)

APPENDIX 1 - NUMBER OF RENEWALS IN EACH BOROUGH BY 4 JUNE 2015

	Number Renewed Online	% renewed online	Number Renewed Paper	% Renewed Paper	Borough Automatic Renewals	% Renewed Automatic	Total Number Renewed	Total % Passes Renewed	Number of Passes Expiring 2015
Borough									
Barking & Dagenham	8440	55.77%	5055	33.40%	0	0.00%	13495	89.17%	15134
Barnet	28765	65.55%	8968	20.44%	0	0.00%	37733	85.99%	43882
Bexley	23335	65.53%	8572	24.07%	0	0.00%	31907	89.60%	35612
Brent	19614	62.17%	7090	22.47%	0	0.00%	26704	84.65%	31548
Bromley	34261	66.77%	11150	21.73%	0	0.00%	45411	88.50%	51313
Camden	176	0.89%	2617	13.28%	15205	77.70%	17998	91.36%	19701
City of London	758	62.13%	236	19.34%	0	0.00%	994	81.48%	1220
City of Westminster	13862	59.12%	5019	21.40%	0	0.00%	18881	80.52%	23448
Croydon	28513	65.11%	9305	21.25%	0	0.00%	37818	86.35%	43794
Ealing	22674	64.20%	7989	22.62%	0	0.00%	30663	86.82%	35317
Enfield	24441	66.10%	7944	21.49%	0	0.00%	32385	87.59%	36974
Greenwich	15079	61.31%	6110	24.84%	0	0.00%	21189	86.16%	24593
Hackney	9611	57.88%	4478	26.97%	0	0.00%	14089	84.85%	16604
Hammersmith and Fulham	9503	63.44%	3865	25.80%	0	0.00%	13368	89.24%	14979
Haringey	13853	63.23%	5016	22.90%	0	0.00%	18869	86.13%	21908
Harrow	21713	68.17%	6010	18.87%	0	0.00%	27723	87.03%	31853
Havering	25752	65.33%	9409	23.87%	0	0.00%	35161	89.20%	39416
Hillingdon	21638	66.16%	7567	23.14%	0	0.00%	29205	89.29%	32707
Hounslow	17221	65.53%	5803	22.08%	0	0.00%	23024	87.62%	26278
Islington	10155	62.15%	4487	27.46%	0	0.00%	14642	89.61%	16339
Kensington and Chelsea	10574	58.07%	4156	22.82%	0	0.00%	14730	80.89%	18210
Kingston upon Thames	12837	64.67%	4347	21.90%	0	0.00%	17184	86.56%	19851
Lambeth	13051	57.74%	5765	25.51%	0	0.00%	18816	83.25%	22603
Lewisham	14570	61.61%	6117	25.86%	0	0.00%	20687	87.47%	23650
Merton	14016	62.40%	5296	23.58%	0	0.00%	19312	85.97%	22463
Newham	11283	57.76%	4595	23.52%	0	0.00%	15878	81.28%	19534
Redbridge	20060	62.96%	6980	21.91%	0	0.00%	27040	84.86%	31863
Richmond upon Thames	16548	67.78%	4962	20.32%	0	0.00%	21510	88.10%	24415
Southwark	11935	55.40%	5731	26.60%	0	0.00%	17666	82.00%	21543
Sutton	22009	86.19%	16	0.06%	0	0.00%	22025	86.25%	25536
Tower Hamlets	8084	54.52%	3509	23.67%	0	0.00%	11593	78.19%	14827
Waltham Forest	14169	60.27%	5992	25.49%	0	0.00%	20161	85.76%	23508
Wandsworth	15851	60.88%	5755	22.10%	0	0.00%	21606	82.99%	26035
Total	534351	62.38%	189911	22.17%	15205	1.77%	739467	86.32%	856658

London Councils' Transport & Environment Committee

Changes to the Parking and Traffic Appeals Service (PATAS) Item No: 18

Report by: Spencer Palmer **Job title:** Director, Transport and Mobility
Date: 17 June 2015
Contact Officer: Spencer Palmer
Telephone: 0207 934 9908 **Email:** spencer.palmer@londoncouncils.gov.uk

Summary: Significant changes are being made to the Parking and Traffic Appeals Service including renaming, relocation, a new service provider and introduction of new systems and processes that will deliver significant improvements and efficiencies.

Recommendation: Members are asked to note the update on the changes to the Parking and Traffic Appeals Service (PATAS) set out in this report and ensure their own authorities are aware and prepared for the changes.

Background

- 1) As previously reported to the Committee a number of significant changes are being made to the Parking and Traffic Appeals Service (PATAS). This report updates members on each of those changes and the implications for enforcement authorities.

New Location

- 2) As a result of the imminent termination of the lease for the current premises at Angel Square in Islington, the appeals services will be moving to Chancery Exchange, Furnival Street, near Chancery Lane. The move will take place in the first week of July.

New Service Provider

- 3) Following an extensive competitive re-tender process last year, the Committee decided to award the contract for the provision of tribunal support services to a new service provider,

Northgate Public Services (NPS). During the last six months London Councils has been working closely with NPS and other key stakeholders, including relevant borough and TfL officers, to develop new and improved systems and processes and ensure a smooth transition when the current contract with Capita ends on the 3rd July 2015. The change in service provider will introduce some significant changes in the way the appeals services work in the future.

Online appeals and withdrawal of PATAS pre-printed forms

- 4) The new systems include the introduction of on-line appeals and the intention is to encourage this method of appealing as more customer friendly, cheaper and simpler for both the tribunals and authorities to work with. This change will, in particular, mean that after 3rd July 2015, London Councils will no longer be supplying pre-printed appeal forms and will provide digital template appeal forms instead. The new appeal forms, which will encourage people to submit their appeal online, will have to be printed by each enforcement authority and provided with their Notice of Rejection. This will also enable enforcement authorities to communicate with appellants electronically where possible.

Unique Verification Code

- 5) The move to online appeals will also require the introduction of a unique verification code for every appeal. Detailed specifications for this new code have been developed through consultation with a special interest group of enforcement authorities and discussions with relevant borough software providers. It is extremely important that every enforcement authority is ready to issue the required verification code with every Notice of Rejection and its accompanying appeal form from 3rd July 2015.

Electronic Transfer of Appeals Documentation

- 6) A key requirement for the new service provider has been to minimise the transfer of hard copy information to increase efficiency and reduce costs e.g. forms, evidence, correspondence etc. From July, all transfer of documentation from the appeals services to enforcement authorities will be in electronic format, either by email or via the newly developed online portal. NPS is working closely with all authorities to ensure two-way electronic transfer of documents (fully automated where possible) will be implemented by the end of 2015. This means that all authorities will be transferring appeals evidence and correspondence electronically within six months of the introduction of the new system this July.

Name Change

- 7) With the increasing range of appeals considered by the adjudicators, the name 'Parking and Traffic Appeals Service' is no longer fully descriptive of the tribunal's range of activities. As almost all stationery will need to be changed to cope with the new service provider and building signs need to be changed because of the move, the adjudicators saw this as a good opportunity to rebrand the tribunals at minimal cost. In April this year under the urgency procedure, TEC Members were consulted on a proposal to rebrand the Parking and Traffic Appeals Service (PATAS). The following changes were agreed to take effect from July 2015:
- 8) For public facing activities the old single service name will no longer be used but, instead, the two tribunals will use their own terminology:

- Environment and Traffic Adjudicators (ETA) - the new name of the parking and traffic adjudicators who deal with appeals against parking, moving traffic, bus lanes, littering, waste receptacles and lorry control enforcement
 - Road User Charging Adjudicators (RUCA) – who will continue to cover Congestion Charging and Low Emission Zone appeals
- 9) If there is a need to refer to the two tribunals collectively, they will be known as the London Tribunals, while the administrative support team for the tribunals, who work flexibly between the two tribunals, as needed, will be known as the London Tribunals Support Service. Enforcement authorities are being advised to ensure that all references to the tribunals on their websites and other literature and correspondence, is amended for the 3rd July to reflect the new names.

Legal implications

- 10) None.

Financial implications

- 11) The cost of the move of the appeals hearing centre from Angel Square to Chancery Lane is estimated to cost £1.1 million, which is within the budgeted estimate of between £1 million and £1.5 million approved by the TEC Executive Sub-Committee in July 2014. The estimated cost savings anticipated to be delivered as a result of the change of service provider for tribunal support services was included in the 2015/16 revenue budget agreed by the Committee in December 2014. The cost of the rebranding exercise is estimated to be £6,000, as explained in the urgency report (also attached to this agenda), which can be met from existing resources.

Equalities Implications

- 12) None. Although electronic and online processes and communication is being enabled and encouraged, the ability to use postal processes will remain as well as the ability to attend a personal hearing.

London Councils' Transport and Environment Committee

London Borough of Bexley Approval Item No: 19 to Commence Moving Traffic Enforcement

Report by: Andrew Luck **Job title:** Transport Officer
Date: 18 June 2015
Contact Officer: Andrew Luck
Telephone: 020 7934 9646 **Email:** andrew.luck@londoncouncils.gov.uk

Summary: This report seeks approval for the London Borough of Bexley to commence enforcement of moving traffic contraventions under the London Local Authorities and Transport for London Act 2003.

Recommendations: The Committee is asked to:

- agree that permission be given to the London Borough of Bexley to enforce moving traffic contraventions using CCTV.

Background

1. London Councils' Transport and Environment Committee is responsible for the approval of applications from London local authorities that wish to commence CCTV enforcement. London Councils also promotes best practice which ensures a consistent approach to CCTV enforcement across London.
2. The London Local Authorities and Transport for London Act 2003 allows London authorities to take on the civil enforcement of certain moving vehicle contraventions. The Transport and Environment Committee agreed on 21 July 2005 that the pilot scheme was complete and that authorities that wished to take on the powers should apply to the Committee for approval to commence.
3. An authority cannot choose which contraventions to enforce; they must take on responsibility for all the contraventions across the whole of the authority's area.
4. Aside from LB Bexley, the only remaining boroughs who have not yet sought to take up these powers are: LB Barnet, LB Bromley, RB Greenwich, and RB Kensington and Chelsea.

5. Transport for London also enforces moving traffic contraventions by CCTV, but does not require the Committee's approval to do so.

Application to Commence Moving Traffic Enforcement by the London Borough of Bexley

6. The key steps for boroughs planning to adopt the powers are:
 - Liaise with the police regarding transfer of enforcement
 - Produce an inventory of all locations where the prohibitions, restrictions and instructions to vehicles can be found
 - Review all prohibitions and restrictions to make sure they are appropriate
 - Review all related signs and markings to make sure they are in good condition
 - Obtain council resolution to take on the powers
 - Advertise the passing of the resolution and the date set in a local newspaper and in the London Gazette
 - Identify the enforcement regime and capacity
 - Determine enforcement priorities
 - Apply to London Councils TEC for approval to take on the powers
 - Carry out local publicity and an awareness campaign
7. An application to commence enforcement of moving traffic contraventions has been received from the London Borough of Bexley (Appendix 1), which is proposing to commence enforcement from 1 August 2015. Members are recommended to approve the application as the authority has followed the key steps above and the application meets the criteria set down by the Committee.

Financial Implications

8. There are no financial implications to London Councils arising from this report.

Legal Implications

9. There are no legal implications to London Councils arising from this report.

Equalities Implications

10. There are no equalities implications to London Councils arising from this report.

Recommendations

11. The Committee is asked to:
 - agree that permission be given to the London Borough of Bexley to enforce moving traffic contraventions using CCTV.

Ref: GT/MTC/LC/MAY

Mr Nick Lester
Director of Services
London Councils
59 ½ Southwark Street
London
SE1 0AL

11.05.2015

Dear Mr Lester,

Application for approval to commence enforcement of moving traffic contraventions in the London Borough of Bexley

I wish to formally submit an application to commence Moving Traffic Contravention (MTC) enforcement in the London Borough of Bexley with effect from 01/08/2015, (the appointed day as agreed by Council).

I attach an inventory of all locations in the borough where moving traffic contraventions may occur.

I can confirm that any CCTV monitoring operations will take place in a controlled environment and will be carried out in accordance with the Code of Practice.

Also enclosed with this application is a sample copy of the Penalty Charge Notice (PCN) that will be issued for these contraventions.

If you have any questions about this application please contact me direct.

Yours sincerely,



Ben Stephens
Head of Shared Parking Service (Bexley & Bromley)
Benjamin.stephens@bexley.gov.uk
Benjamin.stephens@bromley.gov.uk

Penalty Charge Notice

London Local Authorities and Transport for London Act 2003
The London Borough of Bexley

PENALTY CHARGE NOTICE (PCN): &SERN
VEHICLE REGISTRATION MARK: ®NO
MAKE OF VEHICLE: &MAKER
DATE OF THE NOTICE: &TODAY
DATE OF CONTRAVENTION: &DOFFC

&KTITL &KINIT &KNAME
&KADD1
&KADD2
&KADD3
&KADD4
&KPCOD

The London Borough of Bexley believes a penalty charge of £&CFINE is payable for the alleged contravention:

&OFFC1 &OFF11 &OFF12 &OFF13

&PLOCN On: &DOFFC At: &TOFFC By: &POFCD

&PPCNP

The alleged contravention was noted by Enforcement Officer (XX number) who was observing real time pictures from a mobile camera at the time stated

As the person considered to be the registered keeper / owner of this vehicle liability for this Penalty Charge rests with you

The full amount of the penalty charge £&CFINE must be paid not later than the last day of the period of 28 days beginning with the date of this Notice. If the penalty charge is paid not later than the last day of the period beginning with 14 days from the date of this Notice, the penalty charge will be reduced by 50% to £&CLFIN

In the event that payment is made as directed it will be accepted in settlement and the case closed automatically without reply being sent

METHODS OF PAYMENT:

On line (24 hours a day), credit / debit cards <https://pcn.bexley.gov.uk>. You can also view the digital image/s evidence held by the Council through this link.

Telephone (24 hours a day), credit / debit cards 020 3045 5200 – this service is an automated touchtone system. It is your responsibility to pay the correct charge as it may not always be possible to refund overpayments

Post, crossed cheque or postal order, payable to LONDON BOROUGH OF BEXLEY (credit / debit card payments are not accepted if posted) – Please complete payment slip overleaf and write the PCN number and a daytime contact telephone number on the reverse of the cheque / postal order. Send payment to: PARKING SERVICES, BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY, KENT BR1 3UH

In person, cash only – see Parking Services web pages for further information, www.bexley.gov.uk/parking

REPRESENTATIONS:

You can view stills of the evidence recorded at <https://pcn.bexley.gov.uk/>, make payment against the penalty charge or submit a formal representation directly. If you wish to submit a formal representation via the post please follow the directions below in HOW TO MAKE REPRESENTATIONS. Return your representation to Parking Services, Bromley Civic Centre, Stockwell Close, Bromley, Kent, BR1 3UH, within 28 days of the date of service of this Notice (which is the date it was delivered). Please quote the PCN number in all communication. If your written representation is received within the specified period (or received outside of the specified period but still considered), but, your representation is rejected, you will be given the opportunity to lodge an appeal with an independent adjudicator, (further guidance will be contained on the Notice of Rejection). If your representation is accepted a Notice of Acceptance will be sent and no further recovery action will be taken against you.

HOW TO MAKE REPRESENTATIONS:

If you consider that a ground or grounds listed on the reverse applies (tick relevant box/es), and complete either Section A or B or both (depending on relevance). You MUST provide the PCN number in ALL communication and you MUST complete and sign Section C for ALL Representations. Failure to provide either the PCN number or complete and sign Section C may mean that your representation cannot be processed and FURTHER RECOVERY ACTION (see below) may be taken. If you consider there are compelling reasons that the PCN should be cancelled, please provide them in full. Please note, compelling reasons is not a statutory ground for representation it is a claim that there are significant mitigating factors which require consideration by the Borough.

If neither payment of the required charge within the specified periods (as shown earlier in this Notice) has been made or in any event neither payment nor representation has been made within 28 days of the date of service of this Notice, a surcharge of 50% will be added to the total due and a Charge Certificate will be sent indicating that payment of £&CCBAL is due. Steps will be taken to enforce payment of the increased charge, which may include registration of the charge as a debt payable through a County Court order and the use of Enforcement Agents. Representations received outside of the 28-day period beginning with the date on which this Notice is served may be disregarded. There is no facility to make representation attached to the Charge Certificate and correspondence received may be disregarded.

Please note - In the event that a Notice of Rejection of Formal Representation is issued against a formal representation received, the option to make payment at the reduced amount will not be re-offered, as in accordance with statutory requirements it is not applicable to formal representations. The reduced payment facility is only applicable for the period as shown above.

The London Borough of Bexley will use any data collected through the issuing of this Penalty Charge Notice for the enforcement of traffic contraventions and other associated purposes. This data may also be disclosed to London Councils and other enforcement agencies. All processing of this data will be in accordance with the Data Protection Act 1998.

GROUND S FOR REPRESENTATION / COMPELLING MITIGATION:

PCN No: &SERN O

<input type="checkbox"/> 1: There was no contravention of an order or failure to comply with an instruction on a sign – please explain why you believe there was no contravention of a traffic order or no failure to drive the vehicle in the way shown in the sign in SECTION A	<input type="checkbox"/> 4: We are a hire firm and have supplied the name of the driver – please attach documentary evidence of hire and hirers statement of liability for penalty charges incurred, and complete SECTION B
<input type="checkbox"/> 2: I was not the owner of the vehicle on the date of the contravention – please provide evidence and full name and address of person you purchased vehicle from or sold vehicle to in SECTION B	<input type="checkbox"/> 5: The penalty charge exceeded the amount applicable in the circumstances of the case – please explain why you think you are being asked to pay more than you should legally pay in SECTION A
<input type="checkbox"/> 3: The vehicle was used without my consent – please provide crime reference number and Police station in SECTION A The Traffic Order was invalid – please confirm your reasons for considering the legal order was not valid in SECTION A	

A: REPRESENTATIONS – Please give details in support of the statutory grounds and/or compelling reasons for cancelling the penalty charge. Please attach additional sheets if required and provide as much detail and evidence as possible, such as proof of sale or documentary evidence of loading etc

B: OWNERSHIP DETAILS Ground 2 – I was not the owner of the vehicle on the date of the contravention or Ground 4 – We are a hire firm (tick relevant box)

<input type="checkbox"/> I have never owned the vehicle	<input type="checkbox"/> I sold the vehicle before the date of the contravention
<input type="checkbox"/> I purchased the vehicle after the date of the contravention	<input type="checkbox"/> The vehicle was on hire on the date of the contravention

Name of Buyer / Seller / Hirer (delete as applicable):

Address:

C: DECLARATION – This DECLARATION MUST be completed and signed for all representations made, (unless representation is emailed, in which case it will be accepted by the Borough that the email serves as confirmation of DECLARATION):

I confirm that to the best of my knowledge the information I have provided is correct and I understand that making a false declaration may result in prosecution and a possible fine of up to £5000.

Name (BLOCK CAPITALS):

Position in company (if relevant):

Date of Declaration: _____ Signature: _____

Detach here

PAYMENT SLIP

Detach here

PCN No: &SERN O
Registration Number: ®NODate of Contravention: &DOFFC
Date of the Notice: &TODAY

NAME (BLOCK CAPITALS): _____

ADDRESS (BLOCK CAPITALS): _____

Prescribed Routes Traffic Management Orders

Road name and postal location	Traffic Order No.	Reason	Description of Prescribed Route
<u>Access Road</u> into Thames Road Depot, Crayford	1994 – No. 2	No right turn	All vehicles proceeding into Thames Road depot, through the only access road, must turn left into the depot and may not turn right.
<u>Albert Road</u> , Belvedere	1993 – No. 23	One Way Street	One way street in North West direction along entirety of Albert Road, from its junction with Nuxley Road to its junction with Woolwich Road
<u>Albion Road</u> , Bexleyheath	1998 – No. 52	Left Turn Only	Vehicles proceeding in an East direction along Albion Road, to the North of the central traffic island in that road, must turn left on reaching the junction with Gravel Hill must turn left into Gravel Hill. No right turn allowed when to the North of the traffic island.
<u>Albion Road</u> , Bexleyheath	1998 – No. 52	Right Turn Only	Vehicles proceeding in an East direction along Albion Road, to the South of the central traffic island in that road, on reaching the junction with Gravel Hill must turn right into Gravel Hill. No left turn allowed when to the South of the traffic island.
<u>Appold Street</u> , Erith	1998 – No. 21	No Entry	Appold Street closed to traffic – except for bicycles and maintenance vehicles – between a point opposite the North boundary of No. 16 Appold Street and its junction with Wheatley Terrace Road.
<u>Appold Street</u> , Erith	2001 – No. 32	Cycle Lane Only	No access for vehicles, <u>except bicycles</u> , to the section of Appold Street between its junction with Wheatley Terrace Road and a point 1 metre South of this junction.
<u>Appold Street</u> , Erith	2001 – No. 33	Cycle Lane Only	Confirms the width of the above <u>cycle lane</u> as 2 metres.
<u>Appold Street</u> , Erith	2002 – No. 42	One Way Street	Appold Street closed to traffic – except for bicycles – between its junction with Wheatley Terrace Road and a point 1 metre South of that junction.
<u>Appold Street</u> , Erith	2004 – No. 17	No access	Appold Street closed to traffic – except for bicycles – between its junction with Wheatley Terrace and point 1 metre South of this junction.
<u>Arnsberg Way</u> , Bexleyheath	1998 – No. 53	Left Turn Only	Behind the Broadway Cinema complex at Bexleyheath (behind its North East corner where it meets Arnsberg Way) is a <u>service yard area</u> . Any vehicle leaving this area may only turn left into Arnsberg Way.
<u>Arnsberg Way</u> , Bexleyheath	1998 – No. 53	No Right Turn	Behind the Broadway Cinema complex at Bexleyheath (behind its North East corner where it meets Arnsberg Way) is a service

			yard area. Vehicles travelling along Arnsberg Way in a North West direction may not turn right into this yard at the point where they pass it.
<u>Arnsberg Way, Bexleyheath</u>	1998 – No. 53	U-Turn Ban	U-Turn ban for cars travelling in either direction along Arnsberg Way between its junctions with Broadway and Mayplace Road West. Traffic island along the centre of the area of road near Cineworld to enforce this.
<u>Arnsberg Way, Bexleyheath</u>	2000 – No. 57	No Entry	There is a <u>traffic island</u> at the North East side of the Mayplace Road West/Arnsberg Way junction. No traffic proceeding on Arnsberg Way may enter the South East side of the island.
<u>Arnsberg Way, Bexleyheath</u>	2000 – No. 57	No Right Turn	No vehicle travelling along Arnsberg Way may make a right turn into the Service Road – left turns only are allowed. The Service Road is defined as the road surrounding a traffic island on the South West side of the Mayplace Road West/Arnsberg Way junction, and provides access to the service area of Broadway Square.
<u>Arnsberg Way, Bexleyheath</u>	2000 – No. 57	Straight Ahead Only	There is a traffic island at the North East side of the Broadway/Highland Road/Arnsberg Way junction. Vehicles travelling along the road to the West of this island, must proceed straight ahead only.
<u>Bedwell Road, Belvedere</u>	1992 – No.3	One Way Street	One way street, along the short part of Bedwell Road which connects to Nuxley Road, in a South East directions.
<u>Bedwell Road, Belvedere</u>	1993 – No. 23	One Way Street	One way street down Bedwell Road, from the point where the road starts in the North at the junction with Woolwich Road to the point where the North West to South East arm of Bedwell Road breaks off, in a South direction.
<u>Bexley High Street, Bexley</u>	2003 – No. 28	Weight Restriction	No vehicles exceeding 7.5 tonnes in weight (including any load) may travel down the section of <u>Bexley High Street</u> between the East and West ends of the Bridge over river Cray.
<u>Bexley Lane, Crayford</u>	1979 - No 342	Width Restriction	No vehicles over 7 feet/2.1 metres, may enter the length of carriageway that lies to the south east side of the island in Bexley Lane, in a northwest to southwest direction only.
<u>Bexley Lane, Sidcup</u>	2004 – No. 33	U – Turn Ban	Vehicles travelling in the section of Bexley Lane – between a point level with the boundaries of Nos. 93 & 95 Bexley Lane and a point level with the boundaries of Nos. 113 & 115 Bexley Lane – may not turn around so as to face the opposite direction.

<u>Bexley Road</u> , Erith	1998 – No. 13	One Way Street	One way street along Bexley Road, beginning with its junction with Erith High Street and ending at its junction with the Erith Roundabout, in a West direction.
<u>Bexley Road</u> , Erith	1998 – No. 13	Bus Access Only	There is an <u>island</u> in Bexley Road extending from the junction with Cross Street to the Junction with Erith High Street. Immediately along the South side of this island, no access except for buses.
<u>Bexley Road</u> , Erith	1998 – No. 13	One Way Street	All buses in bus area outlined above, to proceed in a West direction only.
<u>Bexley Road</u> , Erith	2002 – No. 42	One Way Street	One way street along Bexley Road, beginning with its junction with Erith High Street and ending at its junction with the Erith Roundabout, in a West direction.
<u>Bridge Road</u> , Bexleyheath	2003 – No. 28	Weight Restriction	No vehicles exceeding 3 tonnes in weight (including any load) may travel down the section of <u>Bridge Road</u> between North and South ends of the Bridge over the London to Dartford railway line.
<u>Bridge Road</u> , Bexleyheath	2008 – No. 36	Width Restriction	No vehicles exceeding 6' 6" in width may travel down the section of <u>Bridge Road</u> beginning at a point 4 metres South of the Southern boundary of No. 17 Bridge Road and extending for 19 metres.
<u>Broadway</u> Bexleyheath	2012 – No 43	No Left turn	Vehicles travelling east along Broadway may not turn left at the junction with Watling Street/Gravel Hill/Erith Road, into Erith Road (EFFECTIVE FROM JANUARY 2016)
<u>Broadway</u> , Bexleyheath	1998 – No. 53	Left Turn Only	Vehicles leaving the Bexleyheath Cineworld car park must only turn left onto Broadway, no right turn allowed.
<u>Broadway</u> , Bexleyheath	1998 – No. 53	U-Turn Ban	U-Turn ban for cars travelling in either direction along Broadway between its junctions with Gravel Hill and Arnsberg Road.
<u>Broadway</u> , Bexleyheath	2000 – No. 57	No Entry	There is a <u>traffic island</u> at the North East side of the Broadway/Highland Road/Arnsberg Way junction. No entry for people travelling West along the Broadway into the North East side of the island.
<u>Broadway</u> , Bexleyheath	2000 – No. 57	Left Turn Only	There is a <u>traffic island</u> at the North East side of the Broadway/Highland Road/Arnsberg Way junction. Vehicles travelling along the East side of this island may only make a left turn on reaching the junction with Broadway.
<u>Broadway</u> , Bexleyheath	2000 – No. 57	No Left Turn	Vehicles travelling South down Arnsberg Way, when travelling in the West most lane, may not turn left into Broadway. There is left turn access to the East of the traffic island at this junction.
<u>Broadway</u> ,	2000 – No.	No entry	No vehicle entry along the section of the

Bexleyheath	57		Broadway stretching between its junction with Arnsberg Way at its West most point and its junction with Norwich Place.
<u>Burnell Avenue</u> , Welling	1995 – No. 22	No Vehicle Access	<u>Bollards</u> erected to prevent access to Burnell Avenue from its junction at the North end of the Avenue with Central Avenue.
<u>Caithness Gardens</u> , Sidcup	2003 – No. 28	Weight Restriction	No vehicles exceeding 17 tonnes in weight (including any load) may travel down the section of <u>Caithness Gardens</u> between North and South ends of the Bridge over the river Shuttle.
<u>Chapel Hill</u> , Crayford	1986 – No.6	One Way Street	One way street in South East direction, down Chapel Hill from where the road starts at the junction with Old Road, to the junctions with Star Hill.
<u>Chapel Road</u> , Bexleyheath	2000 – No. 57	One Way Street	One way street along Chapel Road, beginning with its junction with North Street and ending at its junction with Arnsberg Way, in a South direction.
<u>Chester Road</u> , Blackfen	1988 – No.11	Road Closure (Gated)	No access to Chester Road from East Rochester Road at the North end of Chester Road. <u>Gate</u> in place to prevent access.
<u>Chestnut Road</u> , Belvedere	1992 – No.3	One Way Street	One way street along Chestnut Road, up to the junction with Nuxley Road in a North West direction.
<u>Church Road</u> , Bexleyheath	1991 – No.11	Right Turn Ban	At the South end of Church Road, where it meets The Broadway, vehicles may only turn left into the Broadway.
<u>Church Road</u> , Bexleyheath	2003 – No. 28	Weight Restriction	No vehicles exceeding 7.5 tonnes in weight (including any load) may travel down the section of <u>Church Road</u> between North and South ends of the Bridge over the London to Dartford railway line.
<u>Church Road</u> , Bexleyheath	2008 – No. 36	Width Restriction	No vehicles exceeding 6' 6" in width may travel down the section of <u>Church Road</u> beginning at a point 1 metre South of the Southern boundary on No. 175 Church Road and extending for 20 metres.
<u>Corinthian Manorway</u> , Crayford	1998 – No. 1	No Access	No entry for vehicles to the stretch of Corinthian/Church Manorway to the North East of the entrance to Landor Cartons Ltd.
<u>Coton Road</u> , Welling	1987 – No.5	One Way Street	One way street in West direction, from where the road starts at the junction with Upper Wickham Lane, to where it terminates at Edmund Road.
<u>Coton Road</u> , Welling	1987 – No.5	Right Turn Ban	At the end of Coton Road, at the junction with Edmund Road, there is no right turn, cars must turn left out of Coton Road.
<u>Crabtree Manorway South</u> , Erith	1997 – No. 23	Left Turn Only	Vehicles travelling down Crabtree Manorway South, on meeting the <u>Spine Road</u> (see definition above) can only turn left, no right turn allowed.

<u>Crabtree Manorway</u> , Erith	1997 – No. 23	One Way Street	One way street along the access slip road into the A2016 from Crabtree Manorway, in a North West direction.
<u>Crabtree Manorway</u> , Erith	1997 – No. 23	One Way Street	One way street along the exit slip road from the A2016 into Crabtree Manorway, in a South West direction.
<u>Craybrook Road</u> , Sidcup	1965 – No. 158	One Way Street	One way street between its junction with <u>St Johns Road</u> and 35 feet northeast of its junction with High Street Sidcup.
<u>Craybrook Road</u> , Sidcup	2012 – No. 45	One Way Street	One way Street between its junction with <u>St Johns Road</u> and <u>High Street (Sidcup)</u>
<u>Crayford High Street</u> , Crayford	1996 – No. 19	No Left Turn	No vehicle travelling along Crayford High Street may make a left turn into Crayford Way.
<u>Crayford Road</u> , Crayford	1986 – No.4	One Way Street	<ul style="list-style-type: none"> One way system along Crayford Road from point of junction with Crayford High Street, in a South East direction.
<u>Crayford Way</u> , Crayford	1997 – No. 4	No U Turn	No vehicle is allowed to perform a U Turn along Crayford Way, at any point along a 70 metre section stretching South from the Southern kerb line of Thames Road.
<u>Crescent Road</u> , Erith	1996 – No. 28	Restricted width	No vehicles wider than 7 feet/2.1 metre, may enter a 52 metre/170 feet section of <u>Crescent Road</u> – stretching in a Westward direction from Crescent Road's junction with Appold Street.
<u>Edgington Way</u> , Sidcup	1997 – No. 43	U-Turn Ban	Vehicles travelling in either direction along Edgington Way may not perform a U-Turn along the stretch of Edgington Way extending from a point 50 metres East of the junction with the Unnamed Road, and the splitter island signalling Edgington Way's approach to the Crittall's Corner Junction.
<u>Edgington Way</u> , Sidcup	1997 – No. 43	No Entry Zone	At the junction of Edgington Way and the Unnamed Road there is a <u>splitter island</u> . No vehicle heading in an East direction along Edgington Way may turn left to enter the Unnamed Road to the East of the splitter island, they may enter by the West side only.
Edgington Way (Gyratory)	1988 – No.6 1990 – No.3	One Way Street Right Turn Ban	
<u>Edgington Way</u> , Sidcup	1990 – No. 3	Right Turn Bans	<ul style="list-style-type: none"> All along Edington Way, which cuts through many industrial estates, any vehicles entering the road from side roads or entry lanes can only do so turning left, right turns are banned. Note: Edington Way cuts across the Bexley/Bromley boundary
<u>Erith High Street</u> , Erith	1998 – No. 13	One Way Street	One way street along Erith High Street, beginning with its junction with Walnut Tree Road and ending at its junction with Bexley

			Road, in a South East direction.
<u>Erith High Street</u> , Erith	1998 – No. 21	No Entry	Road closed to traffic – except for buses, bicycles and maintenance vehicles – between Erith High Street's junction with Queen Street and the exit from the multi-storey car park to the North of this point.
<u>Erith High Street</u> , Erith	1998 – No. 21	No Entry	Road closed to traffic – except for buses, bicycles, maintenance vehicles and vehicles leaving the multi-storey car park – between the exit to the multi-storey car park and a point 14 metres South of the North most wall of the Erith Town Square building.
<u>Erith High Street</u> , Erith	1998 – No. 21	No Left Turn	Vehicles exiting the multi-storey car park in Erith High Street are not able to turn right into Erith High Street.
<u>Erith High Street</u> , Erith	1999 – No. 5	Road Closure	Erith High Street closed to traffic – except for buses and maintenance vehicles – between its junction with Queen Street and the exit from the multi-storey care park on Erith High Street.
<u>Erith High Street</u> , Erith	1999 – No. 5	Road Closure	Erith High Street closed to traffic – except for bicycles in the area to the East of the traffic islands located immediately to the South of the entrance to the underground parking and service area below Nos. 29 and 42 Erith High Street.
<u>Erith High Street</u> , Erith	2002 – No. 42	One Way Street	One way street along Erith High Street, beginning with its junction with Walnut Tree Road and ending at its junction with Bexley Road, in a South East direction.
<u>Erith High Street</u> , Erith	2002 – No. 42	One Way Street	Erith High Street closed to traffic – except for buses, bicycles, maintenance vehicles and those vehicles leaving the multi-storey car park – between the exit from the multi-storey car park and a point 14 metre south of the North most wall of Erith Town Square building.
<u>Erith High Street</u> , Erith	2002 – No. 42	Left Turn Only	Vehicles exiting the multi-storey car park may only make a left turn on reaching the junction with Erith High Street.
<u>Erith High Street</u> , Erith	2004 – No. 17	No access	Erith High Street closed to traffic – except for buses, bicycles, maintenance vehicles and those vehicles requiring access to the "Basement Area" (giving access to shops) on this stretch of road – between Queen Street and "Basement Area".
<u>Erith High Street</u> , Erith	2004 – No. 17	No access	Erith High Street closed to all traffic with no exceptions, between the point giving access to the "Basement Area" (as defined above) and the junction with Bexley Road.
<u>Erith Road</u> , Bexleyheath	1989 – No.3	Right Turn Bans	When driving down Erith Road no right turn into the following four roads: <ul style="list-style-type: none"> • <u>Bowness Road</u>

			<ul style="list-style-type: none"> • <u>Brantwood Road</u> • <u>Lyndhurst Road</u> • <u>Silverdale Road</u> <p>Any car turning onto Erith Road from the above four streets, must only make a left turn.</p>
<u>Erith Road</u> , Bexleyheath	1998 – No. 52	No Right Turns	<ul style="list-style-type: none"> • There is a <u>traffic island</u> at the junction of Erith Road and Watling Street. • Vehicles travelling South down Erith Road, on the East side of the traffic island must turn left into Watling Street. • Vehicles travelling South down Erith Road, on the West side of the traffic island, must carry straight on. • No right turns allowed.
<u>Erith Roundabout</u> , Erith	1997 – No. 23	No Access	No vehicle travelling around the Erith roundabout may enter Bexley Road (East) from the roundabout, except for buses and bicycles.
<u>Erith Roundabout</u> , Erith	2006 – No. 24	One Way Street	The Erith Roundabout is found at the junction of Bronze Age Way/Walnut Tree Road/Bexley Road/Queen's Road. Situated to the roundabout's North East is a slip road connecting Bexley Road and Walnut Tree Road. Vehicles travelling on this slip road may only proceed in a <u>North West</u> direction.
<u>Ethelbert Road</u> , Erith	1995 – No. 5	One Way Street	One way street along the entirety of Ethelbert Road, beginning with its junction with Hengist Road and ending at its junction with Horsa Road, in a South direction.
<u>Footscray High Street</u> , Sidcup	2003 – No. 28	Weight Restriction	No vehicles exceeding 3 tonnes in weight (including any load) may travel down the section of <u>Footscray High Street</u> between East and West ends of the Bridge over river Cray.
<u>Friswell Place</u> , Bexleyheath	2000 – No. 57	One Way Street	One way street along Friswell Place, beginning with its junction with Market Place and ending at a point 27 metres South of the South kerb line of Arnsberg Way, in a North direction.
<u>Friswell Place</u> , Bexleyheath	2000 – No. 57	No Access (Except for Buses)	Bus access only to the section of Friswell Place stretching between its junction with Market Place and a point 27 metres South of the junction with Arnsberg Way.
<u>Geddes Place</u> , Bexleyheath	2000 – No. 57	One Way Street	One way street along Geddes Place, beginning at the entrance to the United Reform Church and ending at its junction with Market Place, in a South direction.
<u>Geddes Place</u> , Bexleyheath	2000 – No. 57	Left Turn Only	Vehicles travelling along Geddes Place may only make a left turn on reaching the junction with Arnsberg Road.
<u>Geddes Place</u> , Bexleyheath	2000 – No. 57	No Access (Except for Buses)	Bus access only to the section of <u>Geddes Place</u> stretching between the entrance to the United Reform Church and its junction

			with Mayplace Road West.
<u>Graham Road, Bexleyheath</u>	1999 – No. 32	U-Turn Ban	<ul style="list-style-type: none"> At the South most point of Graham Road, at its junction with Arnsberg Way there is a <u>traffic island</u>. No vehicle heading South down Graham Road may turn back to face the opposite direction by going around this island. No vehicle heading North East along Arnsberg Way into this junction with Graham Road, may use the island to turn around on itself to head back in the opposite direction. No vehicle heading west along Arnsberg Way into this junction with Graham Road, may use the island to turn around on itself to head back in the opposite direction.
<u>Grassington Road, Bexley</u>	2003 – No.25	Cycle Lane	No access to vehicles (except bicycles) in Grassington Road between its junction with Jenner Close and a point 5 metres East of this junction.
<u>Gravel Hill, Bexleyheath</u>	1998 – No. 52	No Right Turns	There is a <u>traffic island</u> at the junction of Gravel Hill and Broadway. Vehicles travelling North up Gravel Hill and moving to the West (left as they look) side of the island may only turn left, no right turns allowed.
<u>Gravel Hill, Bexleyheath</u>	1998 – No. 52	On Access	There is a <u>traffic island</u> in the road at the junction of Gravel Hill and Albion road. Vehicles travelling South down Gravel Hill (to the North of the Albion Road junction) must proceed along the area of the road to the East of the island and may not turn into the West side of the road.
<u>Gravel Hill, Bexleyheath</u>	1998 – No. 52	Left Turn Only	Vehicles proceeding in an North direction along Gravel Hill, to the West of the <u>central traffic island</u> in that road, on reaching the junction with Albion Road must turn left into Albion Road. No right turn allowed when to the West of the traffic island.
<u>Gravel Hill, Bexleyheath</u>	1998 – No. 52	Straight Ahead Only	Vehicles travelling North along Gravel Hill in the area between the two traffic islands at the junction with Albion Road must proceed straight ahead and continue with their journeys along Gravel Hill, no turns available when travelling between the traffic islands.
<u>Hadlow Road, Sidcup</u>	1965 – No 158	One Way Street	One way street along Hadlow Road from its junction with Granville Road to the junction with High Street Sidcup
<u>Halt Robin Lane/Halt Robin Road,</u>	2003 – No. 38	No Access	<u>Fences/bollards</u> erected to prevent any access to Parkside Road from either Halt Robin Lane or Halt Robin Road. Space for

Belvedere			bicycle access.
<u>Hamilton Road,</u> Sidcup	1965 – No 158	One Way Street	One way street along Hamilton Road from its junction with Main Road to its junction with Stanhope Road.
<u>Hatherley Road,</u> Sidcup	1965 – No 158	One Way Street	One way street along Hatherley Road from its junction with High Street (Sidcup) to its junction with Granville Road
<u>Hazel Road,</u> Slade Green	1991 – No.5	Bus Lane	At the North end of Hazel Road, at the junction with Slade Green Road there is a <u>large traffic island</u> and to the East this there is a bus lane which no other vehicles can enter.
<u>Thames Road,</u> Crayford	2005 – No. 1	No Right Turn	Heath House lies at a point just to the East of the roundabout linking Thames Road/Wyatt Road/Perry Street/Parkside Avenue/Northend Road. Vehicles travelling West on Thames Road are not allowed to turn right into the accesses to Heath House or its neighbour, Verdict House.
<u>Thames Road,</u> Crayford	2005 – No. 1	Left Turn Only	Vehicles leaving the development of Heath House must turn left onto Thames Road.
<u>Heathlee Road,</u> Crayford	2008 – No. 37	Cycle Lane Only	There is an unnamed road between Heathlee Road and Bascombe Grove. In the above road, no access for any vehicles except bicycles from a point 10 metres South of the point opposite the front wall of No. 99 Bascombe Grove.
<u>Hengist Road,</u> Erith	1995 – No. 5	One Way Street	One way street along Hengist Road, beginning with its junction with Penda Road and ending at its junction with Ethelbert Road, in an East direction.
<u>Hengist Road,</u> Erith	1995 – No. 5	One Way Street	One way street along Hengist Road, beginning with its junction with Bexley Road and ending at its junction with Ethelbert Road, in a West direction.
<u>Highland Road,</u> Bexleyheath	2000 – No. 57	No Entry	Vehicles exiting from the Broadway Square Car Park may not turn into Highland Road. This would be a dangerous right turn into oncoming traffic, they must turn left and head into Arnsberg Way.
<u>Highland Road,</u> Bexleyheath	2000 – No. 57	No Right Turn	No vehicle travelling along Highland Road may make a right turn into the entrance of the Broadway Square Car Park – left turns only are allowed.
<u>Highland Road,</u> Bexleyheath	2012 – No. 44	Pedestrian Area	No vehicle entry along the section of the Highland Road between its junctions with Arnsberg Way/Broadway and the entrance/exit for the Broadway Square car park(EFFECTIVE FROM JANUARY 2016)
<u>Holy Hill Road,</u> Crayford	1994 – No. 6	One Way Street	One way street along Holy Hill Road, beginning at its junction with Filston Road and ending at its junction with Erith Road, in a North East direction.
<u>Hook Lane,</u>	1990 – No.2	Right Turn Ban	<ul style="list-style-type: none"> There is a <u>splitter island</u> at the North of

Welling			<p>Hook Lane, where it meets Bellegrove Road. There is no entry to the East side of the island.</p> <ul style="list-style-type: none"> • This means all vehicles travelling North up Hook Lane to join Bellegrove Road, must turn into Bellegrove Road by turning left at the traffic island. • Vehicles travelling north from Danson Crescent (which connects to Hook Lane just before the Bellegrove Road junction) must also enter Bellegrove Road to the west of the island.
<u>Hook Lane</u> , Welling	1988 – No.11	Road Closure (Gated)	No access to Hook Lane from East Rochester Road at the South end of Hook Lane. <u>Fence</u> in place to prevent access.
<u>Horsa Road</u> , Erith	1995 – No. 5	One Way Street	One way street along Horsa Road, beginning with its junction with Ethelbert Road and ending at its junction with Brook Street, in a West direction.
<u>Horsa Road</u> , Erith	1995 – No. 5	One Way Street	One way street along Horsa Road, beginning with its junction with Ethelbert Road and ending at its junction with Bexley Road, in an East direction.
<u>Hurst Road</u> , Sidcup	1993 – No. 8	Traffic island management	<ul style="list-style-type: none"> • At the point where Hurst Road meets Station Road, just North of Sidcup Train Station, there is a <u>traffic island</u>. • The island splits traffic heading west from Hurst Road, those wishing to turn right into Station Road must travel alongside the North of the island and then will only be able to turn right. • Those vehicles wishing to turn left into Station Road must travel along the South of the island and then will be unable to turn right. • No vehicles heading north along Station Road can turn right into Hurst Road on the South side of the island, they must use the North side.
<u>Iron Mill Lane</u> , Crayford	1997 – No. 4	No Right Turn	No vehicle travelling along Iron Mill Lane may make a right turn into Thames Road – <u>left turns only</u> are allowed.
<u>James Watt Way</u> , Erith	2000 – No. 20	No Right Turn	Vehicles travelling West along the stretch of James Watt Way between the junction with Wheatley Terrace Road, and the roundabout between Pier Road and the Petrol Filling Station, may not turn right into Morrison Supermarket's car park.
<u>Jessett Close</u> , Erith	1998 – No. 20	No Entry	<u>Fence</u> in place to prevent entry into the Western end of Jesset Close up to its Western extremity where it meets the railway line, and a point 45 metres to the East of the railway footbridge in Jesset Close.

<u>Keats Road</u> , Erith	1997 – No. 23	Left Turn Only	Vehicles travelling down Keats Road, on meeting the <u>Spine Road</u> (see definition above) can only turn left, no right turn allowed.
<u>Link Road</u> , Erith	1997 – No. 23	Left Turn Only	Vehicles travelling down the Link Road (the road linking Lower Road roundabout and the Spine Road, as defined above) on meeting the Spine Road (see definition above) can only turn left, no right turn allowed.
<u>London Road</u> , Crayford	1986 – No.4	One Way Street	<ul style="list-style-type: none"> One way system along Roman Way from where the road starts off Crayford Road, to where it meets London Road, in North West direction.
<u>Lower Road</u> , Belvedere	2002 – No. 6	Left Turn Only	Vehicles exiting the Superstore Car Park onto Lower Road may only turn left onto this road, no right turn allowed.
<u>Lower Road</u> , Belvedere	2002 – No. 6	U – Turn Ban	Vehicles travelling in an East direction along the section of Lower Road – between its junction with the access road to the superstore car park and the roundabout at its junction with Picardy Manorway – may not turn around so as to face the opposite direction.
<u>Lower Road</u> , Erith	1997 – No. 23	One Way Street	One way street along the exit slip road from the A2016 into Lower Road, in a North West direction.
<u>Lower Road</u> , Erith	1997 – No. 23	One Way Street	One way street along the access road to Lower Road from the A2016, in a North West direction.
<u>Lower Road</u> , Erith	1997 – No. 23	One Way Street	One way street along the exit slip road from the A2016 into Lower Road, in a South East direction.
<u>Lower Road</u> , Erith	1997 – No. 23	One Way Street	One way street along the exit slip road from Lower Road into the A2016, in a South East direction.
<u>Lower Road</u> , Erith	1997 – No. 23	Left Turn Only	Vehicles exiting the A2016 in a West direction along the Lower Road Exit Slip Road, must turn left (West) into Lower road and the end of the Slip Road, no right turn allowed.
<u>Lower Road</u> , Erith	1997 – No. 23	Left Turn Only	Vehicles proceeding in a North direction from Lower Road Access Slip Road onto A2016, when meeting the traffic island on this road, must move into the left hand lane and turn left into the A2016, no right turn allowed.
<u>Lower Road</u> , Erith	1997 – No. 23	Straight Ahead Only	Vehicles travelling in a South West direction into Lower Road (West) and over the A2016, must not turn left into the slip road into the A2016, to the East of the North Island. Straight ahead only.
<u>Lower Road</u> ,	1997 – No.	Straight Ahead	Vehicles travelling in a North East direction

Erith	23	Only	away from Lower Road (West) and over the A2016, must not turn right into the area of road South of the Southern Island. Straight ahead only.
<u>Lower Road/A2016</u> <u>Traffic Islands,</u> Erith	1997 – No. 23	No Left Turn	<ul style="list-style-type: none"> At the point where the West side of Lower Road meets to A2016 there are three traffic islands (<u>North, Central and South</u>). Vehicles travelling in the road to the North East of the Southern Island cannot turn Left into Lower Road. Vehicles travelling in a North East direction, between North and Central island can only proceed straight on, no Left or Right turns allowed. Vehicles travelling in a South West direction, between the Central and South island can only proceed straight on, no Left or Right turns allowed.
<u>Lyndon Avenue,</u> Blackfen	1987 – No.10	Road Closure (Gated)	On Lyndon Avenue, just the front of house number 82 a <u>gate</u> has been put across the road to stop vehicles driving through. A small cycle lane has been left on the side of this gate.
<u>MacArthur Way,</u> Erith	2008 – No. 34	Cycle Lane Only	Access for <u>bicycles only</u> along MacArthur Way, extending North West to the end of the road, starting at a point 4.8 metres North West of a point opposite the boundary of Nos. 67 and 69 West Street.
<u>Maple Crescent,</u> Blackfen	1987 – No.18	One Way Street	One way street in the North East direction, along Maple Crescent from where it begins at the junction with Wellington Avenue to a point opposite the northern flank wall of house number 35.
<u>Maple Crescent,</u> Blackfen	2014 – No 63	One Way Street	One way street for the whole length of Maple Crescent except for the southern arm (property numbers 12-48 Maple Crescent), in an easterly then northerly direction.
<u>Market Place,</u> Bexleyheath	2000 – No. 57	One Way Street	One way street along Market Place, beginning with its junction with Geddes Place and ending at its junction with Friswell Place, in a South West direction.
<u>Market Place,</u> Bexleyheath	2000 – No. 57	Right Turn Only	No vehicle travelling South West along Market Place may make a left turn into Friswell Place – right turns only are allowed.
<u>Market Place,</u> Bexleyheath	2000 – No. 57	No Access (Except for Buses)	Bus access only to Market Place.
<u>Mayplace Avenue,</u> Crayford	2007 – No. 16	One Way Street	One way street along Mayplace Avenue, beginning with its junction with the Thames Road service road and ending at its junction with Thames Road, in a North East direction.

<u>Mayplace Road West (South side), Bexleyheath</u>	2000 – No. 57	No Left Turn	No vehicle travelling along Mayplace Road West (South side) may make a left turn into Arnsberg Way.
<u>Mayplace Road West (South side), Bexleyheath</u>	2000 – No. 57	No Access (Except for Buses)	Bus access only to Mayplace Road West (South side).
<u>Mayplace Road West, Bexleyheath</u>	2000 – No. 57	No Entry	A <u>cross hatch box</u> prevents access to vehicles travelling along Mayplace Road West (South side) to vehicles travelling along either Mayplace Road West (North side) or Arnsberg Way.
<u>Mayplace Road West, Bexleyheath</u>	2000 – No. 57	No Left Turn	No vehicle travelling along Mayplace Road West (in the area of carriageway to the West of the traffic island in the North East side of the Mayplace Road West/Arnsberg Road junction) may make a left turn into Arnsberg Way.
<u>Mayplace Road West/Arnsberg Road junction, Bexleyheath</u>	2000 – No. 57	Left Turn Only	Vehicles travelling along the South East side of the traffic island in the North East side of the on the Mayplace Road West/Arnsberg Road junction, may only make a left turn on reaching the junction with Arnsberg Way.
<u>Mill Road, Erith</u>	1995 – No. 5	One Way Street	One way street along Mill Road, beginning with its junction with Stonecroft Road and ending at its junction with Brook Street, in a West direction.
<u>Moat Lane, Slade Green</u>	2000 – No. 22	No Access	No access to vehicles along a stretch of Moat Lane from a point that lies to the East of a point 32 metres East of the common boundary of Nos. 71 and 73 Moat Lane.
<u>Norman Road, Thamesmead</u>	1986 – No.1	Vehicle No Entry	No public vehicle access to Norman Road, except for emergency services or local authority maintenance.
<u>Northumberland Park, Erith</u>	1995 – No. 5	One Way Street	One way street along Northumberland Park, beginning with its junction with Brook Street and ending at its junction with St. Paul's Road, in an East direction.
<u>Northumberland Park, Erith</u>	1995 – No. 5	One Way Street	One way street along Northumberland Park, beginning with its junction with Bexley Road and ending at its junction with St Paul's Road, in an West direction.
<u>Norwich Place, Bexleyheath</u>	2000 – No. 57	No entry	<u>No vehicle entry</u> to Norwich Place.
<u>Nuxley Road, Belvedere</u>	1993 – No. 23	One Way Street	One way street in South West direction, along Nuxley Road from point opposite the wall of No. 4 Nuxley Road, to Nuxley Road's Junction with Albert Road.
<u>Okehampton Crescent, Bexley</u>	2010 – No. 40	No Right Turn	No vehicle travelling along Okehampton Crescent may make a right turn into Lodge Hill.
<u>Old Road</u>	1978 – No	Width Restriction	No vehicles wider than 7 feet/2.1 metre,

Crayford	342		may enter Old Road, Crayford for a 23 feet/7 metre stretch which is 40 feet/12.2 metres north east from the eastern kerb line of Martens Avenue and a point 63 feet 19.2 metres northeast of that kerb
<u>Parkside Road</u> , Belvedere	2003 – No. 38	No Access	No vehicle proceeding in a West direction along Parkside Road may enter Halt Robin Lane or Halt Robin Road. <u>Fences/bollards</u> erected to prevent this access.
<u>Picardy Street</u> , Belvedere	1997 – No. 37	One Way Street	One way street along Picardy Street Access Road, in an East direction.
<u>Pier Road</u> , Erith	1998 – No. 21	No Entry	Road running parallel immediately alongside to the South Colebrook Street closed to traffic – except for bicycles and maintenance vehicles – between Erith High Street and Avenue Road.
<u>Pier Road</u> , Erith	2002 – No. 42	One Way Street	Pier Road closed to traffic – except for bicycles and maintenance vehicles – between its junction with Erith High Street and its junction with Avenue Road.
<u>Pier Road</u> , Erith	2004 – No. 16	Bus Lane Only	Bus Lane only (only local buses, Dial-a-ride buses and bicycles permitted) in an East direction along Pier Road, between a point 12 metres East of the junction with Erith High Street and another point a further 38 metres East of the above point.
<u>Pier Road</u> , Erith	2004 – No. 17	No access	Pier Road closed to traffic – except for buses, bicycles, maintenance vehicles and those vehicles travelling South along Colebrook Street and crossing Pier Road to gain access to the properties South of Pier Road – between a point 12 metres East of the Easter kerb-line of Erith High Street and Pier Road's junction with Colebrook Street.
<u>Pinnacle Hill</u> , Bexleyheath	1986 – No.5	One Way Street	One way street in North direction, up Pinnacle Lane from where it begins at the junction with Watling Street, to where it ends at Martens Avenue.
<u>Queen Street</u> , Bexleyheath	1998 – No. 28	One Way Street	One way street along Queen Street, beginning with its junction with Church Road and ending at its junction with Princes Street, in a West direction.
<u>Riverdale Road</u> , Crayford	1994 – No. 6	One Way Street	One way street along Riverdale Road, beginning with its junction with Fraser Road and ending at its junction with Filston Road, in a South West direction.
<u>Robin Hood Lane</u> , Bexleyheath	1987 – No.7	Vehicle Prohibition	There is a <u>small carriageway</u> , approx. 180ft/55metres into Robin Hood Lane, measured from where the road starts on its west side at the junction with Upton Road. No access for vehicles to this carriageway.
<u>Roman Way</u> , Crayford	1986 – No.4	One Way Street	Overall affect: Clockwise one way loop around island which contains, Peacocks, Crayford Motors, other shops and car park.

<u>Roseacre Road</u> , Welling	1996 – No. 1		<ul style="list-style-type: none"> Vehicles driving North on Roseacre Road may only turn left onto Park View Road. No vehicle travelling along Park View Road may turn onto Roseacre Road, a <u>traffic island</u> is in place to block access. A small cycle space has been left by which bicycles travelling along Park View Road may turn right into Roseacre Road, but no other vehicle may have access.
<u>Sandhurst Road</u> , Bexley	2003 – No. 6	Left Turn Only	Vehicles travelling in a South West direction out of Sandhurst Road may only make a left turn on reaching the junction with Danson Road.
<u>Sandhurst Road</u> , Bexley	2003 – No. 6	One Way Street	One way street along the slip road providing access into Sandhurst Road from Danson Road at the North East junction of those two roads, in a South East direction.
<u>Service Road</u> (The Oval Nos. 1 – 53), Sidcup	1987 – No.27	One Way Street	One way street in the South West direction, in front of Nos. 1 – 53, The Oval, Sidcup.
<u>Service Road</u> , Belvedere	1993 – No. 23	One Way Street	One way street along the entirety of the service road which breaks off from Albert Road and connects to Woolwich road, running along the front of house 13A to 51 Woolwich Road, in North West direction.
<u>Service Road</u> , Bexleyheath	1999 – No. 32	No Entry	The Service Road extends out to the East of the section of Arnsberg Way between the junction with Broadway and Graham Road. It provides access to the rears of 116 to 156 Broadway. No vehicle travelling North East along Arnsberg Road may enter the Service Road.
<u>Service Road</u> , Bexleyheath	1999 – No. 32	Left Turn Only	Vehicles proceeding in a West direction along the Service Road, must turn left into Arnsberg Road on meeting the junction between the two roads, no right turn is available.
<u>Service Road</u> , Bexleyheath	2000 – No. 57	No Right Turn	The Service Road is defined as the road surrounding a traffic island on the South West side of the Mayplace Road West/Arnsberg Way junction, and provides access to the service area of Broadway Square. No vehicle travelling along this road may make a right turn into Arnsberg Way – left turns only are allowed.
<u>Slade Green Road</u> , Slade Green	1991 – No.5	Width Restriction	Just to the North of the island described above, along Slade Green Road, is a <u>smaller traffic island</u> which narrows the area of the road. There are restrictions on the size of vehicle which can driver down this short distance.

<u>Spine Road</u> , Erith	1997 – No. 23	No Right Turn	<ul style="list-style-type: none"> The Spine Road is defined as the length of the Bronze Age Way dual carriageway which lies between the roundabout at Queen's Road/Bexley Road/Walnut Tree Road junction and the roundabout at Picardy Manorway/Anderson Way junction. Any vehicle travelling along the Spine Road may not turn right into <u>Crabtree Manorway South</u>. Any vehicle travelling along the Spine Road may not turn right into the <u>unnamed access road</u> on the North East side of the Spine Road near Keats Road.
<u>St Johns Road</u> Sidcup	2012 – No 45	One way Street	One way street between the common boundary of numbers 43 and 45 St John's Road and the junction with Craybrooke Road.
<u>St Johns Road</u> , Sidcup	1965 – No 158	One Way Street	One way street from its junction with High Street Sidcup to its junction with Craybrook Road
<u>St. John's Road</u> , Sidcup	1999 – No. 42	No Access	Fence erected across St. John's Road between the boundary separating Nos. 20 & 22 St. John's Road, and No. 19 St. John's Road. Access through fence is available for bicycles only.
<u>St. Paul's Road</u> , Erith	1995 – No. 5	One Way Street	One way street along the entirety of St. Paul's Road, beginning with its junction with Northumberland Park and ending at its junction with Mill Road, in a South direction.
<u>Standard Road</u> , Bexleyheath	1998 – No. 30	One Way Street	One way street along Standard Road, beginning with its junction with Upton Road and ending at its junction with Devonshire Road, in an East direction.
<u>Stanhope Road</u> , Sidcup	1965 – No 158	One Way Street	One way street from its junction with Hamilton Road to the junction of Station Road Sidcup
<u>Station Road</u> , Bexleyheath	2000 – No. 5	One Way Street	One way street along Station Road, beginning with its junction with Avenue Road and ending at its junction with Glengall Road/Bridge Road, in an East direction.
<u>Steynton Avenue</u> , Bexley	2010 – No. 6	One Way Street	Steynton Avenue is boomerang shaped with a sharp corner in the middle of the avenue. Vehicles may only proceed around this corner in a clockwise direction.
<u>Stonewood Road</u> , Erith	1998 – No. 13	Left Turn Only	Every vehicle travelling in a North East direction up Stonewood Road, must turn left on reaching the junction with Walnut Tree Road, no right turn allowed.
<u>Stonewood Road</u> , Erith	2002 – No. 42	Left Turn Only	Vehicles travelling in a North East direction along Stonewood Road may only make a <u>left turn</u> on reaching the junction with

			Walnut Tree Road.
<u>Sussex Road, Sidcup</u>	1986 – No.8	One Way Street	One way street in South West direction, for entirety of Sussex Road, from where it begins at the junction with Sidcup Hill, to where it ends at the junction with Warwick Road.
<u>Thames Road, Crayford</u>	1997 – No. 4	No Right Turn	No vehicle travelling along Thames Road may make a right turn into Iron Mill Lane – left turns only are allowed.
<u>Thames Road, Crayford</u>	1997 – No. 4	No Right Turn	There is a link road, immediately to the west of the Jolly Farmer's Pub on Thames Road (DA1 4QH). No vehicle travelling along Thames Road may make a right turn into the link road – left turns only are allowed.
<u>Thames Road, Crayford</u>	1997 – No. 4	No U Turn	No vehicle is allowed to perform a U Turn along Thames Road, at any point along a 100 metre stretch of road, from Iron Mill Lane to Crayford Way.
<u>Thames Road, Crayford</u>	2002 – No. 36	No Right Turn	<ul style="list-style-type: none"> • There is a site on Thames Road, immediately to the North West of its junction with Mayplace Avenue. • Vehicles travelling along Thames Road in a North West direction must not turn right into this site. • Vehicles emerging from the site must not turn right into Thames Road.
<u>Thames Road, Crayford</u>	2002 – No. 36	U – Turn Ban	Vehicles travelling in either direction along the section of Thames Road – between the junction with Kennet Road and Crayford Way – may not turn around so as to face the opposite direction.
<u>Thames Road, Crayford</u>	2005 – No. 1	U – Turn Ban	Vehicles travelling East in the section of Thames Road – between the roundabout linking Thames Road/Wyatt Road/Perry Street/Parkside Avenue/Northend Road and a point 90 metres to the East of this Roundabout – may not turn around so as to face the opposite direction.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South direction, down the exit road out of the Thames Road Depot, on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a North East direction, up Mayplace Avenue, on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South West direction down access/exit road from the Thames Road site and to the South East of the Kennet Road roundabout, on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road,</u>	2007 – No.	Left Turn Only	Vehicles travelling in a South direction,

Crayford	16		down the unnamed South Easternmost access/exit road – situated on the North side of Thames Road leading to/from the Swale Motors/Heath House site and lying between the Perry Street and Howbury Lane roundabouts – on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South direction, down the unnamed exit/access road – situated on the North side of Thames Road leading to/from the Pylon House site and lying between the Perry Street and Howbury Lane roundabouts – on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South direction, down the unnamed exit/access road – situated on the North side of Thames Road leading to/from the London House site and lying between the Perry Street and Howbury Lane roundabouts – on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South West direction, down the unnamed exit/access road – situated on the North East side of Thames Road leading to/from the Booker “Cash and Carry” site and lying North West of the Kennet Road roundabout – on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South West direction, down the unnamed exit/access road – situated on the North East side of Thames Road leading to/from the B.P. House site and lying North West of the Crayford Way roundabout – on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a South direction, along the Westernmost access/exit road situated on the North side of Thames Road leading to/from the Crayside Industrial Estate, on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a North direction, up Byway 105 (situated on the South side of Thames Road, lying to the East of the Crayford Way roundabout), on reaching the junction with Thames Road must make a left turn only.
<u>Thames Road, Crayford</u>	2007 – No. 16	Left Turn Only	Vehicles travelling in a North West direction, along Willow Walk, on reaching

			the junction with Thames Road must make a left turn only.
<u>Thames Road,</u> Crayford	2007 – No. 16	No Left Turn	No vehicle travelling along Thames Road in a North West direction, may make a left turn into Mayplace Avenue on reaching the junction between the two roads.
<u>Thames Service Road,</u> Crayford	2007 – No. 16	One Way Street	One way street all along the Thames Road service road (fronting numbers 102 to 118 Thames Road), in a North West direction.
<u>Thanet Road,</u> Bexley	1992 – No.11	No right turn	At the junction where Thanet Street meets South Street vehicles must turn left into South Street, right turns are forbidden.
<u>The Byway 103</u> <u>link road,</u> Crayford	2007 – No. 16	One Way Street	One way street all along the Byway 103 service road, in a North East direction.
<u>The Green,</u> Sidcup	2000 – No. 59	No Entry	There is a <u>traffic island</u> in The Green, just at the South West point of its junction with Church Avenue. Vehicles travelling North East up The Green may not turn into the area of the road beneath the island to the South East.
<u>The Green,</u> Sidcup	2000 – No. 59	No Entry	There is a <u>traffic island</u> in The Green, just at the South West point of its junction with Church Avenue. Vehicles travelling South West down The Green may not turn into the area of the road above the island to the North West.
<u>The Green,</u> Sidcup	2000 – No. 59	Width Restriction	No vehicles exceeding <u>7 feet in width</u> may travel down the section of The Green to the South East of the island as described above.
<u>The Green,</u> Sidcup	2000 – No. 59	No Entry	No entry for vehicles (except bicycles) along Church Avenue from a point 29 metres South of the Southernmost wall of St. John's Church and a point a further 31 metres South of that.
<u>The Green,</u> Sidcup	2001 – No. 61	One Way Street	There is a short access road at the North end of Sidcup Place providing access to The Green, Sidcup. Vehicles may only travel up this in a South West to North East direction.
<u>The Link Road,</u> Crayford	1997 – No. 4	No Right Turn	No vehicle travelling along the link road (as outlined above) may make a right turn into Thames Road – left turns only are allowed.
<u>The Pantiles,</u> Bexleyheath	1991 – No.9	One Way Street	<ul style="list-style-type: none"> At the South Eastern end of The Pantiles, extending from its junction with Little Heath Road to its junction with Winchelsea Avenue, there is a larger island dividing the road into East and West. The East side is a one way street in the North West direction. The West side is a one way street in a South East direction.

			<ul style="list-style-type: none"> Overall affect: One way system around the island in an anti-clockwise direction.
<u>The Service Road,</u> Bexleyheath	2000 – No. 57	One Way Street	The Service Road goes around a <u>traffic island</u> at the South West point of the Arnsberg Road/Mayplace Road West junction near Broadway Square. Vehicles can only travel around it in a clockwise direction.
<u>The Service Road,</u> Bexleyheath	2000 – No. 57	No Entry	The Service Road surrounds a <u>traffic island</u> on the South West side of the Mayplace Road West/Arnsberg Way junction, and provides access to the service area of Broadway Square. There is no access to Mayplace Road West (South side) from this road as this would require a dangerously sharp left turn.
<u>Townley Road,</u> Bexleyheath	1993 – No. 3	One way street	One way street in operation at the North end of Townley Road, from its junction with Royal Oak Road (next to Bexley Library) down to its junction with Albion Road, in a South direction.
<u>Townley Road,</u> Bexleyheath	2000 – No. 57	No entry	No vehicle entry along the section of the Townley Road stretching between junction with the Broadway and a point 19.2 metres South of No. 115 Broadway.
<u>Unnamed access road,</u> Crayford	2007 – No. 16	One Way Street	One way street along the unnamed access road (situated on the North side of Thames Road leading towards the rear of the Crayside Industrial Estate), beginning at the North kerb line of Thames Road and a point 34 metres North of that kerb line, in a North West direction.
<u>Unnamed Road</u> off Edgington Way, Sidcup	1997 – No. 43	No Right Turn	<ul style="list-style-type: none"> The Unnamed Road is defined as the small road immediately to the East of a Travellers Site, adjacent to McKillop Way and ending with a junction at Edgington Way near to the Coca Cola offices. Vehicles heading South out of the Unnamed Road onto Edgington Way must turn left, no right turn allowed. Vehicles heading West along Edgington Way cannot turn right into the Unnamed Road. Vehicles leaving the developments to the East of the Unnamed Road must turn left into the road, no right turn allowed.
<u>Upper Wickham Lane,</u> Welling	1999 – No. 41	U-Turn Ban	Vehicles travelling South down Upper Wickham Lane, may not perform a U-Turn between the junction with Welling High Street and a point 12 metres to the North of the junction with Coton Road on Upper Wickham Lane.

<u>Waldrist Way</u> , Thamesmead	2006 – No. 30	No Access	There are two <u>traffic islands</u> on the West side of Waldrist Way to the North of the junction with Yarnton Way. No vehicle proceeding in a South direction down Waldrist Way may enter the West side of the island.
<u>Waldrist Way</u> , Thamesmead	2006 – No. 30	Left Turn Only	There is a further <u>traffic island</u> on the East side of Waldrist Way to the North of the junction with Yarnton Way. All vehicles proceeding South down Waldrist Way must make a left turn into Yarnton Way.
<u>Waldrist Way</u> , Thamesmead	2006 – No. 30	Width Restriction	There are two <u>traffic islands</u> on the West side of Waldrist Way to the North of the junction with Yarnton Way. No vehicle can travel between these two islands of a width greater 6.5 feet.
<u>Waldrist Way</u> , Thamesmead	2006 – No. 30	No Left Turn	No vehicle travelling in a South direction, between the two islands as described above, may turn left into Yarnton Way.
<u>Wallhouse Road</u> , Slade Green	2000 – No. 46	No Access	Road closed to traffic – except for ambulances, repairs vehicles or bicycles – between a point 11 metres East of the East kerb line of the North to South arm of Wallhouse Road and a point 55 metres North East of the West boundary of Lower Farm.
<u>Walnut Tree Road</u> , Erith	1997 – No. 23	Left Turn Only	Any vehicle heading South down Walnut Tree Road in Crayford, may only turn left at the Erith roundabout into Erith Road in the East direction – no right turn allowed.
<u>Walnut Tree Road</u> , Erith	1997 – No. 23	No Entry	There is a <u>traffic island</u> at the South most part of Walnut Tree Road at its junction with Erith Road and the Erith roundabout. No vehicle travelling South down Walnut Tree Road may enter the area of the carriageway to the West of the island, vehicles travelling in this direction must drive to the left (East) of the island.
<u>Walnut Tree Road</u> , Erith	1998 – No. 13	One Way Street	There is a <u>traffic island</u> at the North end of Walnut Tree Road just South of West Street. A one way system is in force along Walnut Tree Road, beginning at the above point and point 35 metres to the South of the island's Northernmost point, in a North direction.
<u>Walnut Tree Road</u> , Erith	1998 – No. 13	Limited Access/One Way	<ul style="list-style-type: none"> Buses and pedal cycles only are able to access the <u>Slip Road</u> – between the roundabout linking Bexley Road, Queens Road, Bronze Age Way and Walnut Tree Road – and Erith Town Hall in Walnut Tree Road. All vehicles entitled to enter the Slip Road, must travel in a North West direction.

<u>Walnut Tree Road, Erith</u>	1998 – No. 13	No Access	There is a <u>traffic island</u> at the North end of Walnut Tree Road just South of West Street. No vehicle travelling North up Walnut Tree Road may enter the East side of this island, they may proceed by the West side only.
<u>Walnut Tree Road, Erith</u>	1998 – No. 13	U-Turn Ban	Vehicles travelling along Walnut Tree at the point East of the traffic island at the junction with West Street, may not perform a U-Turn.
<u>Walnut Tree Road, Erith</u>	2002 – No. 42	One Way Street	One way street along Walnut Tree Road, beginning with its junction with the Erith roundabout and ending at its junction at a point 35 metres South of a traffic island in that street, near to the junction with West Street, in a North direction.
<u>Walnut Tree Road, Erith</u>	2002 – No. 42	No Access	There is a <u>traffic island</u> in Walnut Tree Road, just South of West Street. No vehicle travelling North in Walnut Tree Road may enter the area of the road to the East of this island.
<u>Walnut Tree Road, Erith</u>	2002 – No. 42	Straight Ahead Only	There is a <u>traffic island</u> in Walnut Tree Road, just South of West Street. Vehicles travelling on Walnut Tree Road to the East side of this island must continue to proceed in a South direction.
<u>Walnut Tree Road, Erith</u>	2002 – No. 42	U – Turn Ban	Vehicles travelling in the section of Walnut Tree Road to the East of the island described above, may not turn around so as to face the opposite direction.
<u>Welling High Street, Welling</u>	2010 – No. 41	U – Turn Ban	Vehicles travelling East in the section of Welling High Street – between the properties numbered 67 and 51 Welling High Street – may not turn around so as to face the opposite direction.
<u>Welling High Street, Welling</u>	2010 – No. 41	U – Turn Ban	Vehicles travelling West in the section of Welling High Street – between the properties numbered 51 and 67 Welling High Street – may not turn around so as to face the opposite direction.
<u>Welling High Street, Welling</u>	2010 – No. 41	U – Turn Ban	Vehicles leaving Embassy Court, on reaching Welling High Street - may not turn around so as to face the opposite direction.
<u>West Heath Road, Abbey Wood</u>	1991 – No.12	Road Closure (Gated)	<u>Fence</u> erected to prevent any vehicle from accessing West Heath Road, from its junction with Woolwich Road and its North end. Access still available for cyclists.
<u>Westbrooke Road, Welling</u>	1997 – No. 6	No Vehicle Access	Vehicle access prohibited by <u>gate erected</u> along the road level with the front of Number 38 Westbrooke Road (near the junction with Westbrooke Crescent) some space is left for cycle access only.
<u>Westbrooke Road, Welling</u>	1997 – No. 6	No Vehicle Access	Vehicle access prohibited by <u>gate erected</u> along the junction of Westbrooke Road,

			South Gipsy Road and Palmeira Road, extending between the front of Number 85 Westbrooke Road and Number 87 South Gipsy Road, some space is left for cycle access only.
<u>Woolwich Road</u> , Bexleyheath	2000 – No. 57	One Way Street	One way street along Woolwich Road, beginning with its junction with Arnsberg Way and ending at its junction with North Street, in a North direction.
<u>Yarnton Way</u> , Thamesmead	2006 – No. 30	No Access	There are two traffic islands on the West side of Waldrist Way to the North of the junction with Yarnton Way. Any vehicle travelling along Yarnton Way, in either direction, wishing to turn into Waldrist Way, cannot do so in the point to the East of these islands.

Yellow Box Areas

Road	Width
Erith Road/Chievely Road	Half Road Width
Crayford High Street/Crayford Way	Part Road Width
Halfway Street/Burnt Oak Lane	Half Road Width
Central Avenue/Lovel Avenue	Half Road With
Crook Log/Avenue Road	Half Road With
Crook Log/Upton Road	Half Road Width
Mayplace Road West/Tower Road	Half Road With
Welling High Street/Danson Lane	Half Road With

15.04.2015

London Councils' Transport & Environment Committee

Ultra Low Emission Vehicle (ULEV) Delivery Plan

Item
No: 20

Report by: Rhona Munck

Job title: Senior Strategy and Planning
Manager - Environment.
Transport for London

Date: 18 June 2015

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Summary: TfL is developing a new Ultra Low Emission Vehicle (ULEV) Delivery Plan which will be published in July 2015. The Delivery Plan has been produced in consultation with the ULEV industry and boroughs. This includes meetings with borough officers on: rapid and residential charging infrastructure issues; OLEV funding; car clubs; and a specific ULEV Delivery Plan workshop at the recent Transport Emissions Roadmap event on 20 May. Further input and suggestions are now invited from boroughs, to be emailed directly to rhonamunck@tfl.gov.uk.

The Delivery Plan sets out actions on charging infrastructure, R&D, funding, incentives and supporting policies that will be required to drive uptake of ULEVs. This will require collaboration with and support from many parties, including boroughs.

The actions in the Delivery Plan are designed to normalise ULEVs and deliver a significant increase in uptake. This will achieve air quality, CO₂ and economic benefits and demonstrate that London is leading this agenda, supporting our bid to OLEV for Go Ultra Low City Scheme funding.

Recommendations: The Committee is asked to NOTE the upcoming ULEV Delivery Plan and provide any suggestions for the document directly to rhonamunck@tfl.gov.uk

Background:

Aim of the ULEV Delivery Plan

The Mayor and Transport for London are committed to increasing the number of Ultra Low Emission Vehicles (ULEVs) in London. ULEVs have the potential to deliver significant environmental benefits for London and the UK through reduced or zero tailpipe emissions of air pollutants and CO₂.

In 2009, the Mayor published his Electric Vehicle Delivery Plan (EVDP) which set out his vision for London to become the electric vehicle capital of the world. Since 2009 the market has developed and a number of new alternative vehicle and charging technologies have emerged. This makes ULEVs an increasingly viable and affordable alternative to conventional internal combustion engine (ICE) cars and vans. However, action from a number of parties is needed to transform ULEVs from a niche market of innovators and early adopters, to an attractive option for all Londoners.

The ULEV Delivery Plan will outline a set of actions to achieve the full potential of the ULEV market in London. These actions support the implementation of ULEZ and the Transport Emission Roadmap (TERM) by tackling the practical and technological challenges that currently prevent mainstream uptake of ULEVs. The Delivery Plan focuses on the three key themes of Infrastructure; Vehicles; and Marketing, Incentives & Regulation, building on the areas of focus tackled in the 2009 EVDP.

Stakeholder engagement

The Delivery Plan will require collaboration and support from stakeholders across the public sector, the automotive and charge point industries, and car clubs. As such, the actions have been developed in consultation these stakeholders. For boroughs, this included an interactive workshop as part of the recent TERM event on 20 May, attended by air quality and transport policy officers. We have also consulted with boroughs in discussions specifically on rapid charging, the OLEV City Scheme funding bid, car clubs and residential charging. We now invite boroughs' further input into the Delivery Plan after this Committee meeting. Please email Rhona Munck (rhonamunck@tfl.gov.uk) if you have any comments or suggestions.

The key aspects into which we particularly welcome further borough input are:

- Working with boroughs and BluepointLondon to improve and expand the Source London network, including financial support to fix faulty charge points prior to contract variation agreements being signed.
- Working with boroughs to tackle the issue of residential charging provision, acknowledging that London has a high density population where many residents do not have access to private, off-street parking to charge EVs overnight.
- Deploying a rapid charge network in London to facilitate charging of high mileage, urban fleets such as taxis, private hire vehicles and other commercial fleets
- Providing guidance on charging infrastructure locations, informed by research on likely EV uptake distribution across London as well as fleet mapping and residential charging studies. This will provide a strategic overview to inform boroughs and charge network operators looking to install infrastructure, helping ensure we end up with a strategic network of infrastructure that is in the right place and of the right type.

Launch event

The ULEV Delivery Plan will be launched on 22 July at a high profile event to which senior representatives at all boroughs will be invited. Please contact Rhona Munck (rhonamunck@tfl.gov.uk) if you have not received an invitation by COP 19 June.

London Councils' Transport and Environment Committee

Code of Practice for the Attachment of Street Lights and Traffic Signs to Buildings in London

Item No: 21

Report by: Andrew Luck **Job title:** Transport Manager
Date: 18 June 2015
Contact Officer: Andrew Luck
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Summary: This report seeks member approval to publish a Code of Practice on the attachment of street lights and traffic signs to buildings. The Code of Practice will allow London Local Authorities and TfL to adopt new powers under the London Local Authorities and Transport for London Act 2013.

Recommendations: The Committee is asked to:

- Note and approve the contents of the Code of Practice for publication

Background

1. Authorities in London are continually searching for ways to improve the urban landscape by reducing street clutter and removing unnecessary street furniture. One of the ways that this can be undertaken is by utilising existing building infrastructure to fix street lighting and traffic signs. This has the advantage of providing the essential traffic management and public safety information without the need to unsightly posts and signs which can be a hindrance to pedestrians. Similarly, the safety benefits of street lights are not compromised by lamp columns which can have a detrimental effect on the streetscape.
2. London authorities have previously been able to install traffic signs and street lighting on buildings, but permission had to be obtained from the building owner before works could commence. This was often difficult to obtain, costly to administer and took a considerable amount of time to implement.

New Legislation

3. The London Local Authorities and Transport for London Act 2013 (LLA and TfL Act), which came into force on December 18 2013, contains provisions which amend the previous requirements of having to obtain consent from the relevant owner to affix traffic signs and street lighting to buildings, replacing this with a notice procedure. The new legislation states that a London authority may not fix an appointed day to adopt these powers, until a Code of Practice has been produced and published by the joint committee. Publication of the Code of Practice will therefore enable authorities to adopt the new powers if and when they wish to and help ensure a consistent approach across London.

The Code of Practice

4. Last year London Councils established a working group with City of London, City of Westminster, LB Hackney, LB Richmond upon Thames, RB Kensington and Chelsea and Transport for London to examine the relevant legislation and discuss best practice to create the required Code of Practice. Whilst not subject to the provisions set out in the LLA and TfL Act 2013 or this Code of Practice, the City of London already have similar powers of using notices to advise building owners, so their knowledge was important in shaping some of the requirements of the Code of Practice.
5. The proposed Code of Practice can be seen in Appendix A. Subject to the Committee's decision, it will be published on the London Councils' website as an electronic downloadable document, freely available to all.

Financial Implications

6. There are no financial implications associated with the agreement and publication of the Code of Practice. However, a requirement of the legislation, referred to in the Code of Practice, is that there is a mechanism for property owners to seek compensation from the authority if they do suffer any loss resulting from the fixing of a sign or light to their building. If there is a dispute in the settlement of such a claim, the matter should be referred to the Upper Tribunal (Lands Chamber). London Councils is currently working with the Ministry of Justice to establish the set-up costs (which at this stage are not expected to be high and potentially zero) associated with this and will report the financial implications to a future meeting of TEC to agree how any such costs should be shared amongst the boroughs and TfL.
7. The City of London has indicated that to date they have not had to escalate disputes related to compensation claims to the Upper Tribunal (Land Chamber). The small number of claims that have been received have been settled internally. Therefore, the number of cases that end up in the tribunal may well be limited, and it may not be possible to establish the precise cost of a case being taken to the Upper Tribunal until the situation arises. The Director of Corporate Resources has been consulted and concurs with the above.

Legal Implications

8. There are no legal implications to London Councils arising from this report.

Equalities Implications

9. There are no equalities implications to London Councils arising from this report.

Recommendations

10. The Committee is asked to:

- Note and approve the contents of the Code of Practice for publication.



Code of Practice for Affixing Traffic Signs and Street Lighting to Buildings in London

June 2015

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1. Introduction

- 1.1. Authorities in London are continually searching for ways to improve the urban landscape by reducing street clutter and removing unnecessary street furniture. Whilst it is important for an authority to install traffic signs to provide highway users with essential traffic management and safety information, the posts to which they are attached can be unsightly and a hindrance to pedestrians particularly those with visual impairments and highway users with wheelchairs or prams. Similarly whilst street lighting improves safety on London's streets, the required lamp columns can also have a detrimental effect on the streetscape. Growth projections indicate that there will be increasing demand for space as the numbers of highway users grow and use intensifies. One of the ways that London authorities can achieve their objectives is by utilising existing building infrastructure to attach street lighting and signs
- 1.2. London authorities have previously been able to install signs and lighting on buildings but permission had to be obtained from the building owner before any works could commence. This was often difficult to obtain, costly to administer, and took a considerable amount of time to implement.
- 1.3. The London Local Authorities and Transport for London Act 2013 has amended the requirements for affixing traffic signs and street lighting to buildings in London so that London authorities must follow a notice procedure rather than obtain consent from the building owner. This gives London authorities powers more in line with those currently enjoyed by the City of London Corporation.
- 1.4. This Code of Practice explains the legislation and outlines good practice procedures that London authorities should follow to ensure that they fully comply with the legislation. It should help ensure a consistent approach. It is also intended for others such as developers and property owners who may become involved in the process.

2. Relevant Legislation

- London Local Authorities and Transport for London Act 2013. Part 2(4) ([link](#))

- Public Health Act 1961. Section 45
- Road Traffic Regulation Act 1984. Section 74
- Land Compensation Act 1961. Section 5
- Town and Country Planning Act 1990. Sections 262-264
- Human Rights Act 1998
- Equalities Act 2010

3. Glossary Of Terms

“the Act” means the London Local Authorities and Transport for London Act 2013

“borough council” means London borough council

“street lighting” means such lamps, brackets, pipes, electric lines and apparatus as may be required for the purposes of street lighting.

“London authority” means a borough council or Transport for London, as the case may be.

“operational land” in relation to statutory undertakers is defined under section 263 and section 264 of the Town and Country Planning Act 1990 as (a) land which is used for the purpose of carrying on their undertaking; and (b) land in which an interest is held for that purpose.¹

“relevant owner” – For the purposes of section 45 of the Public Health Act 1961 and section 74 of the Road Traffic Regulation Act 1984, the Relevant Owner of a building (i.e. the person on whom the notices must be served) is:

- (i) A person who occupies the building under a lease or tenancy which has more than five years left to run or;
- (ii) The person receiving the rack rent, which is the best market rent obtainable for the building (including the agent or trustee of the person receiving this rent) or the person who would receive it if the building were let at the best market rent available.

“statutory undertaker” is defined under section 262(1) of the Town and Country planning Act 1990 as ‘Persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power and a relevant airport operator’

“theatre” is defined as any building or part of a building used wholly or mainly for the public

¹ There are further provisions outlined in section 263 and section 264 of the Town and Country Planning Act 1990 defining operational land, and this legislation should be consulted fully to confirm the status.

performance of plays, and 'public performance' and 'play' have the same meanings as in the Theatres Act 1968, but with the words 'dance performance' substituted for 'ballet'.

"traffic sign" includes any apparatus required for the illumination of a traffic sign which forms part of the sign.

4. The Power

4.1. A London authority may affix traffic signs and street lighting to a building provided they have complied with the notice requirements set out in the Act.

4.2. If a building forms part of the operational land of a statutory undertaker different requirements apply. See paragraph 11 below.

4.3. The authority must also be satisfied in each case that the public interest justifies the interference with the property owner's rights to enjoyment of their property

5. The Requirement to Serve a Notice

5.1. Not less than 56 days before the London authority proposes to commence works to affix street lighting or a traffic sign to a building, the London authority must serve notice in writing on the relevant owner of the building of their proposal (the Notice).

5.2. The identity of the "relevant owner" as defined should be checked with the land registry to ensure that the appropriate body or person receives the Notice. Where there is ambiguity as to the identity of the relevant owner, a copy of the Notice should also be sent to the building address marked "owner or occupier".

5.3. In situations where it is unclear who the relevant owner is, for example where the building is multi occupancy with differing lease expiry dates, it is recommended that the London authority should:

- (i) Contact the occupier in writing and ask who is responsible for the lease at the point where the signs and/or lighting are to be affixed; and failing this
- (ii) Contact the land registry.

6. Content of the Notice

6.1. The Notice must:

- a. state that the London authority proposes to affix street lighting or a traffic sign to the building;
- b. describe the street lighting or traffic sign, giving its approximate dimensions;
- c. specify where on the building the London authority proposes to affix it and the means by which it is to be fixed;
- d. specify the date, or the earliest date, on which the London authority proposes to begin the work;
- e. specify a period of not less than 42 days from the date of service of the Notice during which the relevant owner may make representations to the London authority about the proposal;
- f. inform the relevant owner of his rights to compensation for damage which might be suffered by or in consequence of the affixing of the street lighting or traffic sign;
- g. inform the relevant owner that if no representations are made within the period specified in the Notice for doing so the London authority may proceed with their proposal without further notice.

6.2. The purpose of the Notice is to provide the owner of the building with sufficient information about the proposed affixing of the street light or traffic sign to the building. It is recommended that the Notice also:

- a. state that the London authority will have regard to any representations made by the relevant owner within the period specified;
- b. make reference to a plan or drawing for the purposes of explaining where the London authority proposes to affix the street light or traffic sign;
- c. state the materials the London authority proposes to use to affix the street light or traffic sign;
- d. state that the owner of a building may be entitled to compensation if he suffers damage by, or in consequence of, the affixing of a street light or traffic sign to the building, or by, or in consequence of, the London authority altering, removing, repairing or maintaining any street light or traffic sign which the London authority has affixed to the building;

- e. state that, in the event of an owner of a building being entitled to compensation, the level of compensation will be determined, where there is a dispute, by the Upper Tribunal, and, so far as compensation is properly to be calculated by reference to the depreciation of the value of his interest in the building, Rules 2 to 4 of the Rules set out in section 5 of the Land Compensation Act 1961 will apply;
- f. include the name and contact details of an officer of the London authority with whom the recipient of the notice will be able to discuss the Notice.

6.3. It would be considered good practice to agree a date or date range with the relevant owner for the works where possible. There may be circumstances where it may not be practicable to complete the entire works on the agreed date or within the agreed date range, or where the London authority believes that there is a reasonable possibility that the works date may need to be adjusted, for example because of:

- (i) difficulties in coordinating with the electricity connection provider or;
- (ii) events outside the control of the London authority such as demonstrations or other special events; or
- (iii) a request to alter the date being made under section 16(2) of the Traffic Management Act 2004 (the exercise of any power to regulate or co-ordinate the uses made of any road);

A model notice can be seen in Appendix 1.

7. Additional Information Supplied with the Notice

7.1. The London authority should provide any relevant additional information that would help illustrate and explain the look, weight, size and placement of the proposed light or sign and its fittings. Such information may include detailed design drawings, plans and elevations, photographs and written product specifications.

7.2. The Notice should also contain details of any future service and maintenance required including any Wayleave Agreements if required.

8. Service of the Notice

8.1. The Notice and any other notice served under part 2 of the Act may be served by post.

8.2. Where the person on whom a notice is served is a corporate body, the Notice or document is duly served if it is served on the secretary or clerk of that body.

8.3. The proper address of any person in relation to the service on him is, if he has given an address for service, that address, and otherwise

- a. In the case of a secretary or clerk of a corporate body, the registered and principal office of that body; and
- b. In any other case, his last known address at the time of service

8.4. If the name or address of the relevant owner cannot be ascertained after reasonable enquiry, a London authority's Notice proposing to commence works to affix street lighting or a traffic sign to a building under paragraph 5.1 may be served by addressing it to the name or by the description of "owner" of the land (describing it) either leaving it in the hands of the person who is, or appears to be resident or employed on the land of leaving it conspicuously affixed to an object on or near the land.

8.5. It is recommended that any notice served by post should be sent by recorded delivery.

9. Expiry of Notice

9.1. If a London authority specifies the earliest date on which the London authority proposes to begin the work in the Notice, the London authority may not begin work after the expiry of four months beginning with that date. This however does not prevent the London authority from serving a fresh notice.

10. Representations

10.1. Having considered any representations made by the relevant owner within the specified period, the London authority shall decide whether to:

- (i) proceed with their proposal;
- (ii) proceed with their proposal modified to take account of the representations made;
- (iii) not proceed with the proposal.

10.2. If the relevant owner has made representations, the London authority shall serve notice of the decision on the relevant owner. This notice shall comply with paragraphs 8.1- 8.3 and 8.5 above.

10.3. The notice of the decision would normally be in the form of a letter to the relevant owner. Where appropriate it is recommended that this notice should respond to the representations made and where the London Authority has decided to proceed with the proposal, it should outline the date of commencement of the works.

11. Statutory Undertaker's Operational Land

11.1. If a building forms part of the operational land of a statutory undertaker, the London authority must obtain the statutory undertaker's written consent before anything can be affixed to the building.

11.2. Consent may be given subject to reasonable conditions (including the payment of reasonable expenses in dealing with the request for the consent, but no other payment) and shall not be unreasonably withheld.

11.3. Where a London authority serves a notice on a statutory undertaker requesting consent to the affixing of anything to the building and the statutory undertaker does not within a period of 56 days beginning with the date on which the notice is served:

- (i) give their consent unconditionally;
- (ii) give it subject to conditions;
- (iii) refuse it,

the consent will deem to have been withheld.

11.4. Where the London authority is of the opinion that that the consent required is being unreasonably withheld or subject to unreasonable conditions, the London authority may apply to the magistrates' court, who may either:

- (i) allow the 'traffic sign or light in question to be fitted subject to such conditions, if any, as it thinks fit; or
- (ii) disallow the application.

12. Listed Buildings

12.1. No street light or traffic sign will be attached to a building which is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 without the London authority first having obtained listed building consent from the local planning authority or Secretary of State.

12.2. Advice on how to obtain listed building consent should be sought from the relevant local planning authority.

13. Theatres

13.1. Sections 4 and 5 of the Act and this Code of Practice do not apply in respect of a theatre. Therefore to fix a street light or traffic sign to a theatre building, agreement with the relevant owner must be sought as with previous arrangements.

14. Once Street Lights or Traffic Signs have been Affixed

14.1. Where street lighting is affixed to a building

- a) the London authority shall have the right as against any person having an interest in the building to alter or remove them, or to repair or maintain them
- b) the owner of the building may give the London authority by whom they were affixed not less than fourteen days notice requiring them at their own expense temporarily

to remove the attachments where necessary during any reconstruction or repair of the building.

15. Responsibility for Maintenance, Inspections and Electricity Supply

15.1. London authorities should ensure that they have specific agreements in place with the relevant owner allowing access for the maintenance and service of equipment.

15.2. London authorities should ensure that they have provided separate electricity supply to the equipment, where required.

15.3. Despite councils having comprehensive rights under respective legislation to alter, remove, repair and maintain lighting and traffic signs, authorities may still wish to enter into Wayleave Agreements. These document terms and conditions of consent.

15.4. A Wayleave Agreement is an agreement under which a property owner gives a service provider (for example, an electricity or telephone services provider) a right to install equipment on, passing through or over the owner's property. This agreement also provides access for any service, maintenance or repair of any equipment.

15.5. Whilst building occupiers may be able to enter into Wayleave Agreements, they will often need consent of the building owner. It is therefore preferable under this Code of Practice that any Wayleave Agreements are made at the time of serving the notice on the relevant building owner.

15.6. The agreement should include details of access and notice periods. This should clearly indicate what work need to be done, and how long the work is likely to take. This should also outline whether it is anticipated that the works will affect the traffic sign or light.

15.7. The length of an agreement will usually depend on local negotiations, and may be linked to the length of tenancy. Any termination period from both parties should also form part of the agreement.

16. Record Keeping

- 16.1. As with Traffic Management Orders, all records of any activity regarding the installation from the service of the original notice to the ongoing maintenance reports should be kept by the London authority and maintained for as long as the traffic signing and/or street lighting is place and in accordance with the London authority's data retention policy.

17. Appeals and Compensation

- 17.1. If the owner of a building suffers damage by, or in consequence of, the affixing to the building of street lighting or a traffic sign by a London authority, or by or in consequence of the London authority's exercise of the rights to alter or remove, or to repair or maintain the street lighting or traffic sign conferred by section 45(5) of the Public Health Act 1961 and section 74(5)(a) of Road Traffic Regulation Act 1984 respectively, he shall be entitled to be paid compensation by the London authority.
- 17.2. In the case of dispute, compensation will be determined by the Upper Tribunal (Lands Chamber).
- 17.3. Where compensation is properly to be calculated by reference to the depreciation of the value of his interest in the building, Rules 2 to 4 of the Rules set out in section 5 of the [Land Compensation Act 1961 \(c. 33\)](#), shall apply.
- 17.4. Details of the Upper Tribunal (Lands Chamber) can be found at the following link.
<https://www.gov.uk/appeal-upper-tribunal-lands/overview>

18. London Authority Recommendation

- 18.1. If by affixing a street light or traffic sign to a building, a street light or traffic sign located on the pavement has become redundant, it is recommended that the London authority remove the redundant street light or traffic sign (including any post onto which it is mounted) and make good any damage caused to the pavement by its removal. In some cases however, this may need to remain.

IMPORTANT NOTICE: THIS COMMUNICATION AFFECTS YOUR PROPERTY

London Local Authorities and Transport for London Act 2013

NOTICE TO THE RELEVANT BUILDING OWNER

Notice is hereby given by **(the Authority)** of the proposal to attach a **street light/ traffic sign** to the external wall of the following building:

Building Address

Full details of the proposals together with diagrams, dimensions and materials used are outlined in the **schedule below /attached schedule**

(Schedule)

It is proposed to undertake these works not less than 56 days from the date of this notice. We would be looking to schedule these works between the following dates **(date or date range specifying date/earliest date that the Authority proposes to commence works)**

There may be circumstances where it may not be practicable to complete the entire works on the agreed date or within the agreed date range, or where we believe that there is a reasonable possibility that the works date may need to be adjusted, for example because of:

- Difficulties in co-ordinating with the electricity connection provider or;
- Events outside the control of the Authority such as demonstrations or other special events; or
- A request to alter the date being made under section 16(2) of the Traffic Management Act 2004 (the exercise of any power to regulate or co-ordinate the uses made of any road.

Representations

The relevant owner may make representations to **the Authority** within a period of 42 days from the date of service of this notice.

The Authority will have regard to any representations made within a period of 42 days from the date of this notice and respond to them before affixing a street light or traffic sign to the building.

If no representations are received within 56 days from the date of service of the notice, **the Authority** may proceed with the proposal to affix the street light or traffic sign as indicated.

The relevant owner may be entitled to compensation if he suffers damage by, or in consequence of the affixing of a street light or traffic sign to the building. The building owner may also be entitled to compensation for by, or in consequence of **the Authority** altering, removing, repairing or maintaining any street light or traffic sign which **the Authority** has affixed to the building.

In the event of an owner of a building being entitled to compensation, the level of compensation will be determined, where there is a dispute, by the Upper Tribunal, and, so as far compensation is properly to be calculated by reference to the depreciation of the value of his interest in the building, Rules 2-4 of the Rules set out in section 5 of the Land Compensation Act 1961 will apply.

Any Representations should be sent to: **provide contact name**

Date:

Contact: Name

Contact details

Signed:

London Councils' Transport and Environment Committee

London Councils Officer Response to the Government call for Evidence on Parking Reforms Item No: 22

Report by: Andrew Luck **Job title:** Transport Manager
Date: 18 June 2015
Contact Officer: Andrew Luck
Telephone: 020 7934 9646 **Email:** andrew.luck@londoncouncils.gov.uk

Summary: This report advises members of the London Councils officer response to the Department for Communities and Local Government discussion paper and call for evidence titled: Parking reform, tackling unfair practices.

Recommendations: The Committee is asked to:

- Endorse the London Councils officer response

Background

1. In March 2015 the responsibility for policy relating to off-street parking transferred from the Department of Transport (DfT), to the Department for Communities and Local Government (DCLG). This change reflected the Coalition Governments belief that issues relating to off-street parking had an impact on communities, town centres and high streets, and with DCLG's responsibility for planning.
2. The Coalition Government introduced a number of measures relating to the management of parking including the introduction of the Protection of Freedoms Act in 2012, which banned clamping and removals on private land; introduced keeper liability and the provision of an industry run appeals mechanism; and the requirement that companies requesting data from the DVLA were members of an accredited trade association. More recently measures were introduced in April 2015 following a significant period of consultation which curtailed the use of CCTV for all but a handful of parking contraventions; introduced new grace periods; and clarified the existing rights to challenge and review parking policies.
3. The DCLG have stated that the transfer of policy provision for off street parking has provided them with an opportunity to review whether there is more that Government should do in this area.

Discussion Paper

4. In March 2015 the DCLG launched a discussion paper and a call for evidence on what it perceives could be continued unfair practices within the off-street parking sector, and parking in general. The discussion paper asked nine questions. The closing date for responses was 27 May 2015.
5. A copy of the Discussion Paper can be seen in Appendix 1
6. London Councils forwarded details of the discussion paper to all London boroughs on 24 April 2015, stating that we would be responding, and asked for comments from boroughs by 15 May 2015 so that we could formulate a detailed London-wide response.

London Councils Response

7. London Councils only received response details from Royal Borough of Kensington and Chelsea. Other boroughs may have responded directly.
8. The DCLG required all responses by 27 May 2015, which meant that London Councils were unable to present a version to TEC for approval prior to the closing date. On that basis we submitted an officer response that had been approved at Director level. DCLG were informed of this.
9. Details of London Councils response can be seen in Appendix 2.

Financial Implications

10. There are no financial implications to London Councils arising from this report.

Legal Implications

11. There are no legal implications to London Councils arising from this report.

Equalities Implications

12. There are no equalities implications to London Councils arising from this report.

Recommendations

13. The Committee is asked to:
 - Endorse the London Councils officer response



Department for
Communities and
Local Government

Parking reform: tackling unfair practices

Discussion paper and call for evidence



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This document/publication is also available on our website at www.gov.uk/dclg

If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

Department for Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

For all our latest news and updates follow us on Twitter: <https://twitter.com/CommunitiesUK>

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Introduction

In March 2015, the responsibility for policy relating to off-street parking transferred within Government, from the Department for Transport to the Department for Communities and Local Government.

This change reflects the strong commitment of Coalition Government Ministers to address issues relating to off-street parking which have an impact on communities, including on town centres and high streets; it also fits well with DCLG's responsibility for land use planning.

This discussion paper invites individuals, companies, councils and groups to let us know what policy areas should be a priority for the Department, and how the Government might take this forward in the next Parliament.

Background

One of the aims of parking, whether on public or private land, should be to support viable communities, including high streets and tourist destinations, and provide people with the facilities they need to go about their daily lives.

Effective parking management is essential for businesses to survive and grow. The management of parking by local authorities is subject to the legislative framework provided by the Traffic Management Act and other legislation. For parking on private land not covered by this legislation, appropriate parking control is vital to ensure that parking facilities remain accessible and provide value for money, both for the landowners providing access to their property, and for the drivers accessing the land.

It is Government's responsibility to strike the right balance between protecting the right of land owners to control the use of their land and benefit fairly from it, and protecting drivers and shoppers from unscrupulous practices.

What We Have Done

Since 2010, the Coalition Government has taken forward a range of measures relating to the management of parking; we have addressed enforcement both by local authorities on public land, and by land owners and their agents on private land.

In relation to parking on private land, there have been some key developments.

In 2012, the Government introduced the Protection of Freedoms Act which:

- Banned all forms of immobilisation without lawful authority, to protect drivers from the worst excesses of 'rogue' clampers.

- Introduced 'keeper liability' (in England and Wales), allowing the landowner or their parking management company to pursue the registered keeper of a vehicle if a named driver cannot be traced or denies liability.
- Required that companies requesting keeper data from the DVLA must be members of an accredited trade association, and therefore abiding by a code of practice based on fair treatment of the motorist and high professional standards of conduct. There are currently two accredited trade associations; the British Parking Association and the Independent Parking Committee.

The Government also required the industry to put in place an independent appeals service, funded by the industry. The British Parking Association service is known as Parking on Private Land Appeals, and the Independent Parking Committee service is known as the Independent Appeals Service. A landowner or company that issues a parking charge on private land must supply details of how to refer an appeal to the relevant appeal service.

Also in 2012, the Government brought into force the provisions in Part 3 of the Tribunals, Courts and Enforcement Act 2007. This created a new system of taking control of goods in order to enforce judgments and abolished a number of ancient common law writs and remedies. The changes included mandatory training and certification requirements, simplification of the fees that bailiffs are allowed to charge for their services, and new rules on how and when bailiffs can pursue debts.

The Coalition Government has also introduced a package of measures in relation to on-street and off-street parking, including curtailing the use of CCTV for parking fines, introducing new grace periods, bringing in a new right to review parking policies, reforming the rules around parking rules and discouraging aggressive use of bailiffs. These legal measures will come into effect in April 2015.

Private Off-Street Parking

The transfer of policy responsibility provides an opportunity to review whether there is more that Government should do in this area. There has been anecdotal evidence and coverage in the media of issues relating to parking on private land and on land owned by public authorities (e.g. NHS hospital parking), including:

- Practices which could be in breach of consumer protection laws, such as companies setting excessive parking charges, or levying excessive penalties for overstaying which are dressed up as official "parking fines".
- Practices that undermine the principle underlying the formation of a contract, including unclear or missing signage, or a lack of transparency on charges and/or fines.
- Failure to treat drivers fairly when they have incurred a penalty, including the failure to provide information, consider appeals fairly and the aggressive use of bailiffs.

Some have called for specific action, including the introduction of a binding code of practice; for mandatory membership of an accredited trade association; or a rethink of whether the rules about access to the DVLA database are robust enough.

More recently, arguments have been made for extending the mandatory 10 minute grace period being introduced for parking on-street and in local authority owned car parks.

These examples are offered to prompt thought and discussion. We want to hear what you think, and what evidence you can offer to support action, or lack of action, in particular areas.

This document is therefore opening the floor to you to tell us:

- 1. Do you think there are problems with how parking on private or public land is regulated, or the behaviour of private parking companies?**
- 2. If you answered Yes to Question 1, what problems do you think there are with parking on private land, or the practices of parking control companies managing parking on private or public land?**
- 3. If you answered Yes to Question 1, what steps do you think the Government should take to rectify these problems?**
- 4. Are you able to offer any evidence to support a case for change, or examples of best practice?**
- 5. Do you think there are other steps the Government could take to ensure that parking supports local shops and high streets?**
- 6. If you answered Yes to Q5, what steps do you think the Government should take to help support local shops and high streets, for example by encouraging the provision of free and competitively priced parking spaces?**

Municipal Parking: Cash facilities

Public concern has also been raised recently at the increasing practice of local authorities withdrawing the ability to pay for parking charges by cash. This can prevent people from being able to pay if they do not have a working mobile phone and cause difficulties for those who find electronic payments confusing to operate.

- 7. Should there be an obligation for local authorities to offer the ability to pay for parking by cash within a reasonable distance of where they have parking (for example via ticket machines or via local shops)?**
- 8. Do you have any examples demonstrating best practice approaches in the UK or abroad?**
- 9. Do you have any best practice suggestions for councils to follow?**

Responses

We are asking for all responses to be submitted by 27 May 2015.

Responses can be submitted via our online form [here](#)

Or you can also respond via email or post to:

Email: ParkingQueries@communities.gsi.gov.uk

Post: **Parking reform – Call for Evidence**
High Streets Team
3/NE Fry Building
2 Marsham Street
London
SW1P 4DF



**Department for Communities and Local Government:
Parking reform- tackling unfair practices
Discussion paper and call for evidence**

Officer Response by London Councils

London Councils represents all 32 London boroughs and the City of London. It is a cross-party organisation that works on behalf of all of its member authorities. We develop policy, lobby Government and others, and run a range of services designed to make life better for Londoners.

London Councils

Response to DfT Discussion Paper and Call for Evidence.

Parking Reform: Tackling Unfair Practices

London Councils is a joint body of the 33 London local authorities formed for the purposes of collective policy development, representation and service delivery. London Councils' Transport and Environment Committee (TEC) is a joint committee of the 33 London local authorities and Transport for London. TEC has a number of statutory responsibilities particularly with respect to parking and traffic enforcement, notably:

- Determination of traffic and parking penalties
- Administrative support to the parking and traffic adjudicators

In addition TEC provides a forum for the coordination of policies and procedures and the delivery of collective services where this makes sense. Within the area of enforcement London Councils provides:

- TRACE: a Londonwide telephone/SMS service for providing information about cars that have been towed away
- A collective data link with the county court for registration of debt
- A database on persistent evaders and a payment exchange mechanism

London Councils believes that proper on and off street parking regulations are an essential element of urban transport and traffic management. Parking regulations are primarily in the motorists' interest and are needed to:

- Reduce accidents
- Reduce congestion
- Manage the use of the kerb space where demand exceeds supply

Regulations which are not effectively enforced are pointless. London Councils supports an enforcement regime which is fair, secures appropriate compliance with regulations, and is efficient and cost effective.

Turning to the questions raised by the Discussion Paper:

1. Do you think there are problems with how parking on private or public land is regulated, or the behaviour of private parking companies?

- Yes. London Councils believes that there are significant problems with the regulations around parking on private land. This has had a particular impact on some local authority housing estate land.
- There is more regulation of the private parking sector than ever before, and an established code of practice and appeals mechanism. Most operators now operate in

a responsible manner and any previously identified 'sharp practices' have been reduced significantly.

2. If you answered Yes to Question 1, what problems do you think there are with parking on private land, or the practices of parking control companies managing parking on private or public land?

- The introduction of the Protection of Freedoms Act 2012 (POFA) did not have the desired effect of clarifying the situation with respect to council owned housing land, and only created more confusion. Historically boroughs have enforced parking contraventions on their private land by the use of contract law and the issue of Fixed Penalty Notices (FPNs). London Councils does not believe that the POFA changed this in the majority of circumstances.
- The letter issued to Local Authorities by Robert Goodwill MP in September 2014 outlined the Government's position regarding the legalities of enforcement arrangements available for regulated and unregulated land. The letter stated that councils could not enforce under contract law, and any application for DVLA for keeper details may be refused unless the council is applying as an enforcement authority under the Traffic Management Act 2004 (TMA).
- London Councils wrote to the Department for Transport stating that legal advice that we have obtained did not concur with the view of the Minister or the Department. It is London Councils' view that the use of s.6 and s.35 of the Road Traffic Regulation Act 1984 on housing estate land is only appropriate for parking places where the parking is provided for controlling traffic (s.6) or for the purposes of relieving or preventing congestion (s.32(1)). Where a local authority provides parking places that have been designated for other local authority purposes, rather than for traffic management (e.g. for the purpose of serving residential occupiers), then the parking places may be 'relevant land' under Schedule 4 of the POFA 2012.
- Whilst London Councils believes that in the longer term, it would be beneficial for local authorities to put traffic orders on private housing estate land as control and enforcement would be easier, it is not currently the only option. Many boroughs have looked at doing this, and they have found it expensive, that it takes time, and is a potential legal minefield with regards to existing lease agreements, maintenance costs etc. London Councils do not believe that authorities should be unnecessarily restricted in their ability to enforce on their housing estate land, as parking controls would be undermined. This would have a detrimental effect on residents, and could pose a health and safety risk on estates, particularly with regard to obstructive parking preventing access for emergency vehicles.
- There is a view among some London authorities that the banning of clamping and removal from private land has led to problems on council owned housing land. Whilst this could be readdressed by introducing traffic orders and enforcing under the TMA, the difficulties of doing this have been highlighted above. It is also a factor that some estates have indicated during the consultation process that they do not want traffic order control, just a way of dealing with nuisance vehicles. The issue of FPNs using schedule 4 of the POFA is not as effective as clamping and removal was prior to its abolition, as it is more difficult to pursue the non-payment of fines due to imperfections in the legislation. Therefore the inability for local authorities to manage parking on their estates has had a detrimental effect on residents.

- Local authorities do not have the same powers to utilise ANPR technologies for both payment and enforcement purposes in off street car parks as enforcement is undertaken using the TMA 2004. Car parks operated by private parking companies using contract law can use ANPR and do so frequently. This gives them an unfair commercial advantage over councils as the use of this technology is cheaper, and enforcement against motorists that do not comply with the regulations simpler. When a motorist parks off street, the provider and under what regulations parking is enforced is not relevant and unknown. Therefore there should not be any differences in how payments can be made and enforcement undertaken, as this prejudicial against local authorities.
- London Councils believes that private off street parking should be regulated in much the same way on street parking is. This would lead to similar fine levels, and enforcement controls. This should reduce the level of campaigning and unfair practice often vexed against the sector.

3. If you answered Yes to Question 1, what steps do you think the Government should take to rectify these problems?

- If Government are to become involved once again, they need to be clear of their intentions, and the legislation needs to reflect these accurately, and without confusion. Previous attempts at regulation have not appreciated the realities of managing parking, and 'piecemeal' solutions have only added to the problems that local authorities face.
- Government need to fully clarify the situation with regards to the use of contract law on borough housing estate land. We will be liaising directly with Department for Communities and Local Government on this issue.
- There is a view that whilst there was a significant problem relating to the removal and clamping of vehicles on private land prior to the 2012 Act, these related to poor signage, excessive charging and unethical enforcement by private contractors on non-Council land. There was little or no evidence of Councils charging excessive fees or acting in an unethical manner when removing or clamping unauthorised vehicles on Council land, but an exception was not made to recognise this in the 2012 Act. Government should look at the possibility of reinstating clamping and removals on Council owned housing land, without requiring the creation of traffic management orders. Whilst we acknowledge that some clamping and removal operators did operate in a wholly unacceptable manner on other private land and that legislation was needed to curb this, the Government were wrong to assume that all clamping and removal operators behaved inappropriately and banning all clamping and removal was an excessive measure to deal with sharp practices. The Government could insist that the relevant charges cannot exceed those applied on street.
- London Councils believes that council managed off street parking under the TMA 2004 should be afforded the same powers regarding the use of ANPR for payments and enforcement that is afforded the private sector under contract law.
- London Councils believes that there should be a single approved operator scheme, a single code of practice, and a single appeals mechanism to allow people to challenge FPNs issued.

4. Are you able to offer any evidence to support a case for change, or examples of best practice?

- Please see above

5. Do you think there are other steps the Government could take to ensure that parking supports local shops and high streets?

- No, we believe that Government places too much importance, without evidence, on the role of both on and off street parking in the vitality of our High Streets.
- Research undertaken on behalf of London Councils, and published by The Means in 2012, examined the relevance of parking in the success of urban centres. The main findings of the report were as follows:
 - **More parking does not necessarily mean greater commercial success.** A well-managed parking scheme, where spaces 'turn over' frequently can help increase the number of visitors coming to a town centre, and thereby help business.
 - **There is no such thing as free parking.** The costs of developing and maintaining parking spaces and then enforcing proper use to ensure traffic flow have to be borne by the local authority.
 - **Shopkeepers consistently overestimate the share of their customers coming by car.** This can be by as much as 400%. In London the share of those accessing urban centres on foot or by public transport is much greater. Walking is the most important mode for accessing local town centres; public transport is the most important mode to travel to International centers (e.g. Oxford Street)
 - **Car drivers spend more on a single trip, walkers and bus users spend more over a week or a month.** Comparisons between 2011 and 2004 show that spending by public transport users and walkers has increased, spending by car users has decreased.
 - **A good mix of shops and services and a quality environment are the most important factors in attracting visitors.** If both of these are poor, then changes to parking are unlikely to make a centre more attractive.
 - **A well-managed parking scheme should have no adverse impacts on the local economy.** There is some evidence that charging for parking can help increase the number of visitors and therefore be better for town centre businesses.

London Councils believes that the role that parking has played in the decline of the high street is overstated. A range of other factors also impacts on this, as does the issue of changing shopping habits, where people shop online or visit out of town shopping centres and supermarkets.

- Every authority regularly monitors the parking provision that it has, and tailors this to the specific circumstances and requirements of an area or street. Legislation that insists authorities have to introduce certain measures may result in schemes that are not suitable – leading to a regime which in some places is needlessly restrictive and, in others, denying regulations that are desperately needed and supported - and would have a more detrimental effect on the local area, including the high street. Every location is different and local authorities are best placed to determine what is

needed locally and it would be wrong to assume that they do not. Local accountability through the democratic process has been shown to work well in this respect.

- There are increasing examples across London of local initiatives, specifically designed to facilitate parking and stimulate the local economy. These are being pursued in response to recognised local need, rather than as a blanket national instruction.
- London Councils is of the view that recent Government parking reforms surrounding the use of CCTV, and the introduction of a mandatory ten minute grace period may actually have a detrimental effect on the success of High Streets. Far from being a war on the motorist, the use of CCTV proved a vital enforcement tool and deterrent in improving compliance and reducing congestion. The limitations placed on local authorities in the use of CCTV could result in more congestion, an increased disregard for regulations, and an increase in difficulties for goods vehicle deliveries and Blue Badge holders. London Councils would not like Government to involve itself in the provision of off street parking, if unnecessary and potentially damaging regulations were the result.

6. If you answered Yes to Q5, what steps do you think the Government should take to help support local shops and high streets, for example by encouraging the provision of free and competitively priced parking spaces?

- London Councils answered No to question 5, but need to clarify the following.
- Authorities are advised generally to provide parking provision and set tariffs for short stay parking based on the 85 per cent occupancy rule. Charges are set to manage demand and encourage bay turnover, as this in turn maximises access. If the tariff is set too high, vehicles will not park and bays will remain empty. Such an outcome would quickly lead to pressure on the authority to cut charges and even on a strict financial model, high charges with low occupancy are not financially optimum. If the tariff is set too low for the demand, then you do not get the turnover of spaces, and congestion increases as vehicles circle searching for space. In high streets this makes the location less attractive and does not lead to any more people able to visit local shops. Research has shown that where tariffs are too low, 'searching' traffic makes up as much as 30% of traffic flow, which does not simply lead to additional and unnecessary congestion but also to extra pollution. Neither of these make the location attractive to shoppers or visitors. It is in the interest of every borough to get this balance right. Research also shows that motorists generally place a higher premium on space availability than on the parking charge. Given the right charges, a local authority can guarantee a parking space would always be available to motorists.
- Where periods of free parking are suitable for an area, local authorities will look to introduce these, and there are many examples in London where free parking spaces have been established. It would be damaging to remove the ability for authorities to decide how best to manage individual locations, and insisting that mandatory free parking periods should be introduced nationally would be damaging for high streets.

7. Should there be an obligation for local authorities to offer the ability to pay for parking by cash within a reasonable distance of where they have parking (for example via ticket machines or via local shops)?

- London Councils does not believe that it is the role of Government to regulate how parking is paid for. This stifles localism and inhibits innovation.
- London Councils has always advocated that there should be a range of options for paying for on and off street parking, and has encouraged that authorities consider maintaining the use of cash. This does not necessarily mean the use of pay and display machines as voucher schemes can also be effective. However, there are strong financial drivers to remove the option of paying by cash, including the continued and not insignificant theft from machines, increasing costly maintenance of the machinery and infrastructure, and the handling of cash.
- Where cashless parking schemes have been introduced (and there is little evidence that this has happened in authority run off-street car parks), the uptake has been high with no reduction in on street demand for parking spaces. The use of cash in areas where this has remained an option has fallen significantly. Cashless parking can also offer more flexibility, with pay by phone parking schemes sending reminders to subscribers when the time is due to expire, and offering the opportunity of paying for more time where this is appropriate. This actively helps the motorist and reduces the numbers receiving Penalty Charge Notices.

8. Do you have any examples demonstrating best practice approaches in the UK or abroad?

- N/A

9. Do you have any best practice suggestions for councils to follow?

- London Councils provides guidance to local authorities regularly on all parking related matters. We do not believe that this should be required by legislation. These are available on our website <http://www.londoncouncils.gov.uk/services/parking-services>

London Councils' Transport and Environment Committee

Items Considered by the TEC Elected Officers under the Urgency Procedure

Item
No: 23

Report by:	Nick Lester-Davis	Job title:	Corporate Director of Services
Date:	18 June 2015		
Contact Officer:	Alan Edwards		
Telephone:	020 7934 9911	Email:	Alan.e@londoncouncils.gov.uk

Summary: A report was sent to TEC Elected Officers under the London Councils' Urgency Procedure on the proposal to rebrand the Parking and Traffic Appeals Service (PATAS). To enable a rebrand to go ahead with minimal costs, this needed to be undertaken to coincide with the move from Angel Square to Chancery Exchange and the change in operations resulting from the change in the supporting contractor. Both changes take place in early July 2015 and preparatory work would need to start immediately. Responses were required from TEC Elected Officers by 21 April 2015

Recommendation: TEC Members are asked to note the report that went to TEC Elected Officers on 15 April 2015 (listed below) which was sent out under the Urgency Procedure.

Appendix A – Proposal to Rebrand the Parking & Traffic Appeals Service (PATAS)

London Councils' Transport & Environment Committee

Proposal to Rebrand the Parking & Traffic Appeals Service (PATAS) Item No:

Report by: Nick Lester-Davis **Job title:** Corporate Director of Services

Date: 15 April 2015

Contact Officer: Spencer Palmer

Telephone: 0207 934 9908 **Email:** spencer.palmer@londoncouncils.gov.uk

Summary: Proposal to Rebrand the Parking and Traffic Appeals Service (PATAS)

Recommendations: Members are asked to agree the proposed changes set out in this report.

Background

The Parking and Traffic Appeals Service (PATAS) is the administrative service, which supports the Parking and Traffic Adjudicators and the Road User Charging Adjudicators.

When decriminalised parking enforcement commenced, the service was known as the Parking Appeals Service (PAS) but, following the introduction of a wider range of civil enforcement of moving traffic and bus lane contraventions in about 2000, the name was changed to the Parking and Traffic Appeals Service (PATAS). This name has remained since then even after the addition of support to the Road User Charging Adjudicators in 2003. However, more recently, with the addition of appeals against enforcement of other non-traffic related contraventions, principally to do with littering and waste collections, contained within the London Local Authorities Act 2009 and the Deregulation Act 2015, the name has become increasingly inappropriate. Concerns have been raised primarily, but not solely, by adjudicators that:

- the inclusion of littering and environmental issues within the remit of the adjudicators is confused by the name simply referring to parking and traffic;

- it is possible that adjudicators may be asked to undertake further appeals in environmental areas in the future; and
- the use of the term 'service' confuses the public who, in many cases, do not understand that the adjudicators represent a formal tribunal.

Proposed Name Change

The move from Angel Square to Chancery Exchange combined with the change in service delivery with the new contract in July will require a wholesale redesign of stationery and forms, as well as website modifications, new signing and a degree of media support to publicise the change of address. The change to primarily on-line appeals will, in particular, mean that current forms will become redundant after July, while the change to the support contractor also means that all letters are being redesigned. After July, London Councils will no longer be printing appeal forms while we have given up pre-printing stationery for some years. The adjudicators, therefore, have proposed that this opportunity is taken to rebrand the appeals service as this can be achieved at very low marginal cost at this point.

It is proposed that for public facing activities the old single service name will no longer be used but, instead, the two tribunals will use their own terminology, as agreed with the adjudicators:

- Environment and Traffic Adjudicators (ETA)
- Road User Charging Adjudicators (RUCA)

If there is a need to refer to the two tribunals collectively, they will be known as the London Tribunals, while the administrative support team for the tribunals, who work flexibly between the two tribunals, as needed, will be known as the London Tribunals Support Service.

The administration service for the Road User Charging Adjudicators is provided by London Councils on a contractual basis to the GLA (with whom the duty lies), and those adjudicators are appointed by the Lord Chancellor. The GLA have already agreed to the proposed name change and subject to approval of this report, the Ministry of Justice and Lord Chancellor will be formally notified of the change.

Recommendation

Members are asked to agree the proposed changes set out in this report.

To achieve the changes with little additional cost does need a decision to be made now as designs for forms, stationery and signs are being finalised for the new service and premises. This will limit the additional costs largely to the design costs.

Legal implications

There are no legal implications from this change

Financial implications

By making the change at this stage, the financial costs are limited to design costs which are estimated at £6,000. This can be met out of existing PATAS budgets.

Equalities Implications

There are no equalities implications of this change

London Councils' Transport & Environment Committee

TEC Committee Dates 2015/16

Item No: 24

Report by: Alan Edwards

Job title: Governance Manager

Date: 18 June 2015

Contact Officer: Alan Edwards

Telephone: 0207 934 9911

Email: Alan.e@londoncouncils.gov.uk

Summary: This report notifies members of the proposed TEC and TEC Executive Sub Committee dates for the year 2015/16.

Recommendations: It is recommended that Members:

- Note and agree the dates for TEC and TEC Executive Sub Committee meetings for the year 2015/16. It was agreed that these dates would be brought to TEC again at this Annual General Meeting

TEC (Main) Committee Dates

- Thursday 15 October 2015
- Thursday 10 December 2015
- Thursday 17 March 2016

All the above meetings start at 2.30pm, with a pre-meeting for political groups at 1.30pm. All TEC (Main) Committee meetings will be held at 59½ Southwark Street, London, SE1 0AL.

TEC Executive Sub Committee Dates

- Thursday 16 July 2015
- Tuesday 15 September 2015
- Tuesday 24 November 2015 (*rescheduled from 19 November 2015*)
- Thursday 11 February 2016

All these meetings start at 9.30am and will be held at the offices of the London Councils, 59½ Southwark Street, London, SE1 0AL

London Councils' Transport and Environment Committee

19 March 2015

Minutes of a meeting of London Councils' Transport and Environment Committee held on Thursday 19 March 2015 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL

Present:

Council	Councillor
Barking and Dagenham	Cllr Lynda Rice (Deputy)
Barnet	Cllr Dean Cohen
Bexley	Cllr Don Massey
Brent	Apologies
Bromley	Apologies
Camden	Cllr Phil Jones
Croydon	Cllr Kathy Bee
Ealing	Cllr Julian Bell (Chair)
Enfield	Apologies
Greenwich	
Hackney	Cllr Feryal Demirci
Hammersmith and Fulham	Cllr Wesley Harcourt
Haringey	Cllr Stuart McNamara
Harrow	Cllr Barry Kendler (Deputy)
Havering	Cllr Robert Benham
Hillingdon	
Hounslow	Apologies
Islington	Cllr Claudia Webbe
Kensington and Chelsea	Cllr Tim Coleridge
Kingston Upon Thames	Cllr David Cunningham
Lambeth	Cllr Jenny Brathwaite
Lewisham	Cllr Alan Smith
Merton	Cllr Nick Draper
Newham	Apologies
Redbridge	
Richmond Upon Thames	Cllr Stephen Speak
Southwark	Cllr Mark Williams
Sutton	Cllr Jill Whitehead (Deputy)
Tower Hamlets	
Waltham Forest	Cllr Clyde Loakes
Wandsworth	Cllr Caroline Usher
City of Westminster	Cllr Heather Acton
City of London	Michael Welbank
Transport for London	Alex Williams (Deputy)

1. Declaration of Interests

Freedom Pass Holders/60+ Oyster Cards

Cllr Barry Kendler (LB Harrow), Cllr David Cunningham (RB Kingston-upon-Thames), Cllr Alan Smith (LB Lewisham) and Cllr Caroline Usher (LB Wandsworth)

North London Waste Authority

Cllr Dean Cohen (LB Barnet), Cllr Feryal Demirci (LB Hackney) and Cllr Clyde Loakes (LB Waltham Forest)

Western Riverside Waste Authority

Cllr Wesley Harcourt (LB Hammersmith & Fulham) and Cllr Jenny Brathwaite (LB Lambeth)

West London Waste Authority

Cllr David Cunningham (RB Kingston-upon-Thames)

East London Waste Authority

Cllr Robert Benham (LB Havering)

South London Waste Authority

Cllr Kathy Bee (LB Croydon)

London Waste & Recycling Board

Cllr Clyde Loakes (LB Waltham Forest)

Car Club

Cllr Feryal Demirci (LB Hackney)

Thames Regional Flood & Coastal Committee

Cllr Dean Cohen (LB Barnet)
Cllr Tim Coleridge (RB Kensington & Chelsea)
Cllr Alan Smith (LB Lewisham)
Cllr Nick Draper (LB Merton)
Cllr Mark Williams (LB Southwark)
Cllr Stuart McNamara (LB Haringey)
Cllr Cameron Geddes (LB Barking & Dagenham)

London Cycling Campaign

Cllr Feryal Demirci (LB Hackney)

2. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Cameron Geddes (LB Barking & Dagenham)
Cllr George Crane (LB Brent)
Cllr Colin Smith (LB Bromley)
Cllr Chris Bond (LB Enfield)
Cllr Varsha Parmar (LB Harrow)
Cllr Amrit Mann (LB Hounslow)
Cllr Ian Corbett (LB Newham)
Cllr Colin Hall (LB Sutton)
Michele Dix (Transport for London)

Deputies:

Cllr Lynda Rice (LB Barking & Dagenham)
Cllr Barry Kendler (LB Harrow)
Alex Williams (Transport for London)

3. Future of the London Underground and London Rail

A presentation on the future of London Underground and London Rail was made by Mike Brown (Managing Director of London Underground). The following comments were made:

- Capacity from the current network needed increasing. This would be in the form of Crossrail, the Northern Line extension and various other schemes.
- Customer service would be transformed and new technology would be exploited. The issue of delays continues to be addressed. The Mayor has an ambitious target of a 30% reduction in delays.
- Investment was being made on some of the busiest lines. The Northern Line had 11,000 more customers per hour. Five car trains would be introduced on the Overground, increasing capacity by 25%. Operators would be rewarded on performance. Overground has seen a user increase of 260% since it was introduced.
- Money was still being invested in the Docklands Light Railway (DLR) to ensure that even more services were running
- Up to 2.5% of London Underground track was being replaced each year. Most of the work was being carried out overnight to minimise disruption to passengers and reduce closures by up to 10%
- Staff being freed-up from ticket offices and this was transforming customer service, as more staff were now on the floor. Staff given a PIN number to re-set ticket machines quickly and issue refunds. Staff had also been given iPads to download applications for the station they were working in.
- West Anglia route planned transfer. If the Mayor had control of more of the network, the kind of problems experienced recently at London Bridge would not have occurred.
- First section of Crossrail opens on 31 May 2015. 191 new trains were being constructed in Derby. All new trains will be in place by 2019. The Circle Line would have a train every 4 minutes rather than every 10 minutes.
- Night time tube soon – up to 50% of journeys would be people going to and from work

- Increase in tram capacity in Croydon – tram route would be extended to the east.
- In the long term, Gospel Oak to Barking would be electrified
- Crossrail would be fully operational by 2019 and would increase overall rail capacity in London by 10% and therefore reduce congestion
- A new tube for London: Some of the network had not been updated for 100 years. New trains would be air conditioned. Capacity on the Piccadilly Line would increase by 60%. Bakerloo Line extension (to south east London) is under consideration
- Oyster cards to be used throughout London soon
- Night bus services would need to be reconfigured when the night time tube came into operation but there will not be an overall loss of service.

Q and As

Michael Welbank said that no reference had been made to Crossrail 2. He said that there was also concern over the customer service at stations once all the ticket office staff had been removed. Mike Brown said that every underground station would have a least one member of staff from the first and last train. This was a mayoral commitment. Mike Brown said that a list of 76 stations had been put forward for improvements. A number of major stations like Bank and Monument would be totally transformed.

Councillor Loakes said that the Gospel Oak to Barking line was now full to capacity, in the mornings and the evenings. Work on the line needed to be brought forward from 2018 as extra capacity was now urgently required. Councillor Kendler said that there was a lack of stations with disabled access in Harrow. He also asked about Croyley link and funding. Councillor Harcourt asked what was being done to reduce the effects of noise in residential areas when the 24-hour tube started.

Mike Brown said that he agreed with the overcrowding problems on the Gospel Oak line, but said that the work would take that timeline to complete. He confirmed that work on the Croyley link was going ahead – LU was managing the project. Mike Brown said that TfL was looking at the condition of the tracks across the night tube route to help reduce noise in residential areas.

Councillor Williams said that the situation at London Bridge had been a disgrace and this needed to be dealt with quickly. He said that although the London Overground had been successful, it was now full. Councillor Massey asked if there was any further information regarding Crossrail in Bexley. An integrated and managed Overground was needed. Councillor Williams also voiced concern at any planned cuts to night bus services. Councillor Coleridge felt that the tube was much better now than it used to be.

Mike Brown said that London Bridge needed an integrated system and the situation had been discussed with the Mayor. Lobbying on this would take place after the general election. Mike Brown said that there would not be any changes to night bus services where there was no 24-hour tube. There would be a rebalancing of night buses and tube services though. Mike Brown said that the District Line was very busy and new trains with better seating configuration would be brought in to increase capacity by 10%.

Councillor Whitehead said that there was a great deal of congestion at Morden station and it would be beneficial for the tram and Overground to extend to Sutton.

She said that Sutton had one of the highest car ownership out of all the London boroughs. Councillor McNamara said that it would be good to have a 24-hour tube service. He voiced concern though that very little information had been received on the plans for the West Anglia line. Councillor Webbe said that not enough was being done to address the capacity issue on the Northern Line. She said that the line was busy right up to Angel tube station. Councillor Webbe said that the borough of Islington had not been given any notice of the work that was being carried out to the lift at Tufnell Park tube station. Councillor Rice asked what the safety implications would be with only having one member of staff at the tube stations.

Mike Brown said that more information would be given to members on the West Anglia line as soon as it became available. He said that TfL would be working with local boroughs to see what could be done to reduce the impact of night time noise when the tube was 24-hours. Having better co-ordination on the Northern Line needed to be looked into. Mike Brown said that he would ensure that TfL kept the borough of Islington informed about the lift work at Tufnell Park station. He said that there would be police officers around tube stations at night time. Some stations were already operating with one member of staff and there was a button that Underground staff could press in the event of any major safety problems.

The Chair said that there were a large number of individual borough issues. He suggested having some form of “tube surgery” to address these issues. This could be carried out by email. The Chair thanked Mike Brown for the presentation on the Underground and London Rail.

4. Mayor’s Infrastructure 2050 Plan

Matthew Pencharz (Senior Adviser to the Mayor - Environment and Energy) made a presentation to members on the Mayor’s Infrastructure 2050 Plan. He also wanted to touch on air quality, about which members had already been sent a briefing, discussing Local Air Quality Management (LAQM) arrangements in London. The population in London would increase to 11 million by 2050 and a step change would be required to deliver infrastructure that would be needed to deal with this population increase.

Matthew Pencharz informed members that the Infrastructure Delivery Board would be meeting shortly to discuss the ways of better integrating the infrastructure. The Board comprised of Network Rail, Thames Water, LWARB and the Chair of London Councils, among others. Three pilots were currently being looked into across London. Lessons had been learned from the drainage problems at the Vauxhall to Nine Elms and Battersea site. Changes to utility regulations were required, as these had not been looked at since the 1980s and were no longer fit for purpose. London’s population was now growing very quickly.

Matthew Pencharz said that a “green infrastructure” task force had been set-up and was working jointly with the National Trust, Public Health England, the Chair of TEC and others. This task force was also looking at new funding streams. As part of Drain London, Thames Water, the Environment Agency, London Councils and the GLA were all coming together to work on a number of “green” projects. This was happening within a wider environment of jointly pushing for fiscal devolution for London. An online map showing the current and future infrastructure projects and needs of London would be made available later on in the year. The Mayor was keen to work on these issues and thanked London Councils for its support.

Matthew Pencharz said that progress and a lot of investment had been made in electrical infrastructure. An open letter to stakeholders would be sent out after the election, notifying them on progress. The issue of air pollution in London had been jointly discussed with the Chair of TEC and Government Minister Dan Rogerson. The GLA was planning to run a consultation on a Londonwide air quality management system after the election in May 2015. It was hoped to reduce the financial burden on the boroughs and the GLA were wary of the fiscal constraints (eg 32 individual contracts for the boroughs and one for the City of London for air quality monitoring plus the air quality monitoring equipment). It was hoped to reduce this by a third.

Matthew Pencharz informed members that the Mayor would be signing a scheme order for an Ultra Low Emissions Zone (ULEZ) in the coming week. He noted that some boroughs are introducing emission based parking charges and acknowledges that this was up to the local authorities to decide but would urge to keep the criteria to those used within the ULEZ.

Q and As

Councillor Coleridge said that more details on the LAQM were required, before the consultation in May, including a breakdown of costs and statutory responsibilities. Councillor Draper voiced concern that there was no main policy with regards to the ULEZ. He said that the basics needed to be communicated to the general public. Councillor Draper said that he was aware that diesel emissions were harmful, but the rest of London needed to be informed, in advance of any action taking place.

Councillor Whitehead said that more information was needed on what the boroughs were supposed to be monitoring. She said that she had been informed that money would not be available for industrial areas. Councillor Whitehead said that the precept at parks, especially Lee Valley, needed to be removed.

Matthew Pencharz said that the LAQM was very important and the Mayor wanted to see the air quality monitoring system protected. However, this was an economies of scale issue and boroughs needed to join the scheme to save over a third. The Mayor wanted to decrease the burden to the boroughs when it came to air quality issues. Matthew Pencharz said that there was the potential for a bespoke pollution monitoring system in London, and this would save money over time. He said that there was not currently a Londonwide policy on parking charging with regards to air pollution and that was fine but he encouraged boroughs who are considering bringing in differential parking charges to use the criteria from the ULEZ.

Councillor Draper said that more information was needed on the dangers of pollution from diesel vehicles. Matthew Pencharz said that there had been a failure to provide accurate information on diesel. It used to be thought that diesel was a “clean” fuel. The public would be given 6-years notice regarding diesel vehicles. Matthew Pencharz said that he would report back to LB Sutton on the issue raised about Lee Valley (which was private legislation). Alex Williams would discuss individual air quality issues with LB Sutton outside of the meeting.

Councillor Demirci felt that there was not a great deal of detail in the report. She said that the borough of Hackney would have to use emission based parking charges to encourage the usage of cleaner vehicles within the borough. The report also showed no recognition of car grants being given to encourage certain types of cars and the effect they are having on the environment. Also, we could not rule out the need to expand the ULEZ in approximately 35 years’ time. Councillor Webbe said that accurate information on diesel vehicles needed to be put to the public. She said that

the real problem for air quality was particulate matter and the public had been given 15 years of misinformation on this. Some diesel vehicles tested were not tested in urban conditions, which rendered the results void in the case of London. The current message regarding diesel was not clear and the ULEZ needed to explain these issues in more detail.

Councillor Williams asked whether there would be more commitment to modal shift (eg public transport, walking, cycling etc) - a hierarchy on this was key. There were also major issues concerning slow broadband speeds in London, and help and direction was needed from the Mayor. Matthew Pencharz said that population growth was up substantially, although car ownership had decreased. He said that the Mayor had not veered away from having a hierarchy. Communications providers were currently on the Infrastructure Board and progress was being made on the issue of slow broadband speeds.

Councillor Acton said that more action was needed with regards to emissions from buses and taxis. She said that there were also issues regarding the moving of air monitoring stations in boroughs. Matthew Pencharz said that the Mayor was not proposing to remove air monitoring stations. He said that double decker buses would be Euro6 emissions compliant by 2020, and would be much cleaner as a result of this. There would be a 50% reduction in emissions in the ULEZ and a 20% reduction in NOx overall. The Chair thanked Matthew Pencharz for the presentation on the Mayor's 2050 Infrastructure Plan

Decision: The Committee:

- Noted and commented on the presentation on the Mayor's Infrastructure 2050 Plan, and
- Agreed that boroughs would be consulted further on future LAQM proposals

5. Report from the London Waste & Recycling Board (LWARB) Local Authority Support

The Committee received a report that presented members with an update on the establishment of the new London Waste Authority Support Programme for 2015 and beyond, through a strategic partnership between LWARB and WRAP (the successor to the current LWARB Efficiencies Programme), branded "Resource London".

Councillor Loakes introduced the report and said that Antony Buchan (Head of Programme, Resource London) and Wayne Hubbard (LWARB) were present to update members on the latest developments. The new "Resource London" would come into play at the beginning of April 2015. Councillor Loakes said that it was beneficial that money was being brought in to improve recycling in London. Knowledge on recycling and success stories would be shared.

Councillor Loakes informed members that two meetings had taken place of joint waste disposal authorities, which comprised of 22 local authorities. Opportunities for waste recycling were looked into, as well as looking at where efficiencies could be made. Councillor Loakes made the case that Landfill tax should be devolved to London.

The following comments were made by Wayne Hubbard and Antony Buchan:

- The programme has links to investment being made in waste infrastructure, new businesses and to the circular economy
- Efficiency programme would achieve savings of £11 million per year, over the next 5-years (from 2015/16 onwards)
- Successes were being built on, in partnership with WRAP and work with London Councils would continue to be built on, especially with regards to key challenges.
- A slight change in shift – a new programme would focus on local authority recycling rates and have a 50% recycling target by 2020. Strategic approach by 2020 would provide a more efficient delivery
- Programme would focus on key areas like waste management, food waste, recycling from flats and improving the quality of recycling. Work was taking place with all local authorities in a much more holistic way
- Arranging to meet with all local authorities to identify what the biggest recycling opportunities were and where
- A key factor was to inform people, especially as they moved around various parts of London, what they could and could not recycle (i.e. what was “core” in recycling and could be put in most bins – paper, glass etc.)

Councillor McNamara said that there was a great deal of expertise within the waste authorities, and it was important to find ways to draw out best practice from them. Councillor Usher said that there was no landfill in the borough of Wandsworth. She said that other riparian boroughs should be encouraged to do the same and boroughs that did not have landfill should receive some sort of financial incentive.

Councillor Loakes said that the devolution debate needed to be put back on the table. He said that there needed to be a level on honesty about intentions around waste infrastructure and how much energy could be created from recycling waste. Wayne Hubbard said that waste contamination was a big issue and a programme was being developed to focus on reducing contamination. He said that the borough of Wandsworth had a good waste programme that others could learn from. Councillor Coleridge said that it was hard to establish where the real value of money was in waste. Wayne Hubbard said that the first wave of savings would be in the form of street cleaning and reducing duplication. The programme had already identified savings in excess of £11 million per year, over 5-years, from 2015/16 onwards.

Decision: The Committee:

- Noted the report and the new strategic partnership between LWARB and WRAP and the local authority support budget for 2015/16, and
- Noted in 2015/16 Resource London with London Councils intended to develop a London Recycling Guarantee, as set out in paragraph 22b of the report

6. Oak Processionary Moth (OPM)

The Committee received a paper that briefed members on the Oak Processionary Moth (OPM), its implications for London and what boroughs (a) must, and (b) could do to complement the Forestry Commission's (FC) actions to control it.

The Chair informed members that Craig Harrison, London Manager from the Forestry Commission was here to answer any questions on the Oak Processionary Moth (OPM). Members asked whether the threat to public health due to the OPM was rising (paragraph 5). Chris Harrison said that the map on page 3 of the report showed the (shaded) core zone of OPM infestation. Defra would be focussing on the area highlighted up to the blue line on the map. Surveys would be carried out with land owners and there was a need to raise awareness of the public health risks of the OPM. Chris Harrison said that extra care needed to be taken around riparian areas.

Decision: The Committee :

- Noted the report and the public information leaflet, as attached at Appendix 1 of the report, and
- Noted the good practice guidance for handling oak material in areas affected by OPM, as attached at Appendix 2 of the report

7. Chair's Report

The Committee received a report that updated members on transport and environment policy since the last TEC meeting on 11 December 2014 and provided a forward look until the next TEC meeting on 18 June 2015.

The Chair informed members that a "Source London" meeting had taken place on 13 March 2015. Councillor Demirci said that the meeting was well attended. A great deal of additional information had been gathered and Nick Lester-Davis had sent this information to the boroughs.

Decision: The Committee noted the Chair's report.

8. Consultation on Setting the Levels of Penalty Charge Notices for Offences Relating to Builders' Skips

The Committee considered a report on the setting of Penalty Charge Notices (PCNs) payable for offences relating to builders' skips, as per the London Local Authorities and Transport for London Act 2013 (LLA and TfL Act 2013). To date these charges had not been set. London Councils had been approached by the London Borough of Croydon and asked to set these charges. Past practice required London Councils to consult on the levy of penalty.

Councillor Coleridge said that the issuing of PCNs for builders' skips was a complicated issue as boroughs treated skips in different ways. There was also no window on a skip on which to place a PCN. Councillor Coleridge felt that the consultation on this was nowhere near complete. The Chair confirmed that it was only the borough of Croydon that had asked to set these charges. He said that it was up to London Councils' TEC to set these fines.

Councillor Cunningham said that there was also an issue of damage caused by skips on highways. Councillor Kathy Bee said that LB Croydon simply wanted to add this to the "PCN armoury" that Croydon already had, and that other boroughs did not have to use this. Councillor Rice said that it was difficult to prove that any damage had been caused by skips, especially if the skip had not been licensed. The Chair said that the consultation was just going out on behalf of the London borough of Croydon.

Councillor Acton said that all boroughs were being asked to agree this. She asked whether it was appropriate for this to be consulted on a Londonwide basis.

The Chair said that boroughs could put in their response to the consultation. Councillor Coleridge said that it was not mandatory for all boroughs to issue PCNs for builders' skips. The Chair said that the same principal applied to litter and spitting.

Decision: The Committee agreed that London Councils consulted on the levels of PCNs for offences relating to builders' skips, as set out in the LLA and TfL Act 2013.

9. Consultation on Setting Fixed Penalty Notice Levels for Offences Relating to Bird Feeding, Noise in Streets and Public Urination in the City of Westminster.

The Committee received a report that informed members of the three byelaws that the City of Westminster had under Section 235 of the Local Government Act 1972, namely, "noise in streets and other public places", "urinating etc", and "feeding of birds prohibited". Under Section 17(6) of the London Local Authorities Act 2004, it was the joint committee, London Councils' Transport and Environment Committee (TEC) responsibility to set the levels of fixed penalties for byelaws.

Decision: The Committee agreed that London Councils consulted on the levels of fixed penalties for breaching byelaws in the City of Westminster for noise in streets, public urination and the feeding of birds.

10. Freedom Pass 2015 Reissue Update

The Committee received a report that provided members with an update on the progress of the renewal of approximately 970,000 Freedom Passes that were due to expire on 31 March 2015, and the development of a new first time application process.

The Chair said that Freedom Pass reissue was proceeding well and was under budget.

Decision: The Committee

- Noted the progress on the Freedom Pass 2015 reissue since the last report to this Committee in December 2014, and
- Noted that work continued to establish new procedures for first time Freedom Pass applicants.

11. Parking on Private Land Appeals (POPLA) Service – Contract Tender Decision

The Committee received a report that informed members that, following a competitive re-tender process to provide the POPLA service under contract with the British Parking Association (BPA), the BPA had decided to award the contract to another bidder. This meant that London Councils would no longer operate POPLA after 1 October 2015.

In response to a question from Councillor Coleridge about the allocation of existing central costs across funding streams, the Chair said this would be included in budget reports to TEC in autumn 2015.

Decision: The Committee noted that London Councils would no longer operate the POPLA service from 1 October 2015.

12. Car Club Strategy

The Committee received a report on the Car Club Strategy (Appendix 1) that had been jointly developed by members of the Car Club Coalition, which included representatives from the industry, London Councils, the GLA and TfL. The Strategy set out a collaborative approach between these commercial and public sector players to accelerate the growth of the sector in London and maximise their potential benefits for London, which were achieved by providing an alternative to private car ownership.

Members were invited to comment on the Car Club Strategy at this meeting. The document was circulated to boroughs on 12 March 2015 for their information and feedback.

Lilli Matson (Head of Strategy & Outcome Planning, TfL) introduced the Car Club Strategy report. She said that an early draft had been presented to members in December 2014 – 22 boroughs had responded and the feedback received had been taken on board. TEC was now being asked to endorse the Strategy. It was felt that a modal shift was needed with regards to car clubs, as well as a reduction in emissions.

The Chair said that there was broad support for the Car Club Strategy. Councillor Usher felt that there were a number of broad statements in the Strategy and more details on demographics and costs were required. There was also the issue of persuading existing car owners to use car clubs.

Councillor Webbe said that it was important to have proper equality impact assessments and to encourage people on lower incomes to engage in car clubs and to switch to electric vehicles. Councillor Bee said that monitoring should take place to ascertain why people used the service in inner and outer London. Councillor Coleridge said that Source London was at the borough level and not the London Councils level. Lilli Matson said that one of the advantages of car clubs was the switch to EVs. She said that the draft Car Club Strategy would be resent to TEC members, with a view to giving a two week period for further comments to be received.

Councillor Acton felt that there were a number of issues that were not being reflected in the Strategy. Councillor Demirci said that the Strategy was very welcomed as London was currently falling behind with regards to car clubs. She said that the London borough of Hackney was currently the only borough that had committed resources to the monitoring of one-way car club journeys. Further resources were needed from TfL for inner and outer London. Lilli Matson said that it was in the action plan to do this.

Decision: The Committee:

- Agreed that the draft Car Club Strategy would be resent to TEC members to allow them a further two weeks in which to add any other comments to the Strategy, and
- Discussed and noted the Car Club Strategy report.

13. TEC Committee Dates 2015/16

The Committee considered a report that notified members of the proposed TEC and TEC Executive Sub Committee dates for 2015/16

Decision: The Committee noted and agreed the dates for the TEC and TEC Executive Sub Committee meetings for 2015/16 (subject to final confirmation at the TEC Annual General Meeting)

14. Minutes of the TEC Executive Sub Committee held on 12 February 2015 (for noting)

The minutes of the TEC Executive Sub Committee meeting held on 12 February 2015 were noted.

15. Minutes of the TEC Main meeting held on 11 December 2014 (for agreeing)

It was noted that there were two Councillor Smiths on TEC (Cllrs Colin and Alan Smith) and the full names of both councillors should be written in order to differentiate between them in the minutes.

The minutes of the TEC Main meeting held on 11 December 2014 were agreed as an accurate record.

16. Any Other Business

It was noted that Cllr Tim Coleridge had been elected as the new Conservative Vice Chair of TEC.

Councillor Acton asked for clarification on the proposed 10 minute grace period regarding parking and CCTV. She asked whether the grace period only applied to people that had legally paid to park their vehicle, or to people that parked anywhere. Nick Lester-Davis said that the precise wording of the legislation had not been received yet. He said that the 10 minute grace period would apply to people that had parked lawfully and displayed their ticket or permit. Parking would become unlawful once this 10 minute grace period had expired. There was no requirement in the regulations for any further grace periods once the initial one had ran out.

Nick Lester-Davis said that there was no grace period for just parking on a single yellow line. Similarly, any residents that parked without displaying the appropriate permit would also not receive the grace period. Nick Lester-Davis informed members that the CCTV regulations had not been laid before Parliament, but were expected to come into effect by the middle of April 2015.

The Chair resolved to exclude members of the press and public to consider the exempt items on the agenda.

The meeting finished at 17:00pm