

## London Councils' Transport and Environment Committee

### 15 October 2015

Minutes of a meeting of London Councils' Transport and Environment Committee held on Thursday 15 October 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
Barnet	Cllr Dean Cohen
Bexley	Cllr Alex Sawyer
Brent	Cllr Ellie Southwood
Bromley	<b>Apologies</b>
Camden	Cllr Meric Apak (Deputy)
Croydon	Cllr Kathy Bee
Ealing	Cllr Julian Bell (Chair)
Enfield	Cllr Daniel Anderson
Greenwich	
Hackney	Cllr Feryal Demirci
Hammersmith and Fulham	Cllr Wesley Harcourt
Haringey	Cllr Joanna Christophides
Harrow	Cllr Graham Henson
Havering	Cllr Robert Benham
Hillingdon	<b>Apologies</b>
Hounslow	<b>Apologies</b>
Islington	Cllr Claudia Webbe
Kensington and Chelsea	<b>Apologies</b>
Kingston Upon Thames	Cllr Terry Paton
Lambeth	Cllr Jenny Brathwaite
Lewisham	
Merton	Cllr Nick Draper
Newham	Cllr Ian Corbett
Redbridge	Cllr Baldesh Nijjar
Richmond Upon Thames	Cllr Stephen Speak
Southwark	<b>Apologies</b>
Sutton	Cllr Jill Whitehead
Tower Hamlets	
Waltham Forest	
Wandsworth	Cllr Caroline Usher
City of Westminster	Cllr Heather Acton
City of London	<b>Apologies</b>
Transport for London	Alex Williams

## **1. Apologies for Absence & Announcement of Deputies**

### Apologies:

Cllr Colin Smith (LB Bromley)  
Cllr Phil Jones (LB Camden)  
Cllr Keith Burrows (LB Hillingdon)  
Cllr Amrit Mann (LB Hounslow)  
Cllr Tim Coleridge (RB Kensington & Chelsea)  
Cllr Darren Merrill (LB Southwark)  
Michael Welbank (City of London)

### Deputies:

Cllr Meric Apak (LB Hounslow)

## **2. Declaration of Interests**

### Freedom Pass Holders/60+ Oyster Cards

Cllr Ellie Southwood (LB Brent), Cllr Wesley Harcourt (LB Hammersmith & Fulham),  
Cllr Nick Draper (LB Merton), and Cllr Jill Whitehead (LB Sutton)

### North London Waste Authority

Cllr Dean Cohen (LB Barnet), Cllr Daniel Anderson (LB Enfield), Cllr Feryal Demirci  
(LB Hackney), Cllr Meric Apak (LB Camden), and Claudia Webbe (LB Islington)

### Western Riverside Waste Authority

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

### West London Waste Authority

Cllr Ellie Southwood (LB Brent)

### South London Waste Partnership

Cllr Kathy Bee (LB Croydon)  
Cllr Nick Draper (LB Merton)  
Cllr Jill Whitehead (LB Sutton)

### London Waste & Recycling Board

Cllr Clyde Loakes (LB Waltham Forest)

### Car Club

Councillor Julian Bell (LB Ealing – Chair), Cllr Feryal Demirci (LB Hackney) and Cllr  
Claudia Webbe (LB Islington)

### Thames Regional Flood & Coastal Committee (RFCC)

Cllr Dean Cohen (LB Barnet)  
Cllr Nick Draper (LB Merton)  
Cllr Lynda Rice (LB Barking & Dagenham)

Cllr Daniel Anderson (LB Enfield)

### London Cycling Campaign

Cllr Feryal Demirci (LB Hackney)

### **3. Chair's Report**

The Committee received a report that updated members on transport and environment policy since the last TEC meeting on 18 June 2015, and provided a forward look until the next full TEC meeting on 10 December 2015.

The Chair said that a great deal of work was currently being carried out on Ultra Low Emission Vehicles, especially in light of the recent VW emissions scandal. Councillor Acton commended to the Chair on the volume of work and progress that had been made on these issues. Councillor Usher said that further discussions would need to be had by TEC in light of the recent VW scandal and the damage that had been caused by this. Nick Lester-Davis said that there was a "spectrum of behaviour" that was to blame for the incidents.

The Chair said that tackling air quality was a priority, and the latest figures estimated that there were approximately 10,000 deaths in London now caused as a direct result of poor air quality. He said that the latest VW emissions scandal only added to this problem, and a discussion on this and tackling air quality needed to be had by TEC. Councillor Webbe suggested that these issues be discussed at the next full TEC meeting. She said that the borough of Islington was calling for a total ban on diesel vehicles, including EU6 diesel vehicles. Councillor Webbe informed members that the borough of Islington had introduced a "diesel charge" of £96 for diesel vehicles.

**Decision:** The Committee:

- Noted the Chair's report; and
- Agreed that the issues of diesel vehicles and air quality, and the response from the car industry regarding the recent VW emissions testing problems be brought to the next full TEC meeting

### **4. Flooding Investment in London**

The Committee received a report that updated members on progress in year two of the six year capital programme of the Thames Regional Flood and Coastal Committee (Thames RFCC). The report also provided an update on the Thames RFCC's priorities and projects, and included the business case presented by the Thames RFCC for a levy increase.

The Chair informed Committee that this was year 2 of a 6-year flooding investment programme. He said that TEC had agreed the six year increase of 1.99% annually in principle at December TEC last year and had received the first 6-monthly update in June. The Chair confirmed that members were not voting for an increase to the flood levy today, but were giving a steer to the TEC members on the Thames RFCC.

Amanda Nobbs (Chair of the Thames RFCC, Environment Agency) made the following comments:

- There were currently 66,000 properties in London at high risk of surface water flooding and 14,000 at high risk from river/tidal flooding
- There are currently 443 projects to address this risk and the Thames RFCC oversees and agrees that programme
- More people were affected by flooding in London in 2014 than were affected the West Country during the winter of 2013/14
- Thames RFCC moved to a 6-year programme to best help timetabling of different organisations and tackle the major flood risks
- The paper brought before TEC today only gives a 1-year “snapshot” – and members should keep this in mind - bigger risks had been looked at over the 6-year period to ensure that all areas benefit from the 6-year programme
- Very good progress had been achieved with 21 different packages of work being completed by the Thames RFCC in 2014/15. Major projects had been developed and linkages with Thames Water had been improved
- Year 2 levy continues to secure a Government Capital Grant of £302 million and encourages progress with local authority partnerships, the Environment Agency and Thames Water
- Progress is being made at a local level and Thames RFCC is exploring to help local authorities that were struggling with their flood planning. A new team of officers would be brought in and shared within the region to support the programme
- The Thames RFCC is looking to have at least one scheme per local authority area and if supported, the programme will spend levy of £67.5 million over the 6-year programme

#### Q and As

Councillor Draper said that, although the report was good, there was no mention of loss of revenue caused by flood damage to infrastructure, like businesses and schools. Amanda Nobbs said that the focus for today was on securing the grant from Government and agreeing a steer for a 1.99% levy increase for year 2. She said that the Thames RFCC needed to communicate more broadly, especially with London Councils, and a film could be made as a communications tool to show the consequences of flooding in London.

Councillor Whitehead said that the borough of Sutton already had flood plans in place, and that they were in the process of redeveloping their local flood plans. She said that advice was now needed on what to put in these local plans. Advice needed to be given to local residents on what they could do to alleviate flooding. Councillor Whitehead said that it was also mentioned by members at the last TEC Executive Sub Committee meeting that Thames Water was not maintaining its sewers adequately, and this was also contributed to flooding problems. Amanda Nobbs said that the Thames RFCC was looking into these issues. She said that the Thames RFCC was moving to a 25-year approach to help alleviate flooding. Amanda Nobbs said that smaller developments were now being captured by the 6-year programme, including the issue of impermeable residential driveways.

Councillor Acton said that the Conservative Group was not in complete agreement in giving a steer to recommend a 1.99% increase for the year 2 flood levy programme. She confirmed that Councillor Colin Smith had asked her to state, in his absence, that the borough of Bromley was against any flood levy increases, and he requested that this was reported in the minutes of this meeting. Councillor Acton said that the

flood pre-meeting that took place before TEC today did convey the benefits to investing in flood prevention measures. The Chair said that the Labour Group was in favour of supporting a 1.99% increase to the flood levy each year, owing to the benefits that boroughs received from these investments.

**Decision:** The Committee:

- Agreed that a steer recommending a levy increase of 1.99% for year 2, be given by Committee to TEC members who sat on the Thames Regional Flood & Coastal Committee
- Noted that Cllr Colin Smith, in his absence, wanted the borough of Bromley's continued objection to the increase in the flood levy reported in the minutes

## **5. Setting Penalty Charge Levels for Builders' Skips Contraventions under the London Local Authorities and Transport for London Act 2013**

The Committee considered a report that set out the results of the public consultation into setting penalty charge levels (PCNs) for builders' skips contraventions under the London Local Authorities and Transport for London Act 2013 and the London Local Authorities Act 2007. The report asked members to decide whether to set penalty charge levels for these contraventions, and if, at what level.

The Chair informed members that this was the second time that TEC had gone out to consultation on this issue. During the first consultation, respondents felt that the penalty level consulted on was too low. The Chair said that the PCN proposals were set out in paragraph 44 of the report. All the charges were set at £200. This would be reduced to £100 if paid within 14 days, and increased to £400 if not paid after 28 days. The immobilisation release charge would be set at £100. 82% of those consulted were in favour of these PCN levels, bar the immobilisation release charge, which had 62% in favour of the £100 charge.

Councillor Cohen felt that the immobilisation release charge was set too low. He said that there was additional work involved to immobilise and release skips and this would cost boroughs more money than the release charge. The Chair said that the charge could only be set at a level that would cover borough costs. If a skip had to be removed and stored, this would incur further costs, which boroughs could already reclaim costs for using different legislation. Councillor Cohen said that the issuing of PCNs and immobilising and releasing of builders' skips amounted to two separate pieces of work. He asked how the figures were derived at. Katharina Winbeck said that London Councils formed an officer group who suggested the levels that were consulted on. The Chair said that there would need to be good reasons for going against the recommendations of the consultation and that they had to be based on cost of administering and enforcing the scheme.

Katharina Winbeck said that the charges could be reviewed if it looked like they were not covering borough costs.

**Decision:** The Committee:

- Considered the outcome of the consultation and decided to set a penalty charge level for contraventions relating to builders' skips;
- Agreed that the penalty charge level for all contraventions, as outlined in the table at paragraph 44 (page 13 of the report) be set at £200;

- Agreed that the contravention, if paid within 14 days, would be reduced by half to £100;
- Agreed that the amount payable for the contravention would be doubled to £400, if unpaid after 28 days;
- Agreed the immobilisation release charge would be set at £100; and
- Noted that Cllr Cohen (LB Barnet) wanted further information on the £100 immobilisation release charge..

## **6. Social Needs Transport**

The Committee received a report that had been prepared for the Transport and Environment Committee (TEC) of London Councils to introduce and summarise TfL's proposals to integrate and improve social needs transport for elderly and/or mobility impaired Londoners.

Peter Blake, Director of Service Operations, TfL, introduced the report. He said that a large number of reviews had taken place over the years regarding the integration of social transport. Councillor Nijjar asked whether assessments would be carried out on an individual basis. Peter Blake said that services needed to be focussed around the customer. Councillor Acton said that it was commendable to look for greater efficiencies with regards to social needs transport. The Chair confirmed that another report on this would be coming to a future TEC meeting. He said that TEC was only being asked to support the report "in principle" today.

Councillor Demirci felt that the report did not demonstrate how London Councils and TfL would benefit from this joint working on integrating social needs transport. Spencer Palmer confirmed that the next report that was brought to TEC on social needs transport would quantify the benefits for TfL and London Councils working together, before anything was taken forward.

**Decision:** The Committee:

- Noted TfL's Social Needs Transport Roadmap and supported the principle of delivering greater passenger benefits and economic efficiencies through the greater integration of Taxicard, Dial-a-Ride and Community Transport services;
- Supported boroughs and London Councils working with TfL to develop detailed proposals for change including greater integration, financial and governance arrangements and the development of a detailed work programme to take this work forward; and
- Agreed to receive a further report this financial year following consultations with boroughs and London Councils.

## **7. Freedom Pass Progress Report**

The Committee received a report that provided members with a general progress update on the Freedom Pass Scheme. The report covered the final outturn of the 2015 reissue, findings of an external review of the same, as well as providing information on the introduction of online applications for first-time applicants.

The Chair said that the 2015 Freedom Pass reissue had gone very smoothly and had come in approximately half a million under budget. A new, mainly online, application process was being looked at for the 2016 reissue. The Chair said that members were

being asked to consider the transfer of this budget surplus into a specific reserve to assist in covering the costs for the 2020 bulk Freedom Pass reissue.

Councillor Bee asked whether there would always bulk reissue process. Spencer Palmer said that the bulk renewal process would gradually reduce in size, and would eventually move to a smaller, annual renewal. Councillor Apak said that the borough of Camden had carried out a very successful Freedom Pass renewal process. Spencer Palmer confirmed that Camden had carried out pre-renewal checks before they wrote to residents. He said that a detailed review of the 2015 Freedom Pass renewal had been undertaken and a draft report from the consultants was due imminently, and could be shared with members. The sharing and better use of data was also being looked into. Nick Lester-Davis said that the borough of Camden had incurred higher initial costs as a result of their renewal process.

**Decision:** The Committee:

- Noted that from 7 October 2015, renewals would be dealt with through business as usual procedures, rather than through the processes set up specifically for the bulk re-issue;
- Encouraged boroughs to share data with London Councils for future bulk renewals as a means to reduce cost and increase customer satisfaction;
- Noted the introduction of the new application process for first time Freedom Pass applicants;
- Agreed the outlined approach for the 2016 reissue;
- Agreed to transfer a sum from the Committee's general reserve to a specific reserve to start accumulating funds to cover the cost of the next bulk reissue in 2020, as detailed in paragraph 48 of the report; and
- Agreed that the outcome from the review of the 2015 Freedom Pass renewal process would be shared with members as soon as it was available.

## **8. Taxicard Scheme Progress Report**

The Committee received a report that informed members of the Taxicard trip budget projected outturn for 2015/16, including (i) the outcome of the annual review of Taxicard membership, (ii) an update on research into the reasons for the reduction in Taxicard journeys in recent years, and (iii) recommended introducing a charge for replacement Taxicards.

The Chair said that it was now being proposed to charge £10 for lost or damaged Taxicards, in line with what was already charged for lost or damaged Freedom passes. The report also informed members of the projected outturn (reduction) for 2015/16. Spencer Palmer informed the Committee that the charge for lost or damaged Taxicards could now be implemented in November 2015, as opposed to 1<sup>st</sup> January 2016 (paragraph 27 of the report), if members were happy to agree to this.

The Chair asked if members could have sight of the research into why Taxicard journeys had decreased. Spencer Palmer confirmed that a final report on this would be brought to a future TEC meeting. Councillor Draper asked what administration costs would be incurred in the charges for lost and damaged Taxicards (paragraph 23 - £38,000 in payments per year). Nick Lester-Davis confirmed that there were not net additional administration costs, and, other than the costs of payment processing of £2,250 as set out in paragraph 23, card replacement costs would have been incurred in any case.

**Decision:** The Committee:

- Noted the Taxicard trip budget projected outturn for 2015/16 based on data to August 2015;
- Noted the outcome of the annual review of Taxicard membership;
- Noted the progress of the research into the reasons for the reduction in Taxicard journeys in recent years;
- Agreed to introduce a charge of £10 for lost and damaged Taxicards; and
- Agreed that the £10 charge for lost and damaged Taxicards would now commence in November 2015, rather than the previously scheduled start date of 1 January 2016 (paragraph 27 of the reported)

**9. London Borough of Barnet Approval to Commence Moving Traffic Enforcement**

The Committee considered a report that sought approval for the London Borough of Barnet to commence enforcement of moving traffic contraventions under the London Local Authorities and Transport for London Act 2003

**Decision:** The Committee agreed that permission be given to the London Borough of Barnet to enforce moving traffic contraventions using CCTV

**10. Signs and Lighting Code of Practice and Requirement to Pay for the Establishment of use of the Upper Tribunal (Lands Chamber)**

The Committee received a report that sought approval for payment from London Councils' existing revenue resources of the sum of £3,500 to the Ministry of Justice for the creation of the right of appeal at the Upper Tribunals (Lands Chamber) for building owners disputing the level of compensation for losses resulting from fixing of a sign or light to their building by the authority. This would be applicable for authorities that have adopted the powers under Part 2 of the London Local Authorities and Transport for London Act 2013.

Councillor Speak asked whether a relatively small payment of £3,500 needed to be brought to Committee for approval. Nick Lester-Davis said this needed TEC approval as there was no established budget for this payment.

**Decision:** The Committee approved the payment of £3,500 from London Councils' existing revenue resources to create the right of appeal at the Upper Tribunal (Lands Chamber)

**11. Parking and Traffic Adjudicators' Annual Report 2014/15**

The Committee received a joint Annual Report by the Parking and Traffic Adjudicators for the year 2014/15.

Caroline Hamilton, Chief Parking Adjudicator, introduced the report. She said that this was the last joint Annual Report from the Parking and Traffic Appeals Service (PATAS), before the service moved from Angel Square and was rebranded. The Chair thanked Caroline Hamilton and the adjudicators for all their work.



**Decision:** The Committee received and noted the joint Annual Report 2014/15 by the Parking and Traffic Adjudicators.

**12. Minutes of the TEC Executive Sub Committee meeting held on 15 September 2015 (for noting)**

Item 5 "Month 3 Revenue Forecast 2015/16 (paragraph 4, page 4):

It was agreed to delete the sentence "Councillor Acton said that the income from parking in the borough of Wandsworth had decreased, although there were still a large number of complaints regarding Penalty Charge Notices (PCNs)", and replace with "Councillor Acton said that income from parking in the City of Westminster was fairly stable, but the number of Penalty Charge Notices (PCNs) issued had declined, as had challenges to PCNs".

Subject to the above amendment, the Committee noted the minutes of the TEC Executive Sub Committee meeting held on 15 September 2015.

**13. Minutes of the TEC Main Meeting held on 18 June 2015 (for agreeing)**

The Committee agreed the minutes of the TEC Main meeting held on 18 June 2015 as an accurate record.

**The meeting finished at 15.35pm**