

London Councils' Transport and Environment Committee

Annual General Meeting

Thursday 16 June 2016

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

Labour Group: Meeting Room 4 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 2016/17)
5	Membership of London Councils' Transport & Environment Committee 2016/17
6	Appointment of the TEC Executive Sub Committee for 2016/17
7	Nominations to Outside Bodies & Appointment of Committee Advisers for 2016/17
8	TEC AGM Minutes of 18 June 2015 (for noting – previously agreed)
Part Two: Items of Business	
9	Chair's Report

10	Constitutional Issues to TEC Governing Agreement	
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12	Reducing Air Pollution in London	
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16	Minutes of the TEC Main Meeting held on 23 March 2016	

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 as at 16 June 2016

Freedom Pass Holders/60+ Oyster Cards

Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Alan Smith (LB Lewisham), Cllr Jill Whitehead (LB Sutton), and Cllr Caroline Usher (LB Wandsworth).

North London Waste Authority

Cllr Dean Cohen (LB Barnet), Cllr Phil Jones (LB Camden), Cllr Daniel Anderson (LB Enfield), Cllr Feryal Demirci (LB Hackney), Cllr Claudia Webbe (LB Islington), 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 Lynda Rice (LB Barking & Dagenham) and Cllr Ian Corbett (LB Newham)

South London Waste Partnership

Cllr Jill Whitehead (LB Sutton)

London Waste & Recycling Board

Cllr Clyde Loakes (LB Waltham Forest)

Car Club

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

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Lynda Rice (LB Barking & Dagenham)
Cllr Dean Cohen (LB Barnet)
Cllr Tim Coleridge (RB Kensington & Chelsea)
Cllr Alan Smith (LB Lewisham)
Cllr Daniel Anderson (LB Enfield)

London Cycling Campaign

Cllr Feryal Demirci (LB Hackney)

London Councils' Transport and Environment Committee

Election of Vice Chairs for 2016/17

Item
No: 04

Report by: Alan Edwards **Job title:** Governance Manager
Date: 16 June 2016
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 2016/17 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 2016/17 is as follows: 21 Labour members, 10 Conservative members, one Liberal Democrat 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

London Councils Standing Orders, June 2015

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

London Councils' Transport and Environment Committee

Membership of London Councils' TEC 2016/17

Item No: 05

Report by: Alan Edwards **Job title:** Governance Manager
Date: 16 June 2016
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 2016/17. All 32 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 16 June 2016, of London Councils' TEC for 2016/17

Borough Representation for the Municipal Year 2016/17

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

Deputy: 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: Christopher Hayward
Deputies: Wendy Mead
Alistair Moss
Jeremy Simons

LB Ealing

Main Rep: Cllr Julian Bell
Deputies: None Given

RB Greenwich

Main Rep: Cllr Sizwe James
Deputy: Cllr Jackie Smith

LB Brent

Main Rep: Cllr Ellie Southwood
Deputies: Cllr Roxanne Mashari
Cllr Maggie McLennan
Cllr Ruth Moher

LB Camden

Main Rep: Cllr Phil Jones
Deputies: Cllr Meric Apak
Cllr Abdul Hai
Cllr Jonathan Simpson

LB Croydon

Main Rep: Cllr Stuart King
Deputies: Cllr Pat Ryan
Cllr Stuart Collins
Cllr Robert Canning
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: Cllr Michael Cartwright

LB Harrow

Main Rep: Cllr Graham Henson

Deputies: None given

LB Hillingdon

Main Rep: Cllr Keith Burrows

Deputy: None given

LB Islington

Main Rep: Cllr Claudia Webbe

Deputies: Cllr Janet Burgess
Cllr Paul Convey

RB Kingston-upon-Thames

Main Rep: Cllr Phil Doyle

Deputies: Cllr Terry Paton
Cllr Paul Bedford

LB Haringey

Main Rep: Cllr Peray Ahmet

Deputy: Cllr Joanna Christophides

LB Havering

Main Rep: Cllr Jason Frost

Deputies: Cllr Osman Dervish
Cllr Melvin Wallace

LB Hounslow

Main Rep: Cllr Amrit Mann

Deputies: Cllr Manjit Buttar
Cllr Bob Whatley

RB Kensington & Chelsea

Main Rep: Cllr Tim Coleridge

Deputies: Cllr Marie-Therese Rossi
Cllr Deborah Collinson

LB Lambeth

Main Rep: Cllr Jennifer Brathwaite

Deputy: Cllr Nigel Haselden

LB Lewisham

Main Rep: Cllr Alan Smith

Deputy: Cllr Rachael Onikosi

LB Merton

Main Rep: Cllr Martin Whelton

Deputies: Cllr Nick Draper
Cllr Ross Garrod
Cllr Edith Macauley

LB Newham

Main Rep: Cllr Ian Corbett

Deputy: Cllr Unmesh Desai

LB Redbridge

Main Rep: Cllr John Howard

Deputies: Cllr Sheila Bain
Cllr Paul Canal

LB Richmond upon Thames

Main Rep: Cllr Peter Buckwell

Deputy: Cllr Pamela Fleming

LB Southwark

Main Rep: Cllr Ian Wingfield

Deputy: Cllr Mark Williams

LB Sutton

Main Rep: Cllr Jill Whitehead

Deputies: Cllr Manuel Abellan
Cllr Nighat Piracha

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

City of Westminster**Main Rep: Cllr Heather Acton**Deputies: Cllr Robert Rigby
Cllr Melvyn Caplan**Transport for London****Main Rep: Alex Williams**

Deputy: Colin Mann

(Red indicates a new lead TEC representative)

Legal Implications for London Councils

1. There are no legal implications for London Councils.

Equalities Implications for London Councils

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

Financial Implications for London Councils

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

Background Papers

None.

London Councils' Transport and Environment Committee

Appointment of the Executive Sub Committee for 2016/17

Item
No: 06

Report by: Alan Edwards **Job title:** Governance Manager
Date: 16 June 2016
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 TEC Executive Sub-Committee for the municipal year for 2016/17 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 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 Daniel Anderson	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 Darren Merrill	LB Southwark	Labour
Cllr Alex Sawyer	LB Bexley	Conservative
Cllr Tim Coleridge	RB Kensington & Chelsea	Conservative

Cllr Caroline Usher	LB Wandsworth	Conservative
Cllr Heather Acton	City of Westminster	Conservative
Cllr Jill Whitehead	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
London Councils' Standing Orders	June 2015	London Councils' Offices, Southwark St	Alan Edwards	N/A

London Councils' Transport and Environment Committee

Nominations to Outside Bodies and Appointment of Advisers to the Committee 2016/17

Item No: 07

Report by: Alan Edwards **Job title:** Governance Manager
Date: 16 June 2016
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 2016/17.

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

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 Airport every two months. London Councils is asked to make one nomination per year, plus one deputy.

The TEC members for 2015/16 were Cllr Darren Merrill (LB Southwark) 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 2016/17, as these boroughs are already represented on the HACC in their own right. The HACC Conservative deputy from TEC for 2016/17 will continue to be Cllr Tim Coleridge (RB Kensington & Chelsea)

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

The Thames Regional Flood & Coastal Committee (TRFCC) 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 TRFCC meets quarterly. The 7 areas are listed below.

Group	Boroughs	Rationale and characteristics
West	Hillingdon, Hounslow, Ealing, Brent, Harrow, Barnet (Conservative)	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 (Labour)	All of the Hogsmill, Beverley Brook, Wandle and Graveney catchments are contained within these boroughs
South East	Bromley, Lewisham,	Virtually all of the Ravensbourne catchment is

	Greenwich, Bexley (Labour)	within these boroughs
North East	Havering, Barking and Dagenham, Redbridge (Labour)	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 (Conservative)	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 (Labour)	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 (Labour)	The River Lee and its tributaries are largely within these boroughs

The representatives to the Thames RFCC for last year (2015/16) 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 Lynda Rice – LB Barking & Dagenham
- Central North: Cllr Tim Coleridge – RB Kensington & Chelsea
- Central South: Cllr Darren Merrill – LB Southwark, and
- North: Cllr Daniel Anderson – LB Enfield

Cllr Dean Cohen (LB Barnet) and Cllr Tim Coleridge (RB Kensington & Chelsea) will continue to be the TEC Conservative representatives on the TRFCC for 2016/17.

TEC Labour nominations were now being sought for the TRFCC for 2016/17.

(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. Nomination is sought to 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 Claudia Webbe (LB Islington) was the TEC representative on the LSDC for 2015/16. Members are asked to nominate a Labour TEC representative on the LSDC for 2016/17

(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 2015/16 were: Cllr Alan Smith (LB Lewisham), Cllr Nick Draper (LB Merton), and Cllr Heather Acton (City of Westminster).

Cllr Heather Acton (City of Westminster) will remain the TEC Conservative representative on the LEVP for 2016/17

Members are now asked to nominate two Labour representatives to the LEVP for 2016/17

(e) Urban Design London (UDL)

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 (2016/17)

(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.

Appointments made in 2015/16 were as follows: Cllr Nick Draper (LB Merton – Labour), Cllr Lynda Rice (LB Barking & Dagenham) and Cllr Terry Paton (RB Kingston).

Cllr Terry Paton (RB Kingston) would remain the TEC Conservative representative on the London Waterways Commission

TEC Nominations to the London Waterways Commission for 2016/17 are now required for two Labour representatives.

(g) Thames River Basin 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 is now sought from 2016 to 2018.

The next meeting is due to take place on Tuesday 28 June 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 2015/16 was Cllr Osman Dervish (LB Havering), for a one year period. The Committee may wish to nominate the TEC member from LB Waltham Forest, who's turn it is to represent TEC at the LCACC for 2016/17.

(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 London Councils appointments to the Board from 2012 to 2016 were:

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)

The Independent Members will continue for a second term.

TEC is now asked to nominate one Conservative and three Labour representatives to the London Waste and Recycling Board for the period of 12 August 2016 to 11 August 2020

(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 2015. *The Committee may wish to re-appoint Councillor Demirci for a further year, or nominate a new member to the LCC for 2016.*

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)
- John Woodruff (LB Bromley)
- Malcolm Kendall (LB Croydon)
- Mark Griffin (LB Hackney)
- Kevin Crook (LB Lambeth)
- Sam Kirk (LB Lewisham)
- Jon Hastings (LB Newham)
- Fiona Heyland (LB Tower Hamlets)
- Andrew Lappage (NLWA)
- Kirsty Waugh (LB Waltham Forest)
- Mark Ash (ELWA)
- Mark Broxup (WRWA)
- Nicola Cross (LB Barnet)
- Rob Anderton (LB Brent)

Transport (Officers Advisory Panel on Transport)

- Louise McBride (LB Camden)
- Ian Plowright (LB Croydon)
- Kim Smith (RB Greenwich)
- Malcolm Smith (LB Haringey)
- Martyn Thomas (LB Havering)
- Hanif Islam (LB Harrow)
- Mark Frost (Hounslow)
- Mark Chetwynd (LB Kensington & Chelsea)

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

- George Warren (Hammersmith & Fulham), Chair of the London Drainage Engineers Group
- Ian Russell (LB Enfield), Secretary of the London Drainage Engineers Group

Environmental Health and Licencing

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

Local Environmental Quality

- 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' TEC AGM Minutes - 18 June 2015

Minutes of the London Councils' TEC AGM held on Thursday 18 June 2015 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL Previously agreed and for noting only.

Present:

Council	Councillor
Barking and Dagenham	Cllr Lynda Rice
Barnet	Cllr Dean Cohen
Bexley	Cllr Alex Sawyer
Brent	
Bromley	Apologies
Camden	Apologies
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	Apologies
Harrow	
Havering	Apologies
Hillingdon	Apologies
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 Darren Merrill
Sutton	Cllr Jill Whitehead
Tower Hamlets	
Waltham Forest	Cllr Clyde Loakes
Wandsworth	Cllr Kim Caddy (Deputy)
City of Westminster	Cllr Robert Rigby (Deputy)
City of London	Apologies
Transport for London	Alex Williams

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Colin Smith (LB Bromley)
Cllr Phil Jones (LB Camden)
Cllr Joanna Christophides (LB Haringey)
Cllr Robert Benham (LB Havering)
Cllr Keith Burrows (LB Hillingdon)
Cllr Amrit Mann (LB Hounslow)
Cllr Ian Corbett (LB Newham)
Cllr Caroline Usher (LB Wandsworth)
Cllr Heather Acton (City of Westminster)
Michael Welbank (City of London)

Deputies:

Cllr Kim Caddy (LB Wandsworth)
Cllr Robert Rigby (City of Westminster)

2. Declaration of Interests

Freedom Pass Holders/60+ Oyster Cards

Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr David Cunningham (RB Kingston-upon-Thames), Cllr Alan Smith (LB Lewisham), 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), Claudia Webbe (LB Islington) 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)

South London Waste Partnership

Cllr Kathy Bee (LB Croydon)
Cllr David Cunningham (RB Kingston-upon-Thames)
Cllr Nick Draper (LB Merton)
Cllr Jill Whitehead (LB Sutton)

London Waste & Recycling Board

Cllr Clyde Loakes (LB Waltham Forest)

Car Club

Cllr Feryal Demirci (LB Hackney) and Cllr Claudia Webbe (LB Islington)

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Dean Cohen (LB Barnet)
Cllr Tim Coleridge (RB Kensington & Chelsea)
Cllr Alan Smith (LB Lewisham)
Cllr Nick Draper (LB Merton)

London Cycling Campaign

Cllr Feryal Demirci (LB Hackney)

3. Election of Chair

Councillor Loakes nominated Councillor Julian Bell (LB Ealing) to be Chair of TEC. Councillor Coleridge seconded this nomination. Councillor Julian Bell was elected as Chair of TEC for 2015/16.

4. Election of Vice Chairs of TEC

Councillor Julian Bell nominated Councillor Feryal Demirci (LB Hackney) to be the Labour Vice Chair of TEC, Councillor Tim Coleridge (RB Kensington and Chelsea) to be the Conservative Vice Chair of TEC, and Councillor Jill Whitehead (LB Sutton) to be the Liberal Democrat Vice Chair of TEC for 2015/16. The nominations were seconded by Councillor Loakes. The three vice chairs of TEC were duly elected.

5. Membership of London Councils' Transport and Environment Committee for 2015/16

The Committee received a report that presented members with the Committee's membership for 2015/16

Decision: The Committee noted the membership of TEC for 2015/16:

6. Appointment of the TEC Executive Sub Committee for 2015/16

The Committee received a report that set out the appointments to the TEC Executive Sub Committee for 2015/16.

Decision: The Committee elected the following members to the TEC Executive Sub Committee for 2015/16:

Labour

Cllr Julian Bell (LB Ealing – Chair)
Cllr Feryal Demirci (LB Hackney)
Cllr Daniel Anderson (LB Enfield)
Cllr Darren Merrill (LB Southwark)
Cllr Claudia Webbe (LB Islington)
Cllr Alan Smith (LB Lewisham)

Conservative

Cllr Tim Coleridge (RB Kensington & Chelsea)
Cllr Caroline Usher (LB Wandsworth)
Cllr Alex Sawyer (LB Bexley)
Cllr Heather Acton (City of Westminster)

Liberal Democrat

Cllr Jill Whitehead (LB Sutton)

City of London

Michael Welbank

A one minute silence was held as a mark of respect for the recently departed Cllr Colin Hall (LB Sutton). A memorial service was being held on 4th July 2015 (6 to 8pm), in Wallington, Surrey. Alan Edwards would attend the memorial and send details to TEC members.

7. Nominations to TEC Outside Bodies and Appointment of Committee Advisers for 2015/16

The Committee received a report that sought nominations to the various outside bodies that related to the work of TEC for 2015/16

The Committee nominated the following members to the outside bodies:

Heathrow Airport Consultative Committee (HACC)

Cllr Darren Merrill (LB Southwark)

Post Meeting Note: Deputy - Cllr Tim Coleridge (RB Kensington & Chelsea)

Thames Regional Flood & Coastal Committee (RFCC)

West – Cllr Dean Cohen (LB Barnet)

South West – Cllr Nick Draper (LB Merton)

South East – Cllr Alan Smith (LB Lewisham)

North East – Cllr Lynda Rice (LB Barking & Dagenham)

Central North – Cllr Tim Coleridge (RB Kensington & Chelsea)

Central South – Cllr Darren Merrill (LB Southwark)

North – Cllr Daniel Anderson (LB Enfield)

London Sustainable Development Commission

Cllr Claudia Webbe (LB Islington)

London Electric Vehicle Partnership (LEVP)

Cllr Alan Smith (LB Lewisham)

Cllr Nick Draper (LB Merton)

Cllr Heather Acton (City of Westminster)

Urban Design London (UDL)

Cllr Daniel Moylan (RB Kensington & Chelsea)

Cllr Nigel Haselden (LB Lambeth)

London Waterways Commission

Cllr Nick Draper (LB Merton)

Cllr Lynda Rice (LB Barking & Dagenham)

Conservative nomination to be confirmed

Thames River Basin District Liaison Panel (Thames LP)
Cllr Danny Thorpe (LB Greenwich)

London City Airport Consultative Committee (LCACC)
Cllr Osman Dervish (LB Havering)

London Cycling Campaign (LCC)
Cllr Feryal Demirci (LB Hackney)

Appointment of Committee Advisers

It was noted that Debbie Stokes no longer worked for LB Waltham Forest and needed to be removed from the Committee advisers list.

Katharina Winbeck said that the advisers were taken from a regional mix of inner and outer London boroughs and had a great deal of experience in transport and environment policy areas. Nick Lester said that environment directors from local authorities were consulted to check on the suitability of advisers to do the work required.

Decision: The Committee:

- Agreed to pass the above names on to the Chief Executive of London Councils, for appointment to outside bodies;
- Agreed that Alan Edwards would write to the outside bodies to inform them of the TEC nominations;
- Agreed to appoint the advisers to the Committee, as listed in the report; and
- Agreed to remove Debbie Stokes (LB Waltham Forest) from the TEC Committee advisers list.

London Councils' Transport & Environment Committee

Chair's Report

Item no: 9

Report by: Katharina Winbeck **Job title:** Head of Transport, Environment and Infrastructure, London Councils

Date: 16 June 2016

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 23 March 2016 and provides a forward look until the next TEC meeting on 13 October 2016.

Recommendations Members to note this report.

Updates included in this report:

Transport

- New Mayor's Priorities
- Response to DfT Walking and Cycling Investment Strategy
- Response to Transport Select Committee Inquiry on the rail passenger experience
- Meeting between TEC Chair, vice-chairs and TfL Commissioner
- Sharing Skilled Transport Staff Initiative Update

Environment

- New Mayor's Priorities
- Update on the partnership project with the Thames Regional Flood and Coastal Committee to increase officer capacity in flood risk management
- Response to the Environment Audit Select Committee call for evidence on Treasury policy on meeting recycling targets
- Update on Defra's Litter Strategy
- Greening Your borough event, morning of 16 June

Forward Look

Forthcoming meetings and consultations

Introduction

1. This report updates Members on London Councils' work on transport and environment policy since the last TEC meeting on 23 March 2016 and provides a forward look until 13 October 2016.

Transport

New Mayor's Priorities

2. Val Shawcross long-standing Assembly Member and Chair of the London Assembly Transport Committee has been appointed Deputy Mayor for Transport.
3. Accessibility - Khan pledges greater accessibility on buses through more space for wheelchairs, and increased step-free access on the London underground and at TfL stations. He pledges to ensure Dial-a-Ride and Taxicard continue to provide support to those who need these services to get around London.
4. Aviation - Khan supports a new second runway at London Gatwick Airport and opposes expansion at London Heathrow Airport. Since taking office Sadiq Khan has removed the previous Mayor's objections to expansion at London City Airport.
5. Buses - Khan pledges the introduction of a one-hour bus ticket which allows unlimited journeys within one hour. It has already been announced that from September 2016 it will be possible to undertake two journeys within the hour for the fare of £1.50, with unlimited journeys possible by 2018 once a TfL technology upgrade has occurred. Khan wants to encourage more competition in the bus sector, making it possible for both not-for-profit and mutual operations to bid, as well as TfL's commercial arm.
6. Cycling - Khan pledges to increase the proportion of TfL's budget that is spent on cycling. The Cycle Superhighway programme will be continued, with a focus on segregated provision. Quietways, cycle routes that run through parks and quieter backstreets, will be prioritised. A new round of town centre cycling improvement plans is also promised. Lorries will be safer and cleaner and the Safer Junctions programme extended to more accident 'blackspot' locations. More cycle storage will be required of developers in the London Plan, and the Mayor will work with boroughs to deliver on-street secure cycle storage. The Mayor supports the Rotherhithe-Canary Wharf cycle and pedestrian bridge.
7. Rail - Khan's manifesto pledges to secure Crossrail 2 and start planning for Crossrail 3. Support for extending the Bakerloo line and London Overground, as well as new east London river crossings are mentioned. He supports TfL taking over responsibility for more commuter rail routes and intends to deliver the night tube. The night tube has since been announced for the Victoria and Central lines for 19 August. He supports the upgrade of the West Anglian rail line to improve journeys to Stansted Airport, Cambridge, and to support housing development in north London.
8. Roads - Khan pledges greater coordination of TfL work and utility company maintenance. He will seek powers to regulate rickshaws. SoS for Transport, Patrick McLoughlin MP has since stated that rickshaw drivers in London will require a licence to operate. Khan will work with businesses, boroughs and freight companies to reduce lorry journeys during peak times, and pledges a continuation of LIP funding. Khan supports Car Clubs to reduce congestion and the demand for parking and pledges to deliver the electric charging infrastructure needed to expand the uptake of electric vehicles.

9. Taxis and private hire vehicles - Khan pledges to ensure the markets for taxis and private hire vehicles are fair and retain the special privileges for taxi drivers, including exclusive use of bus lanes and ply for hire. He pledges to ensure that driver safety standards are enforced across both industries.
10. TfL - His manifesto commits to a freeze of all TfL fares for the next four years and continued support for the Oyster and contactless card payment methods. He pledges efficiency savings within TfL, for example by merging the engineering functions. TfL will become more commercially focused, with a trading arm that can run local transport services and sell TfL expertise nationally and internationally. The new Mayor pledges better industrial relationships and fewer strikes. Khan will review the ticket office closures.
11. Walking - Khan's manifesto pledges safer walking routes for children walking to school, a reduction in street clutter on TfL roads and urban realm improvements. The new Mayor supports 20mph zones. He pledges the pedestrianisation of Oxford Street and the part-pedestrianisation of Parliament Square. He will appoint a pedestrian champion at TfL.

Response to DfT Walking and Cycling Investment Strategy

12. London Councils responded to the DfT consultation on their walking and cycling investment strategy in May 2016, welcoming the publication of the draft strategy. We noted that very little of the funding committed to delivering the strategy would be available to London, as transport funding is devolved to the Mayor of London. We reiterated our concerns regarding the classification of TfL grants to boroughs as revenue rather than capital funding, putting them at risk with the reduction in TfL's revenue grant from government. We called on the government to be more ambitious and set a more specific target for road safety than simply a year-on-year reduction in the number of cyclists killed or seriously injured per billion miles cycled.
13. Our response can be read in full on our website: <http://www.londoncouncils.gov.uk/our-key-themes/transport/cycling-and-walking>.

Response to Transport Select Committee Inquiry on the rail passenger experience

14. London Councils responded to this inquiry in May 2016, providing evidence and recommendations on the information passengers receive, smart ticketing and how part-time season tickets could operate in London, in-train facilities, performance measures, and mechanisms for holding operators to account for poor performance.
15. Our response can be read in full on our website: <http://www.londoncouncils.gov.uk/our-key-themes/transport/rail-and-tube>.

Meeting between TEC Chair, vice-chairs and TfL Commissioner

16. The Vice-Chairs and I met the TfL Commissioner on 25 May 2016. The meeting focused on the new Mayor and his emerging transport priorities, together with a discussion of TfL's budget and LIP funding. Crossrail 2, the Social Needs Transport Review and an update on the Ultra Low Emission Zone were also on the agenda.
17. The Commissioner has confirmed TfL's commitment to the new Mayors transport policies, such as fares freeze, clean bus routes, consultation on an extended Ultra Low Emission Zone and an earlier introduction of a 't-charge' (toxicity charge) in 2017.
18. He has also expressed support for the continuation of Cycle Super Highways, which TEC Members welcomed.

19. TfL will undertake a comprehensive internal review as well as look at current and future projects to make efficiency savings, to plug some of the funding gap.
20. The Mayor has pledged his support for LIP funding in his manifesto and although this has not featured in any meetings as yet, this will be on the agenda for the regular meeting with Val Shawcross, the recently appointed Deputy Mayor for Transport.
21. TfL will be producing a new business plan over the course of the summer and will share a draft with TEC chair and vice chairs in time for the next meeting on 29 September.

Sharing Skilled Transport Staff Initiative Update

22. The working group continues to meet and following the inclusion of borough placements in TfL's graduate schemes, as TEC agreed at its last meeting, the group is now exploring the possibility of a transport apprenticeship scheme with TfL, to address skills gaps that exist in both TfL and boroughs in the transport sector. The apprenticeship levy is introduced from April 2017, which will provide employers with access to funding for training for apprenticeships, which a shared apprenticeship scheme could take advantage of.

Environment

New Mayor's Priorities

23. No Deputy Mayor or Adviser has been announced for the Environment at the time of writing this report.
24. Air quality - Khan's manifesto pledges to bring forward the introduction of the Ultra-Low Emission Zone (ULEZ), and expand it. It has already been announced that Khan will introduce a "toxicity charge" ('t-charge') for vehicles entering the Congestion Charge Zone, in addition to the Congestion Charge; and will consult on extending the ULEZ to the north and south circular roads. Khan pledges to introduce Clean Bus Corridors which will prioritise clean buses for the most polluted routes. By 2018 he aims to purchase only clean electric or hydrogen buses and have agreement from other European and global cities to do the same. He will press the government to introduce a diesel scrappage scheme.
25. Climate change - Khan wants to divest the London Pension Fund Authority of its remaining investments in fossil fuels, and work with other cities to develop solutions to environmental challenges such as climate change that cities face.
26. Energy - Khan's manifesto includes the creation of Energy for Londoners, not-for-profit company providing a energy services to help Londoners generate more low-carbon energy. He support district heating schemes, will promote the roll-out of smart meters and produce a solar energy strategy. His manifesto pledges that all new developments will meet low carbon, energy efficiency and sustainability standards.
27. Flooding and water - Khan's manifesto pledges to plan for the replacement of the Thames Barrier. He wants to promote initiatives that reduce water consumption and roll out water metering.
28. Green infrastructure - Protection for the green belt and the strengthening of protection for other types of open space in the London Plan is pledged in Khan's manifesto. He plans a tree-planting programme for London and wants to make London a National Park City. He

wants more than 50 per cent of London to be green. He wants to complete the Thames Path, open up more walking routes and protect biodiversity by creating green corridors.

29. Waste - Khan pledges to reinvigorate efforts to increase the amount of waste London recycles so that London is recycling 65 per cent of its waste by 2035. He wants to see greater promotion of employment in the reuse, repair and remanufacturing industry.

Update on the partnership project with the Thames Regional Flood and Coastal Committee to increase officer capacity in flood risk management

30. London Councils has been working in partnership with the Environment Agency, GLA, Thames Water and local authorities in London and outside London to establish a partnership project that brings greater resource to Lead Local Flood Authorities (in London, all London boroughs) to assist them in developing capital schemes for investment by the Thames Regional Flood and Coastal Committee.
31. The governance arrangements have been established, with two of the London TRFCC representatives (Cllr Daniel Anderson – representing North, and Cllr Nick Draper – representing South West) on the Project Board together with Thames Water and the Environment Agency. An officer Steering Group has also been established and includes a senior officer from Kensington & Chelsea together with officers from London Councils, the GLA and local authorities outside London.
32. Recruitment has commenced for Team Leaders and Advisers. It is hoped a team will be in place by September 2016.

Response to the Environment Audit Select Committee call for evidence on Treasury policy on meeting recycling targets

33. London Councils plans to submit evidence to the Environment Audit Select Committee on how the Treasury's policies affect meeting recycling targets, and how aligned Treasury and Defra policies are. Our response is likely to reference harmonisation, moving to a circular economy, waste exports, feed in tariffs and landfill devolution.

Update on Defra's Litter Strategy

34. London Councils has been invited to be part of the Advisory Group assisting Defra in developing its new Litter Strategy. The LGA and a few local authorities are also on the Advisory Group, together with environmental charities such as Keep Britain Tidy and private sector organisations such as the Food Packaging Association and McDonalds.
35. Defra plans to produce its strategy over the coming months. London Councils has been invited to be part of the working group on roadside litter.
36. In addition, Defra is considering the case for extending the littering from vehicles powers beyond London to the rest of England. We have been assisting in providing some of the lessons learnt from London boroughs on this.

Greening your borough

37. This event, chaired by Cllr Julian Bell is scheduled to take place in the morning of TEC. Aimed at TEC members and flooding portfolio holders, it will start with a short, local site visit of small-scale green infrastructure and sustainable drainage in the vicinity of London Councils offices and then move on to more traditional presentations from a number of boroughs and other stakeholders, such as the Thames RFCC, Thames Water, the GLA and Groundwork.

Forward Look

June 2016

- Potential Government announcement on airport expansion
- 23 – EU referendum / purdah ends
- 28 – London APPG will discuss air quality, TEC chair, GLA and Kings College to present

July 2016

- TfL consultation on 't-charge' and extension of ULEZ expected
- 21 – TEC Executive

August 2016

- 19 – Night tube on the Victoria and Central lines expected to start

September 2016

- 15 – TEC Executive
- 29 – TEC Chair and Vice-Chairs meeting with TfL Commissioner

October 2016

- 11 – Chair's meeting with London Councils CELC (Chief Executive) leads for Transport and Environment
- 13 – TEC Main

London Councils' Transport and Environment Committee

Constitutional Matters

Item
No: 10

Report by: Christiane Jenkins **Job title:** Director, Corporate Governance
Date: 16 June 2016
Contact Officer: David Dent
Telephone: 020 7934 9753 **Email:** david.dent@londoncouncils.gov.uk

Summary: This report summarises the key changes to constitutional documents recommended to Leaders' Committee AGM on 7 June 2016. Changes are being recommended to the following documents:

- Minor variations to London Councils Transport and Environment Committee (LCTEC) Governing Agreement and to London Councils' Governing Agreement
- Amendments to London Councils Standing Orders
- Approval of and amendments to London Councils Scheme of Delegation to Officers
- Terms of Reference for Sub-Committees and the Sectoral Joint Committee

Recommendation: The Committee is recommended to:

- Note the changes to London Councils constitutional documents.

Constitutional changes

1. London Councils Leaders' Committee will be considering changes to four constitutional reports at its AGM on 7 June 2016. Three of the four reports recommend changes which apply to the London Councils' Transport and Environment Committee and are therefore reported to the Committee for information.
2. The changes made are summarised below:
 - Minor variations to London Councils Transport and Environment Committee (LCTEC) Governing Agreement to address substitution of the remaining references to ALG (i.e. the acronym for the "Association

of London Government”, the old name for London Councils) with “LC” and the inclusion of an additional recital 1.8 in the Agreement to refer to the joint committee’s change of name to the London Councils Transport and Environment Committee (LCTEC), as the Committee resolved on the 17 October 2006

- Amendments to Standing Orders, principally relating to Declarations of Interest and new Urgency arrangements
- Approval of, and amendment to the Scheme of Delegation to Officers to:
 - i. Authorise the Chief Executive, in consultation with the Chair of the relevant sub-committee, to amend the programme of sub-committee meetings as required throughout the year.
 - ii. Change the proper officer in section 36 of the Scheme of Delegations from the PATAS Tribunal Manager to Head of Support Services.
 - iii. Make express reference to the delegations to the Chief Executive and the Directors of any corporate service (and their nominated deputies).
- Terms of Reference for Sub-Committees and the Sectoral Joint Committee have not been reported to this Committee.

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 to London Councils Governing Agreement

Appendix 2 - Leaders Committee AGM Report item 15B – Constitutional Matters – Amendments to London Councils Standing Orders

Appendix 3 - Leaders Committee AGM Report item 15C – Constitutional Matters – Approval of, and Amendment to London Councils Scheme of Delegation to Officers

Background document:

London Councils Governing Agreement

London Councils Standing Orders

London Councils Scheme of Delegation to Officers

Leaders' Committee AGM

Constitutional Issues –London Councils Governing Agreements

Item no: 15A

Report by: Christiane Jenkins

Head of Governance

Date: 7 June 2016

Contact Officer: Christiane Jenkins

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Summary

1. This report notes:

- (a) Minor variations which have arisen in the course of updating London Councils Leaders' Committee Governing Agreement to address inconsistencies/irregularities and the use of the term London Councils;
- (b) The minor variations to be considered by the Transport and Environment Committee in relation to the London Councils Transport and Environment Committee Governing Agreement; and
- (c) The proposed changes at (a) and (b) above do not alter any of the functions of the Committees or the responsibilities delegated to them.

Recommendations Leaders' Committee is asked to:

1. Note the proposed amendments to address irregularities in the London Councils Leaders' Committee Governing Agreement;
2. Note the proposed changes to the London Councils Transport and Environment Committee (LCTEC) Governing Agreement which will be considered by that Committee (as provided for in the LCTEC Agreement);

Constitutional Issues –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.
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 2004¹ to give effect to a new Grants Scheme.
4. On 11 March 2014, as permitted under 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 17 July 2014 and currently 32 of the London local authorities are members of that sectoral joint committee having each agreed to formally delegate the exercise of their relevant functions under sections 1 and 4 of the Localism Act 2011 to that joint committee.
5. The LCTEC Governing Agreement has been formally amended (varied) five times since 2001 to delegate the exercise of additional functions to LCTEC.²

¹ 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.

6. A number of minor variations to both Agreements were agreed by Leaders' Committee on 15 July 2014 and LCTEC on the 17 July 2014 as relevant, and a further amendment was agreed by Leaders' Committee on 2 June 2015 to take into account the abolition of the Audit Commission.
7. London Councils must operate within the delegations which have been made to the joint committees (Leaders', Grants, the Pensions CIV, and LCTEC) by the London local authorities (and as relevant for LCTEC, TfL) as set out in the Governing Agreements. There have been 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. 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.
8. Leaders' Committee can approve minor variations to the London Councils Leaders' Committee Governing Agreement (clause 15.4) by a simple majority vote (clause 7.3 and Standing Order 13.2). The proposed minor variations to address irregularities in the London Councils Leaders' Committee Governing Agreement at this time can be found in clauses 7.5 and 11.3, plus the removal of duplication of numbering and can be seen in their entirety at Appendix One.
9. Minor variations to the LCTEC Governing Agreement may be made in accordance with clause 15.1 of the LCTEC Governing Agreement which expressly provides that minor variations shall not involve any additional financial contributions other than those specifically provided for in the LCTEC Governing Agreement; and further that a minor variation shall take effect with 28 days' notice being given to all the participating local authorities and Transport for London (TfL) and no objection to the proposed variation being received during the notice period. The following minor variations to the LCTEC Governing Agreement will be presented to LCTEC on that basis:

² 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.

- (a) Substitution of the remaining references to ALG (i.e. the acronym for the “Association of London Government”, the old name of London Councils) with “LC” (i.e. the acronym used to refer to “London Councils”); and
- (b) the inclusion of an additional Recital 1.8 in the Agreement to refer to the joint committee’s change of name to the London Councils Transport and Environment Committee (LCTEC), as the Committee resolved on the 17 October 2006.

10. The proposed changes to the LCTEC Governing Agreement do not alter any of the joint committee’s functions or the responsibilities delegated to it.

Recommendations

11. Leaders’ Committee is asked to:

- (a) Note the proposed amendments to address irregularities in the London Councils Leaders’ Committee Governing Agreement;
- (b) Note the proposed changes to the London Councils Transport and Environment Committee (LCTEC) Governing Agreement which will be considered by that Committee (as provided for in the LCTEC Agreement);

Financial Implications for London Councils

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

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. In addition to provision for formal variations to those Agreements which would in each case need to be authorised and executed individually by all the participating authorities (and additionally in the case of LCTEC, TfL); each Governing Agreement makes provision for minor variations to be made to the governance arrangements for each joint committee, albeit by different procedures in each case.

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 being exercised by the joint committees.

Equalities Implications for London Councils

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

Appendix One: London Councils Transport and Environment Committee (LCTEC) Governing Agreement

Background Document: Proposed changes to London Councils Leaders' Committee Governing Agreement

DATED 13 DECEMBER, 2001

[LONDON COUNCILS]¹

TRANSPORT AND ENVIRONMENT COMMITTEE: AGREEMENT

This joint committee approved the change of name of the Association of London Government Transport and Environment Committee (“ALGTEC”) to London Councils Transport and Environment Committee (“LCTEC”) on 17 October 2006. In this agreement, references to “ALGTEC” have been replaced with “LCTEC”.

In addition, the joint committee established in accordance with the London Councils Agreement referred to in Recital 1.1 below and otherwise known as Leaders’ Committee changed its name from the Association of London Government to London Councils on 12 September 2006. In this agreement, references to ‘Association of London Government’ and “ALG” have been replaced with “London Councils”.

Ref: TL0100/003/LJ

¹ This joint committee approved the change of name of the Association of London Government Transport and Environment Committee (“ALGTEC”) to London Councils Transport and Environment Committee (“LCTEC”) on 17 October 2006.

THIS AGREEMENT is made this 13th. day of December, 2001
BETWEEN THE Councils listed in Schedule 1 hereto and Transport for
London of 14th. Floor, Windsor House, 42-50 Victoria Street, London
SW1H 0TL in pursuance of arrangements made under sections 73 and 74
Road Traffic Act 1991 (as amended by section 283 Greater London
Authority Act 1999), sections 101(5) and 101(5B) and 102 Local
Government Act 1972, section 20 Local Government Act 2000, the Local
Authorities (Arrangements for the Discharge of Functions) Regulations
2000², the Local Authorities (Goods and Services) Act 1970 and all other
enabling powers

1. **RECITALS**

1.1 By the Transport Committee for London Agreement dated 15
January, 1998, as amended by the Association of London
Government Agreement dated 1 April, 2000, the Councils named in
Schedule 1, in the interests of achieving greater efficiency and
economy in the use of their resources, delegated the functions
previously carried out by joint committees established under
Sections 101 and 102 Local Government Act 1972 (as amended)
and known as the London Lorry Ban and the London Committee on
Accessible Transport ("LCAT") respectively to the joint committee
established pursuant to Section 73 Road Traffic Act 1991 known as

² Reference to section 20 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000 should now be read as section 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012; those provisions having

the Parking Committee for London and changed the name of the Parking Committee for London to the Transport Committee for London to reflect its wider remit

- 1.2 On 30th August, 2000, Transport for London became a member of the Transport Committee for London in accordance with section 283 Greater London Authority Act 1999 for the purposes of the functions set out in Parts 1 and 2 of Schedule 2
- 1.3 On 20th June, 2000, the name of Transport Committee for London was changed to the Association of London Government Transport and Environment Committee (“ALGTEC”)³
- 1.4 The Councils referred to in Clause 1.1 above are herein collectively named “the Participating Councils”
- 1.5 The functions discharged by [LCTEC] are set out in Schedule 2
- 1.6 The functions of some of the Participating Councils set out in Schedule 2 are the responsibility of the executive of those Councils under executive arrangements adopted for the purposes of section 10 Local Government Act 2000 while the functions of other Councils remain the responsibility of the Councils themselves
- 1.7 It is expedient that any Participating Council which should adopt

been substituted in England.

³ This joint committee approved the change of name of the Association of London Government Transport and Environment Committee (“ALGTEC”) to London Councils Transport and Environment Committee (“LCTEC”) on 17 October 2006. (Additional information: The Association of London Government changed its name to London Councils on 12 September 2006.)

executive arrangements after the date of this Agreement should be able through arrangements made by their mayors, executives, members of executives, committees of executives, executive leaders or council managers (as appropriate) to continue as or to become parties to this Agreement.

1.8 This joint committee approved the change of name of name of the Association of London Government Transport and Environment Committee ("ALGTEC") to London Councils Transport and Environment Committee ("LCTEC") on 17 October 2006 (shortly after the Association of London Government had changed its name to London Councils)

IT IS HEREBY AGREED AS FOLLOWS

2. COMMENCEMENT AND DURATION

2.1 This Agreement shall commence on 13th. December, 2001 ("the Commencement Date") and shall replace the Agreement referred to in Recital 1.1, above, and shall continue until terminated in accordance with the provisions of Clause 13 below

3. DEFINITIONS AND INTERPRETATION

3.1 ["London Councils" means the joint committee of all the Participating Councils established in accordance with the London Councils Agreement referred to in Recital 1.1 above]⁴

⁴ The Association of London Government changed its name to London Councils on 12

3.2 “the [London Councils] Agreement” means the agreement of even date herewith made by all the Participating Councils

3.3 “the Finance Officer” means the Finance Officer appointed in accordance with Clause 8.3⁵

3.4 “the Previous Agreement” means the Transport Committee for London Agreement referred to in Recital 1.1 above

[3.4(A) “the Schedule 1 Part 2 Participating Councils” means those Councils listed in Schedule 1 Part 2 hereto]⁶

3.5 The Schedules annexed hereto are intended to form part of this Agreement

3.6 Words importing the singular shall include the plural and vice versa
Words importing any gender shall include both genders and words importing persons shall include bodies corporate, unincorporated associations and partnerships

3.7 Clause headings are inserted for reference only and shall not affect the interpretation or construction of this Agreement

4. FUNCTIONS OF [LCTEC]

4.1 As from the Commencement Date the Participating Councils and

September 2006. This joint committee is otherwise known as Leaders’ Committee.
[Deleted: “ALG” means the Association of London Government, the joint committee of all the Participating Councils established in accordance with the Association of London Government Agreement referred to in Recital 1.1 above.]

⁵ It is noted that this definition is not in alphabetical order.

⁶ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May

(insofar as relevant) Transport for London have delegated the functions set out in Schedule 2 to [LCTEC]

[4.1(A) As from the Second [LCTEC] Agreement Commencement Date the Schedule 1 Part 2 Participating Councils have delegated the functions set out in Schedule 2 Part 3(A) to [LCTEC]. Any of the Participating Councils listed in Schedule 1 Part 1 may elect at any time to delegate the functions set out in Schedule 2 Part 3(A) to [LCTEC]. Such delegation is hereby deemed a minor variation for the purposes of Clause 15.1 and this Agreement shall thereafter be construed as if each of those Participating Councils were listed in Schedule 1 Part 2. Any of the Schedule 1 Part 2 Participating Councils may at any time revoke the delegation of the functions set out in Schedule 2 Part 3(A) to [LCTEC]. Such revocation is hereby deemed a minor variation for the purposes of Clause 15.1 and this Agreement shall thereafter be construed as if that Schedule 1 Part 2 Participating Council's name were removed from Schedule 1 Part 2]⁷

[4.1(B) As from 30th November 2006 the Schedule 1 Part 1 Participating Councils have delegated to LCALGTEC the functions set out in Part 3(B) of Schedule 2 of this Agreement. Any of the Schedule 1 Part 1 Participating Councils may at any time revoke the delegation of the functions set out in Part 3(B) of Schedule 2 in accordance with

2003

⁷ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

Clause 13.2]⁸

[4.1(C) As from 8th June 2009 the Schedule 1 Part 1 Participating Councils have delegated to the Committee the functions set out in Part 3(C) and Part 3(D) of Schedule 2 to this Agreement. Any of the Schedule 1 Part 1 Participating Councils may at any time revoke the delegation of the functions set out in Part 3(C) and Part 3(D) of Schedule 2 in accordance with Clause 13.2]⁹

[4.1(D) The Schedule 1 Part 1 Participating Councils have delegated to LCALGTEC the functions set out in Part 3(E) of Schedule 2 of this Agreement. The Participating Councils may revoke this delegation in accordance with clause 13.2, that is with the unanimous consent of all the Participating Councils or otherwise in accordance with clause 13.2.3]¹⁰

4.2 [LCTEC shall submit, by way of the organisation's Corporate Plan, a statement regarding its functions for the following financial year for consultation by London Council's.]¹¹

5. MEMBERSHIP AND CONSTITUTION OF [LCTEC]

5.1 Each Participating Council and Transport for London shall appoint a representative to [LCTEC] in accordance with law and its own

⁸ Substituted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

⁹ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

¹⁰ Inserted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

¹¹ Substituted by minor variations approved by LCTEC on 17 July 2014

constitutional arrangements

- 5.2 Each Participating Council and Transport for London shall as soon as practicable after becoming party to this Agreement notify the Director of [LCTEC] of the identity of its representative and the identity of any substitute representative
- 5.3 Each Participating Council and Transport for London shall be entitled by notice in writing in accordance with Clause 5.4 below to remove such representative from [LCTEC] at any time or until he ceases to be entitled to be a representative of that Participating Council or Transport for London under the constitutional arrangements applicable to the appointing Participating Council or Transport for London and by like notice to appoint to [LCTEC] any other representative from that Participating Council or Transport for London in place of the representative so removed
- 5.4 A notice of appointment or removal shall be signed by a duly authorised officer of the Participating Council or Transport for London as the case may be and shall take effect upon delivery thereof to the Director of [LCTEC]
- 5.5 Every representative appointed pursuant to Clause 5.1 shall hold office until he is either removed from office or dies or resigns or until he ceases to be entitled to be a representative of the Participating Council or Transport for London under the constitutional arrangements applicable to that Participating Council or Transport

for London

6. MEETINGS AND PROCEEDINGS OF [LCTEC]

- 6.1 [LCTEC] shall hold at least 2 meetings each year one of which shall be an Annual General Meeting
- 6.2 Subject to Clause 6.1 above, meetings of [LCTEC] shall be called in accordance with the Standing Orders set out in Schedule 6 of the [London Councils] Agreement and the procedure to be adopted at such meetings shall be determined in accordance with those Standing Orders
- 6.3 No representative appointed by [a Participating Council or]¹² Transport for London shall be entitled to speak or vote or receive papers relating to any question arising in respect of a function to which [that Participating Council or]¹³ Transport for London does not subscribe and shall not be counted as part of the quorum for the meeting or part thereof wherein such question is considered

7. LEAD AUTHORITY FUNCTIONS

- 7.1 [LCTEC] may by agreement with the Participating Council and/or [London Councils] appoint one or more of the Participating Councils and/or [London Councils] to act as its agent in discharging all or any of the functions which are set out in Schedule 3

¹² Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

¹³ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

- 7.2 In the event that any Participating Council or [London Councils] withdraws its consent to discharge a Lead Authority function it shall give (unless otherwise agreed) not less than six calendar months' written notice (to expire on 31st March) of its intention to do so to
- 7.3 [LCTEC] may terminate the appointment of a Participating Council or [London Councils] in respect of any Lead Authority function following a majority vote of the members of [LCTEC]
- 7.4 Subject to Clause 7.5 below, any termination pursuant to Clause 7.3 may be made by [LCTEC] giving (unless otherwise agreed) not less than six calendar months' notice in writing to the Participating Council or [London Councils] of its intention to terminate the appointment and may be given at any time.
- 7.5 Notwithstanding Clause 7.4, if the Participating Council or [London Councils] is in material breach of any of its obligations in respect of a Lead Authority function (whether the obligations are contained in this Agreement or in any Service Level Agreement for the time being between [LCTEC] and the Participating Council or [London Councils]) any such termination pursuant to Clause 7.3 may be made at any time thereafter by [LCTEC] giving not less than one calendar month's notice in writing to the Participating Council or [London Councils] of its intention to terminate the appointment
- 7.6 Notwithstanding Clause 7.2 above if [LCTEC] is in material breach of any of its obligations to the Participating Council or [London

Councils] (whether the obligations are contained in this Agreement or in any Service Level Agreement between [LCTEC] and the Participating Council or [London Councils]) the Participating Council or [London Councils] may withdraw its consent to act in respect of a Lead Authority function by giving not less than three calendar months' notice in writing to [LCTEC] of its intention to withdraw its consent

- 7.7 [LCTEC] shall reimburse each Participating Council and/or [London Councils] appointed under this Clause 7 all costs and charges including VAT correctly levied in the provision of all services provided by that Participating Council and/or [London Councils] hereunder (or arising/outstanding under the Previous Agreement) within 30 days of receipt of invoices submitted by it to [LCTEC]
- 7.8 The consideration payable by [LCTEC] to each Participating Council and/or [London Councils] appointed or acting under this Clause 7 shall be subject to audit by [LCTEC] and the Participating Council(s) and/or [London Councils] shall upon request make available all accounts records and other documents reasonably required for such purpose
- 7.9 Upon the termination of any appointment of a Participating Council or [London Councils] under this Clause 7 howsoever occasioned, the Participating Council or [London Councils] shall be entitled to

claim from [LCTEC] any outstanding costs reasonably incurred in the performance of its duties in respect of a Lead Authority function

PROVIDED THAT if [LCTEC] appoints [London Councils] to discharge the functions set out in paragraph 2 and/or 3 of Schedule 3, references to [London Councils] shall be construed as meaning all the Participating Councils acting by [London Councils]

8. OBLIGATIONS OF [LCTEC]

- 8.1 [LCTEC] shall carry out the functions contained in Schedule 2 and in so doing shall act in the collective interests of the Participating Councils and (insofar as relevant) Transport for London
- 8.2 [LCTEC] shall comply with the Standing Orders set out in Schedule 6 of the [London Councils] Agreement, the Financial Regulations contained in Schedule 7 of the [London Councils] Agreement and the financial arrangements contained in Clauses 11 and 12
- 8.3 [LCTEC] shall procure the appointment of a Finance Officer to be responsible for the proper administration of the financial affairs of [LCTEC]
- 8.4 [LCTEC] shall procure the appointment of an auditor approved by the Audit Commission to complete an audit of the annual accounts of [LCTEC] at the end of each financial year. Copies of audited accounts shall be sent to each of the Participating Councils and the relevant extracts of the audited accounts shall be sent to Transport

for London

9. OBLIGATIONS OF PARTICIPATING COUNCILS AND TRANSPORT FOR LONDON

9.1 Each Participating Council and Transport for London shall:

9.1.1 contribute to the costs and expenses of [LCTEC] in accordance with the provisions of Clause 12 and Schedule 4

9.1.2 provide [LCTEC] with such information as is required by [LCTEC] to carry out the functions set out in Schedule 2 and to recover costs in accordance with Schedule 4

[9.1.3 act jointly in relation to those functions of [LCTEC] set out in Schedule 2

9.1.4 share any information, including (in so far as they may in accordance with the Data Protection Act 1998) 'personal data', as defined under the Data Protection Act 1998, in order to comply with their obligations under this Agreement]¹⁴

10. ASSETS AND LIABILITIES

10.1 The assets and liabilities which vested in [LCTEC] prior to the

¹⁴ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

Commencement Date shall continue to so vest following the
Commencement Date

11. **FINANCIAL ARRANGEMENTS**

11.1 [Each year, LCTEC shall cause draft budgets for the following financial year to be sent in respect of the operation of each of the functions contained in Schedule 2 for comment by the Participating Councils and LCTEC shall send a draft budget for the following financial year in respect of the operation of the functions contained in Parts 1 and 2 of Schedule 2 to Transport for London. The budget for each function shall be finalised and approved by LCTEC in December of each year or such other date as shall be agreed by LCTEC The annual budget (including any contingency sum) in respect of any function shall not be exceeded without the prior approval of LCTEC]¹⁵

11.2 [LCTEC] shall cause proper accounts to be kept and shall make all accounts records and other documents available for inspection by any Participating Council on request and shall make all accounts records and other documents relevant to the Schedule 2 Parts 1 and 2 functions available for inspection by Transport for London on request

11.3 Whenever any sum of money is recoverable from or payable by a

¹⁵ Substituted by minor variations approved by LCTEC on 17 July 2014. In effect the change is that "Each year" has been substituted for "In October of each year" at the beginning of the clause.

Participating Council and/or Transport for London it may be deducted from any sum then due to that Participating Council and/or Transport for London and vice versa

- 11.4 [LCTEC] shall cause a separate balance sheet to be maintained for all payments received from the Participating Councils and Transport for London in respect of each of the functions set out in Schedule 2 such payments to be held as nominee for the Participating Council or Transport for London as the case may be

12. **COSTS AND EXPENSES**

- 12.1 The costs and expenses of [LCTEC] shall be reimbursed by the Participating Councils and Transport for London in accordance with the provisions of Schedule 4. This shall be subject to review by [LCTEC] For the avoidance of doubt the consent of all Councils and Transport for London participating in each of the functions set out in Part 2 of Schedule 2 shall be required to change the basis on which costs are apportioned in respect of that function

- 12.2 In the event [LCTEC] cannot reach agreement at a meeting of [LCTEC] on the proportions in which the costs and expenses of [LCTEC] are to be defrayed by the Participating Councils and Transport for London the matter shall be referred to an arbitrator nominated by the Chartered Institute of Arbitrators and the decision of the arbitrator shall be binding on [LCTEC] The costs of any arbitration hereunder shall be met by the Participating Councils and

Transport for London in equal shares

12.3 [LCTEC] shall cause to be notified each of the Participating Councils and Transport for London by not later than 31st January in each year of the amount due from that Participating Council and Transport for London under Clause 12.1 other than in relation to the Concessionary Fares Scheme (as described in Schedule 2 Part 3) such notification to include a breakdown of the sums payable in respect of each of the heads set out in Schedule 4 (other than the Concessionary Fares Scheme) and the date on which payment is due. In addition, in relation to the Concessionary Fares Scheme, [LCTEC] shall cause to be notified to each of the Participating Councils by not later than 31 January in each year of the amount due from that Participating Council in relation to the share to be borne by it of the cost of the Current Concessions (as defined in Schedule 2 Part 3) in the ensuing fiscal year and as to the date(s) on which payment by that Participating Council is due to the Transport Operators (as defined in Schedule 2 Part 3) by direct payment by that Participating Council to Transport for London and to [LCTEC] for payments to the Association of Train Operating Companies or its successors.

12.4 Interest shall accrue at the rate of 2 per cent above the base rate for the time being of National Westminster Bank Plc on all amounts due to [LCTEC] Transport for London or the Transport Operators (as defined in Clause 12.3) pursuant to Clause 12.3 from the due date

of payment until the date of payment in full inclusive

- 12.5 In the event of any disagreement as to the amount of costs and expenses to be borne by Transport for London and/or any Participating Council Transport for London and/or the Participating Council(s) in dispute shall not later than 14th February or a date agreed with the Finance Officer following the date of notification under Clause 12.3 notify the Finance Officer of the nature of the dispute and shall provide full supporting reasoning and documentation as appropriate to the Finance Officer. The Finance Officer and Transport for London and/or the Participating Council(s) shall thereafter use all reasonable endeavours to resolve the dispute. In the event that the dispute remains unresolved on 14th March or a date to be decided by the Finance Officer following the date of notification under Clause 12.3 the matter shall be referred by [LCTEC] to an independent Chartered Accountant of not less than ten years' standing. Any such independent Chartered Accountant shall be deemed to act as an expert and not as an arbitrator and his determination shall in the absence of manifest error be binding on [LCTEC] and Transport for London and/or the Participating Council(s). In the event that the dispute is resolved at first instance by the Finance Officer or by the Chartered Accountant in favour of Transport for London and/or the Participating Council(s) interest shall not be payable on any outstanding sums. In the event that the dispute is resolved in favour of [LCTEC] by the Chartered

Accountant interest shall accrue on all outstanding payments in accordance with Clause 12.4 Costs of arbitration hereunder shall be met by the unsuccessful party

13. TERMINATION AND BREACH

13.1 The termination of this Agreement or any part thereof however caused and the serving of notice to terminate shall be without prejudice to any obligations or rights of any of the parties which have accrued prior to such termination and shall not affect any provision of this Agreement which is expressly or by implication provided to come into effect on or to continue in effect after such termination

13.2 Without prejudice to any other rights or remedies this Agreement or any part thereof shall terminate on the earlier of:-

13.2.1 unanimous agreement of all the Participating Councils and Transport for London in respect of the functions set out in Part 2 of Schedule 2

13.2.2 unanimous agreement of all the Participating Councils in respect of the functions set out in Part 3 of Schedule 2

13.2.3 where by reason of any change in law or other reason not attributable to the fault of the Participating Councils and/or Transport for London they shall be prohibited from giving effect to their obligations hereunder

13.3 This Agreement may be terminated in relation to any Participating Council by [LCTEC] by written notice effective on receipt on the occurrence of any of the following events:-

13.3.1 that Participating Council materially breaches any of the provisions of this Agreement and in the case of a breach capable of remedy fails to remedy the same within 28 days of being notified of the breach by [LCTEC] and being required to remedy the same; or

13.3.2 where by reason of any change in law or other reason not attributable to the fault of the Participating Council or Transport for London that Council or Transport for London shall be unable to give effect to its obligations hereunder

PROVIDED THAT termination under Clause 13.3.1 cannot take place in respect of the Schedule 2 Part 1 functions

13.4 This Agreement may be terminated by any Participating Council in respect of:

13.4.1 the London Taxicard Scheme as set out in Part 3 of Schedule 2 for which the period of notice shall be six months to expire on 31st March;

13.4.2 the Schedule 2 Part 2 functions (the London Lorry Ban) by the Participating Council giving one year's

notice to expire on 31st. March¹⁶

[13.5 Part 3(E) of Schedule 2 of this Agreement may be terminated by LCALGTEC by a resolution of LCALGTEC passed in accordance with the joint committee's normal procedures]¹⁷

14. GENERAL

14.1 Notices

All notices which are required to be given hereunder shall be in writing Any such notice may be delivered personally or by first class prepaid letter or facsimile transmission and shall be deemed to have been served if by personal delivery when delivered if by first class post 48 hours after posting and if by facsimile transmission on successful transmission Any notice sent by facsimile transmission shall be confirmed by letter delivered personally or by first class pre-paid post by the close of business on the next following business day (in which case, the effective notice shall be deemed to be that sent by facsimile transmission)

14.2 Continuing Agreement

All provisions of this Agreement shall so far as they are capable of being performed and observed continue in full force and effect notwithstanding termination except in respect of those matters then

¹⁶ Barnet, Havering, Hillingdon and Redbridge have terminated under this clause 13.4.2

¹⁷ Inserted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

already performed

14.3 Good Faith

Each of the parties undertakes with each of the others to do all things reasonably within its powers which are necessary or desirable to give effect to the spirit and intent of this Agreement

14.4 Further Assurance

Each of the parties shall (and shall insofar as it is able use its reasonable endeavours to procure that any necessary third party with whom such party has entered into any contractual or other arrangement for the purposes of this Agreement shall) do execute and perform all such further deeds documents assurances acts and things as any other party may reasonably require by notice in writing to the first party to carry the provisions of this Agreement into full force and effect

14.5 Waiver

No failure to exercise and no delay in exercising on the part of any of the parties any right power or privilege hereunder shall operate as a waiver thereof nor shall any single or partial exercise of any right power or privilege preclude any other or further exercise thereof or the exercise of any other right power or privilege The rights and remedies provided in this Agreement are cumulative and not exclusive of any rights or remedies otherwise provided by law

14.6 Severability

Notwithstanding that any provision of this Agreement may prove to be illegal or unenforceable the remaining provisions of this Agreement shall continue in full force and effect

[14.7 The Data Protection Act 1998 ('the DPA')]

14.7.1 [London Councils] is the data controller in respect of the processing of all personal data, required for:

- i. the performance by LCTEC of its obligations set out in this Agreement, and
- ii. the performance by [London Councils] of its obligations set out in Schedule 3 when acting as Lead Authority for [LCTEC]

14.7.2 Each of the parties shall take all necessary steps to ensure that they comply with the provisions of the DPA when processing any personal data held by them as a result of the performance of their obligations under this Agreement

14.7.3 The meaning of 'data controller', 'processing' and 'personal data' in this Clause shall be as defined in the DPA]¹⁸

15. ENTIRE AGREEMENT

¹⁸ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

15.1 This Agreement, the [London Councils] Agreement and any service level agreements between [LCTEC] and any Participating Council(s) discharging any Lead Authority functions constitute the entire agreement between the parties with respect to the matters dealt with herein and supersedes any previous agreement between the parties in relation to such matters. No variation of this Agreement other than variations which [LCTEC] reasonably considers to be minor shall be valid or effective unless made by one or more instruments in writing signed by all the parties. For the purposes of this clause minor variations shall not involve any additional financial contributions other than those specifically provided for herein and each Participating Council and Transport for London shall be given 28 days' notice of the variation which shall only come into effect if no objection is received from any Participating Council and/or Transport for London during the notice period.

16. EXECUTION

16.1 This Agreement is executed by each party signing the annexed Memorandum of Participation on behalf of that party and such Memorandum of Participation shall be evidence of execution by that party when Memoranda executed by all the parties are incorporated into this Agreement.

SCHEDULE 1

PART 1

THE PARTICIPATING COUNCILS

Council

The London Borough of Barking and Dagenham

The London Borough of Barnet

The London Borough of Bexley

The London Borough of Brent

The London Borough of Bromley

The London Borough of Camden

The London Borough of Croydon

The London Borough of Ealing

The London Borough of Enfield

The London Borough of Greenwich

The London Borough of Hackney

The London Borough of Hammersmith and Fulham

The London Borough of Haringey

The London Borough of Harrow

The London Borough of Havering

The London Borough of Hillingdon

The London Borough of Hounslow

The London Borough of Islington

The Royal Borough of Kensington & Chelsea

The Royal Borough of Kingston-upon-Thames

The London Borough of Lambeth

The London Borough of Lewisham

The London Borough of Merton

The London Borough of Newham

The London Borough of Redbridge

The London Borough of Richmond upon Thames

The London Borough of Southwark

The London Borough of Sutton

The London Borough of Tower Hamlets

The London Borough of Waltham Forest

The London Borough of Wandsworth

The City of Westminster

The Mayor and Commonalty and Citizens of the City of London

[PART 2

THE SCHEDULE 1 PART 2 PARTICIPATING COUNCILS

The London Borough of Barking and Dagenham

The London Borough of Barnet

The London Borough of Brent

The London Borough of Camden

The London Borough of Croydon

The London Borough of Ealing

The London Borough of Enfield

The London Borough of Greenwich

The London Borough of Hackney

The London Borough of Hammersmith and Fulham

The London Borough of Haringey

The London Borough of Harrow

The London Borough of Hillingdon

The London Borough of Hounslow

The London Borough of Islington

The Royal Borough of Kensington and Chelsea

The London Borough of Lambeth

The London Borough of Lewisham

The London Borough of Merton

The London Borough of Newham

The London Borough of Richmond upon Thames

The London Borough of Southwark

The London Borough of Sutton

The London Borough of Tower Hamlets

The London Borough of Waltham Forest

The London Borough of Wandsworth

The City of Westminster

The Mayor and Commonalty and Citizens of the City of London]¹⁹

¹⁹ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

SCHEDULE 2

PART 1 FUNCTIONS: IN RESPECT OF ARRANGEMENTS PURSUANT TO SECTION 73 and 74 ROAD TRAFFIC ACT 1991 (as amended)²⁰

1. STATUTORY

- (a) Appoint parking adjudicators for the purposes of the Road Traffic Act 1991 subject to the Lord Chancellor's consent
- (b) Provide accommodation and administrative staff for the parking adjudicators
- (c) Determine the penalty charge levels and fees for de-clamping vehicle recovery storage and disposal subject to the approval of the Secretary of State
- (d) Determine the rate of discount for early payment of penalty charge notices
- (e) Determine the form for aggrieved motorists to make representations to Local Authorities under Section 71 of the Act
- (f) Determine the places at which parking adjudicators are to sit
- (g) Make and publish an annual report in writing to the Secretary of State on the discharge by the parking adjudicators of their functions

²⁰ Although sections 73 & 74 of the Road Traffic Act 1991 have now been repealed, these arrangements continue in force until such time as they are varied or replaced by virtue of regulations 15(2) & 24(3) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007

2. **NON-STATUTORY**

Any functions (subject to Section 111 of the Local Government Act 1972) which [LCTEC] agrees are appropriate for its implementation Without prejudice to the generality of the foregoing such functions may include but not be limited to the following:-

- (a) The publication and updating as necessary of the Code of Practice for Parking in London
- (b) The co-ordination and maintenance of vehicle removal and clamping operations
- (c) The establishment and maintenance of a communications and control service to deal with vehicle removals
- (d) The establishment and maintenance of a communications and control service to deal with wheel clamping
- (e) The establishment of links with the Metropolitan and City Police the County Courts and the DVLA
- (f) The co-ordination of -
 - (i) payment facilities
 - (ii) pound facilities
- (g) The maintenance of records detailing persistent evaders and ringed vehicles
- (h) Ticket Processing
- (i) General data collection and service monitoring
- (j) The co-ordination of publicity and public relations activities
- (k) the establishment of common training standards in connection with parking standards the accreditation of training centres and award of qualifications
- (l) the establishment of London-wide parking schemes

Any changes to the agreed non-statutory functions shall be approved and evidenced in writing by [LCTEC]

In the event of [LCTEC] electing to provide any of the non-statutory functions detailed above any Participating Council and/or Transport for London may (without obligation to do so) avail itself of the services provided at the costs set out in Schedule 4

PART 2 FUNCTIONS: IN RESPECT OF THE IMPLEMENTATION AND ENFORCEMENT OF THE GREATER LONDON (RESTRICTION OF GOODS VEHICLES) TRAFFIC ORDER 1985

("THE LONDON LORRY BAN")

To provide for the implementation and enforcement of the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (the Principal Order) including, but not limited to, the monitoring of the effectiveness of the said implementation and enforcement, the examination of vehicles, the issue of permits including the consideration of appeals arising from the refusal or conditioning of permits, the erection of adequate signs, liaison with the police, the prosecution of offences arising under the Principal Order and any amendment thereto approved from time to time, the updating of technical information on new vehicle designs, the taking of all necessary steps to promote and make amending supplementary and other variation orders affecting the Principal Order and the determination and implementation of policy and the giving of advice.

**PART 3 : IN RESPECT OF TRAVEL CONCESSION ARRANGEMENTS
UNDER SECTION 244 GREATER LONDON AUTHORITY ACT 1999**

1. DEFINITIONS

In this Part 3 of this Schedule 2:

- 1.1 "Concession" means the reduction or waiver of a fare or charge (either absolutely or subject to terms limitations or conditions) granted pursuant to Section 240 of the Greater London Authority Act 1999 or any successor legislation;
- 1.2 "Current Concessions" means the Concessions applicable to the London Concessionary Fares Scheme for each fiscal year as such Concessions are described in current Contracts in force with the Transport Operators (or their agents) or such other Concessions as may be unanimously agreed by the Participating Councils and the Transport Operators;
- 1.3 "Limited Concessions" means Current Concessions where a reduced fare is charged on certain limited stop or express bus services such reduced fare to be determined by [LCTEC].
- 1.4 "External Auditor" means the District Auditor or such firm of Chartered Accountants as the Audit Commission may from time to time determine;
- 1.5 "Functions" means powers and duties and includes the power to do anything which is calculated to facilitate or is

conducive or incidental to the discharge of any of those functions;

1.6 "Hours of Availability" means the times during the day and during the week in which the Transport Operators agree to apply the Concessions;

1.7 "the London Taxicard Scheme" means the scheme established to provide a taxi service for disabled Londoners who find it difficult or impossible to use bus, underground or railway services to travel around London or in the vicinity of London;

1.8 "the London Taxicard Scheme Participating Councils" means the Participating Councils who have notified to [LCTEC] their agreement to participate in the London Taxicard Scheme for a period of not less than one fiscal year (1 April to 31 March) in any contract period for that Scheme.

1.9 "The Transport Operators" means all or any of London Regional Transport, Transport for London, a PPP company for the purposes of section 210 Greater London Authority Act 1999, Docklands Light Railway and any independent transport service operators or their successors, as defined in section 240(6) Greater London Authority Act 1999.

2. CONCESSIONARY FARES SCHEME

2.1 [LCTEC] shall carry out the following functions:-

- (a) all arrangements pursuant to Section 244 of the Greater London Authority Act 1999 (or any subsequent re-enactment or amendment of that section); and
- (b) all administrative arrangements made with a view to, or consequent upon, the arrangements referred to in paragraph (a) of this Clause;

all as more particularly described below subject to such conditions and restrictions as may from time to time be agreed by the Participating Councils.

2.2 In particular [LCTEC] shall have the power to negotiate contracts in the name of the Participating Councils not exceeding seven years in duration (the duration of such contracts current at the date of this Agreement not to be exceeded without the consent of all the Participating Councils) with the Transport Operators which shall be binding on all the Participating Councils and [LCTEC] shall have the power to agree to reimburse to the Transport Operators the cost of Concessions granted pursuant to Section 240 of the Greater London Authority Act 1999 except the unanimous consent of the Participating Councils shall be required for any increase, decrease or variation in the Current Concessions

(but not the Limited Concessions any increase, decrease or variation in which may be agreed by [LCTEC]) and for any increase, decrease or variation in the Hours of Availability.

- 2.3 To manage on behalf of the Participating Councils the Concessionary Fares Scheme and in particular to make arrangements to reimburse to the Transport Operators the cost of the Current Concessions.
- 2.4 To make appropriate arrangements for the issue of travel permits, photocards, blind persons cards etc to eligible persons for the purpose of the Concessionary Fares Scheme.
- 2.5 To carry out or have carried out or commission and oversee such research and survey work as shall from time to time be deemed necessary for the calculation of an appropriate reimbursement to the Transport Operators for providing concessionary travel on their services;
- 2.6 To approve survey work associated with assessment of the volume and notional value of bus travel made by holders of concessionary free travel permits;
- 2.7 To monitor and assess the performance of the consultants selected to carry out the work of the Greater London Bus Passenger Survey;

- 2.8 To approve survey work associated with the London Underground, Docklands Light Railway and any such other rail survey work as is deemed appropriate;
- 2.9 To approve survey work associated with establishing payment to bus operators or other independent bus operators.
- 2.10 To negotiate with Post Office Counters Limited or other bodies agency legal agreements and charges for the distribution of elderly and/or disabled persons' travel permits.
- 2.11 Providing that nothing herein shall prevent any of the Participating Councils from setting their own eligibility criteria for the discretionary elements of the Concessionary Fares Scheme

3. DELEGATION OF FUNCTIONS IN RELATION TO THE LONDON TAXICARD SCHEME

- 3.1 The London Taxicard Scheme shall be subject to such general conditions and restrictions as may from time to time be unanimously agreed by the London Taxicard Scheme Participating Councils PROVIDED THAT nothing herein shall prevent any of the Participating Councils from setting their own eligibility criteria for the discretionary elements of the London Taxicard Scheme

- 3.2 [LCTEC] shall have the duty to carry out tendering procedures and the power to enter into contracts (not exceeding four years in duration) in the name of the London Taxicard Scheme Participating Councils with taxi operators which shall be binding on all the London Taxicard Scheme Participating Councils whereby [LCTEC] pays the taxi operators the sums due from each of those London Taxicard Scheme Participating Councils for taxi journeys made by persons who are approved members of the Scheme and resident in the area of the Council concerned provided such journeys are made in accordance with the particular restrictions respectively imposed by each such Council.
- 3.3 To provide policy and development advice concerning the London Taxicard Scheme to London Taxicard Scheme Participating Councils and any other relevant organisations.
- 3.4 To manage the day to day operation and budget of the London Taxicard Scheme to ensure that agreed strategic aims, objectives and targets of the Scheme are fully implemented in accordance with [LCTEC]'s Annual Business Plan and so as to comply with eligibility, membership, budgetary provision and trip allocation requirements specified by London Taxicard Scheme Participating Councils.
- 3.5 To make appropriate arrangements for the issue of taxicards, photocards etc. to eligible persons for the purpose of the

London Taxicard Scheme.

- 3.6 To prepare an Annual Business Plan for the London Taxicard Scheme for incorporation within the overall [LCTEC] Annual Business Plan for submission to [LCTEC] and taking account of economic, demographic, technical and other relevant considerations.
- 3.7 To prepare, monitor and review the Annual Budget for the London Taxicard Scheme and authorise expenditure from the Budget in accordance with financial regulations and procedures in force.

4. ACCESSIBLE TRANSPORT

- 4.1 [LCTEC] may consider issues relating to accessible transport in London and inform, advise and consult with the Participating Councils so as to assist them in formulating policies and in carrying out their powers and duties in the field of accessible transport for people with disabilities.
- 4.2 [LCTEC] may consider issues relating to the accessibility of transport whenever any new service of public transport, e.g. trams or service on the Thames, is being developed.
- 4.3 To prepare policy reports for, and give advice on matters concerning transport for mobility handicapped people
- 4.4 To originate, plan and execute research and development

initiatives in the field of transport for people with disabilities,
and report as appropriate.

**[PART 3(A): IN RESPECT OF ROADSIDE VEHICLE EMISSIONS
TESTING AND ISSUING OF FIXED PENALTY NOTICES PURSUANT TO
THE ROAD TRAFFIC (VEHICLE EMISSIONS) (FIXED PENALTY)
(ENGLAND) REGULATIONS 2002**

1. Pursuant to Regulation 6(1) and in accordance with Regulation 6(2) of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (“the Regulations”) authorise any officer or person -
 - 1.1 to carry out tests on vehicles which are in, or which are about to pass through, or which have passed through an area designated as an air quality management area; and
 - 1.2 to issue fixed penalty notices in respect of emission offences; and
 - 1.3 to carry out any other functions required or permitted by Part 5 of the Regulations.
- 2 The reduction or waiver of fixed penalties in accordance with Regulation 19 of the Regulations.
- 3 The withdrawal of a fixed penalty notice in accordance with Regulation 20 of the Regulations.
- 4 The recovery of unpaid fixed penalties in accordance with Part 8 of the Regulations.
- 5 The prosecution of offences arising under Regulation 9(7), Regulation 11(2) and Regulation 18(2) of the Regulations.
- 6 The service of a fresh fixed penalty notice in accordance with Regulation 23(4)(e) of the Regulations.

- 7 The carrying out of any other function required or permitted by the Regulations.]²¹

²¹ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

**[PART 3(B) FUNCTIONS: IN RESPECT OF FUNCTIONS UNDER THE
LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON
ACT 2003 AND THE LONDON LOCAL AUTHORITIES ACT 2004**

1. To set the levels of fixed penalties for any fixed penalty offences under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004.
2. To undertake any other functions that are required or permitted to be undertaken by a joint committee of London local authorities under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004.]²²

²² Inserted by Further Variation (also known as the Third ALGTEC Agreement) dated 30 November 2006

**[PART 3(C) FUNCTIONS: IN RESPECT OF THE EXERCISE OF
FUNCTIONS UNDER THE LONDON LOCAL AUTHORITIES ACT 2007**

1. To publish a code of practice in accordance with section 11 of the London Local Authorities Act 2007 (unauthorised advertising: measures to be taken).
2. To publish a code of practice in accordance with section 25 of the London Local Authorities Act 2007 (powers to require removal of waste unlawfully deposited) after consultation with each of the Participating Councils.
3. In accordance with section 28 of the London Local Authorities Act 2007 (disposal of removed vehicles), to prescribe the sum to be paid as a bond under subsection 4(5) of the Refuse Disposal (Amenity) Act 1978.
4. To set the levels of penalty charges in accordance with sections 66 of the London Local Authorities Act 2007.
5. To undertake any other functions that are required or permitted to be undertaken by a joint committee of London local authorities under the London Local Authorities Act 2007.]²³

²³ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

**[PART 3(D) FUNCTIONS: IN RESPECT OF THE EXERCISE OF ANY
OF THE PARTICIPATING COUNCILS' STATUTORY FUNCTIONS
CONFERRED UNDER EXISTING OR FUTURE LONDON ACTS AS
THEY RELATE TO TRANSPORT, ENVIRONMENT AND PLANNING
MATTERS**

1. To undertake any other functions conferred on the Participating Councils and Transport for London under any other legislation insofar as such legislation relates to transport, environment and planning matters, subject to consultation with the Participating Councils and the written agreement of each Participating Council and, insofar as is relevant, Transport for London, such functions to be listed at paragraph 2 below.
2. Pursuant to paragraph 1 above, the further functions which the Participating Councils, and where relevant Transport for London, have agreed shall be exercised by the Committee under Part 3(D) of this Agreement are:
 - a. [Make pan-London traffic order(s) under section 6 of the Road Traffic Regulation Act 1984, and all other enabling powers, where it is in the collective interests of the Participating Authorities, and TfL as relevant, such decision to be taken only after consultation with each of them. To provide for the implementation and enforcement of any order(s) so made including but not limited to the monitoring of the effectiveness of the said implementation and

enforcement, the examination of vehicles, the issue of permits including the consideration of appeals arising from the refusal or conditioning of any such permits, the erection of adequate signs, liaison with the police, the prosecution of offences arising under such order(s) and any amendments approved from time to time, the updating of technical information on new vehicle designs, the taking of all necessary steps to promote and make amending, supplementary and other variation orders affecting the primary order(s) and the determination and implementation of policy and the giving of advice.]²⁴

...

3. At such time as amendments are made under this Part 3(D), the Committee shall provide each Participating Council and Transport for London with an updated copy of this Part 3(D) reflecting the amendments to paragraph 2.]²⁵

**1. [PART 3(E) FUNCTIONS – PARKING ON PRIVATE LAND
APPEALS SERVICE**

2. The general power of competence under section 1 of the Localism Act 2011 for the purpose of providing, on a full cost recovery basis, and independent appeals service for disputes arising in respect of parking on

²⁴ At 27th October 2014 all the Participating Councils and Transport for London had made the delegation in the same form.

²⁵ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

private land (with reference to section 56 and Schedule 4 of the Protection of Freedoms Act 2012)]²⁶

PART 4 FUNCTIONS: GENERAL

1. To do anything which is calculated to facilitate or is conducive or incidental to any of the functions set out in [Parts 1-3E]²⁷ of this Schedule ("the Functions")
2. To procure the employment of such staff on such terms and conditions of employment as [LCTEC] considers appropriate to discharge the Functions
3. To enter into contracts for goods works and services in relation to any aspect of the Functions or such other functions as [LCTEC] can lawfully discharge and to enter into service level agreements with any of the Participating Councils in relation thereto. For the avoidance of doubt the Participating Councils have hereby delegated to [LCTEC] the function of negotiating and entering into a contract with Transport for London for the purposes of the recovery of costs pursuant to section 275(3) Greater London Authority Act 1999 to [LCTEC] (the installation operation and maintenance of traffic signal and associated traffic control equipment on borough roads and associated advice)

²⁶ Inserted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

²⁷ Substituted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

- [4. To undertake any policy actions on behalf of the Participating Councils in relation to any aspect of the Functions or other such functions as [LCTEC] can lawfully discharge, including functions conferred on the Participating Councils under any legislation insofar as such legislation relates to transport, environment and planning matters, such policy actions to be subject to consultation with the Participating Councils
5. To publish any statutory codes of practice in relation to any aspect of the Functions or other such functions as [LCTEC] can lawfully discharge, including functions conferred on the Participating Councils under legislation insofar as such legislation relates to transport, environment and planning matters
6. In this Part of this Schedule:
- (a) “policy action” shall mean any of the following actions on behalf of the Participating Councils:
- (i) the lobbying of Government bodies in relation to proposed legislation and Government policy,
 - (ii) responding to Government consultations,
 - (iii) liaising with other persons and bodies and representing the views of the Participating Councils in relation to the development of policies,
 - (iv) drafting policies, guidance, model documents and codes of practice for adoption or use by the

Participating Councils PROVIDED THAT no policy or code of practice so drafted shall be deemed to have been adopted by a Participating Council unless approval to it has been given by that Council or it is a statutory code of practice which falls within paragraph 6(b) below

- (b) “statutory code of practice” shall mean a code of practice published (after consultation with each of the Participating Councils) in response to a stipulation in an Act of Parliament or in subordinate legislation or in response to an undertaking given to Parliament that certain powers contained in that Act of Parliament or subordinate legislation may not be or will not be (as the case may be) exercised until a joint committee of the London local authorities has published a code of practice in relation thereto]²⁸

²⁸ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

SCHEDULE 3
LEAD AUTHORITY FUNCTIONS

1. To procure or provide such professional advice including but not limited to financial, legal, surveying and personnel as [LCTEC] shall require for the due and proper execution of its duties
2. To employ staff to undertake any [LCTEC] function and/or to provide payroll facilities and access to pension arrangements for staff employed by [LCTEC]
3. To negotiate and execute contracts in respect of goods, works, services and property transactions on behalf of [LCTEC] on request
4. To institute and defend in its own name any court proceedings on behalf of [LCTEC] on request
5. Such further functions as may be agreed by [LCTEC]

SCHEDULE 4

COSTS AND EXPENSES

PART 1: IN RESPECT OF FUNCTIONS PURSUANT TO SECTION 73(1) ROAD TRAFFIC ACT 1991 (APPOINTMENT OF PARKING ADJUDICATORS)(AS AMENDED)

1. The following costs shall be apportioned equally amongst the Participating Councils and Transport for London :-

1.1 Appoint parking adjudicators for the purposes of the Road Traffic Act 1991 subject to the Lord Chancellor's consent

1.2 Determine the penalty charge levels and fees for de-clamping vehicle recovery storage and disposal subject to the approval of the Secretary of State

1.3 Determine the rate of discount for early payment of penalty charge notices

1.4 Determine the form for aggrieved motorists to make representations to Local Authorities under Section 71 of the Act

1.5 The publication and updating as necessary of the Code of Practice for Parking in London

1.6 General data collection and service monitoring

1.7 The co-ordination of publicity and public relations activities

1.8 The establishment of common training standards in

connection with parking standards the accreditation of training centres and award of qualifications

1.9 The establishment of London-wide parking schemes

2, The following costs shall be apportioned according to the number of PCNs issued:

2.1 Provision of accommodation and administrative staff for the parking adjudicators

2.2 The establishment of links with the Metropolitan and City Police the County Courts and the DVLA

2.3 The co-ordination of -

2.3.1 payment facilities

2.3.2 pound facilities

2.4 The maintenance of records detailing persistent evaders and offenders

3. The following costs shall be apportioned according to actual use:

3.1 The marginal costs of the functions set out in Clause 2 above together with those set out below

3.2 The co-ordination and maintenance of vehicle removal and clamping operations

3.3 The establishment and maintenance of a communications

and control service to deal with vehicle removals

3.4 The establishment and maintenance of a communications
and control service to deal with wheel clamping

3.5 Ticket Processing

PART 2: IN RESPECT OF THE LONDON LORRY BAN

1. The amounts of the contributions of each Participating Council shall be determined so that the expenditure (including an apportionment of staffing, premises and general administration costs) in respect of which they are payable is borne by the Participating Council in proportion to the populations of their respective areas
2. For the purposes of paragraph 1 above the population of any area shall be taken to be the total resident population of the area of each Participating Council on 30th June in the financial year beginning two years before the beginning of the financial year in respect of which the expenditure is payable as estimated by the Registrar General in accordance with the Levying Bodies (General) Regulations 1992 (or any future method of calculation introduced by any amendment or re-enactment thereof)
3. Transport for London shall be treated as if had a resident population equal to the average resident population of the Participating Councils as determined in accordance with paragraph 2 above for the purposes of calculating its contribution to the costs of the London Lorry Ban

**PART 3: IN RESPECT OF FUNCTIONS PURSUANT TO SECTION 240
GREATER LONDON AUTHORITY ACT 1999 (TRAVEL CONCESSIONS)**

[1. The cost of reimbursement to The Transport Operators in respect of the concessionary fares scheme, together with the cost of survey and other work needed to assess the reimbursement due to The Transport Operators, are:

(a) in respect of permits issued to eligible London residents, allocated to Participating Councils in proportion to the number of persons resident in those boroughs holding valid permits to travel on 30th September in those years in which permits are reissued, or on such other dates as LCALGTEC may determine following consultation with the Participating Councils, subject to any decision taken by LCALGTEC in accordance with section 244 of the Greater London Authority Act 1999 and Clause 12.1 of the Agreement to vary these arrangements; and

(b) in respect of permits issued to eligible persons under section 145A(4) of the Transport Act 2000, allocated to Participating Councils in such proportions as may be agreed by ALGTEC in accordance with section 244 of the Greater London Authority Act 1999 and Clause 12.1 of the

Agreement.]²⁹

2. All costs arising out of the exercise of the delegated functions in relation to the London taxicard scheme (including an apportionment of staffing, premises and general administration costs) are allocated to Participating Councils in proportion to their share of the total membership of the London taxicard scheme as at 30th September in the preceding year.

²⁹ Substituted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009. This paragraph now needs to be read in conjunction with the consent award dated 8 October 2008, which changes the basis of apportionment. In light of the availability of two years' worth of usage data for London Overground and National Rail and consistent with the consent award dated 8 October 2008, on 13 December 2012 the LCTEC voted unanimously for a 3-year transitional period for the introduction of usage apportionment for the National Rail and London Overground elements of the Freedom Pass settlement from 2014/15 onwards.

PART 4: GENERAL

1. The annual costs of [LCTEC] in respect of premises staffing IT audit general administration and all associated and ancillary costs including the costs and expenses of the Lead Authority(ies) together with any future costs not provided for herein and shall be reimbursed by the Participating Councils as reasonably determined by [LCTEC] following consultation with the Participating Councils

Leaders' Committee AGM

Constitutional Matters – Amendments to London Councils Standing Orders

Item no: 15B

Report by: Christiane Jenkins

Job title: Director, Corporate Governance

Date: 7 June 2016

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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 (SOs) are contained in Schedule 6 of the Leaders' Committee Governing Agreement. In accordance with section 27.2 of the SOs, they can be amended by a decision of London Councils Leaders' Committee. The SOs have been amended a number of times since 2001. The current version was approved by Leaders' Committee on 2 June 2015.
2. The proposed amendments are detailed in Appendix 1. The current SOs and a revised version, as proposed, are available as background papers.
3. There are two changes of substance:

a) Declarations of interest

Declarations of interest are covered by SO 20 and very much follow guidance issued by government. However, they are framed quite narrowly and a further SO is proposed to give members the opportunity to declare an interest that they feel may be relevant but is not caught by the SOs as existing.

b) New Urgency Arrangements for Sub-Committees

Under the urgency arrangements in the current SOs, urgent matters of a Sub-Committee may be dealt with by the Chief Executive in consultation with the Elected Officers of the relevant joint committee. In some instances these arrangements do not provide sufficient flexibility because consultation is required with the Elected Officers of the relevant joint committee rather than the equivalent members of the Sub-Committee. New urgency arrangements are therefore proposed as set out in the Appendix.

4. There are further changes which are intended to provide additional clarity to procedures and for consistency, for example clarifying how arrangements for meetings are made. Some further minor drafting changes are also proposed to ensure clarity of language throughout the document. These minor drafting changes are not included in the Appendix attached but a version including all the proposed changes can be provided upon request.
5. Finally, it should be noted that in accordance with SO 1.8, sub-committee and forum substitute appointments must be made by the relevant joint committee 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. These substitute appointments should be made at the relevant joint committee's AGM for the ensuing year.

Recommendations

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: Proposed amendments to London Councils Standing Orders

Background Documents:

- The current Standing Orders (last revised June 2015)
- A revised version of London Councils Standing Orders as proposed in this Report

Proposed amendments to Standing Orders (SO)s Appendix 1

Wording of existing SOs that it is proposed to remove is indicated **thus** and new wording is indicated **thus**

	SO no.	Existing	Proposed	Reasons
1	1.6	Meetings may be called at such time and such place as may be determined by:	Meetings may be called by:	To clarify how arrangements for meetings are made having regard to the operation of SO 3.1 which relates to the date, time and place of meetings
2	1.9(iii)	... approve nominations of Councillors appointed to committees.	... receive nominations of Councillors appointed to committees by the participating London Local Authorities	Clarifies that the participating London Local Authorities appoint to London Councils committees
3	2.6	The Lead Member for Equalities of London Councils and any other Lead Member appointed in respect of any issue...	Any Lead Member appointed in respect of any issue...	No need to single out the Lead Member for Equalities.
4	2.14	New SO	The following shall be the Elected Officers of any sub-committee appointed by Leaders' Committee, associated joint committees or sectoral joint committees: (i) Chair (ii) Vice Chair/Deputy/s	Included for the purposes of new urgency arrangements for sub-committees. Also refer to SO 19.9 below
5	3.1	The time and place of meetings will be determined by the Chief Executive and notified in the summons.	The date , time and place of meetings will be determined by the Chief Executive and notified in the summons.	To clarify how arrangements for meetings are made having regard to the operation SO 1.6 which relates to calling meetings.
6	4.1	The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules.	The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. <i>footnote reference</i> Under Part VA of the Local Government Act 1972	Citing reference for information and clarification
7	4.2	... The notice will give the date, time and place of each meeting and specify the business to	... The notice will give the date, time and place of each meeting and specify the business to	To reflect the provisions of The Local Government (Electronic Communications) (England) Order 2015 that

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		be transacted, and will be accompanied by such reports as are available.	be transacted, and will be accompanied by such reports as are available. Where the recipient has given consent for the summons to attend the meeting to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), the summons may be sent in electronic form to that address.	provide that where a member has given consent, a summons to attend the meeting to be transmitted in electronic form
8	9.1	Except for motions which can be moved without notice under Standing Order 10 or consideration of any matters of urgency brought forward by leave of the Chair, written notice of every motion, signed by at least 5 members, must be delivered to the Chief Executive not later than 10 clear days before the date of the meeting and clear days are deemed to exclude the day of delivery, the day of the meeting and any Sunday. These will be entered in a book open to public inspection.	Except for motions which can be moved without notice under Standing Order 10 or consideration of any matters of urgency brought forward by leave of the Chair, written notice of every motion, signed by at least 5 members, must be delivered to the Chief Executive not later than 10 clear days before the date of the meeting and clear days are deemed to exclude the day of delivery, the day of the meeting and any Sunday. These will be open to public inspection.	Update to reflect London Councils practices
9	13.2	Subject to Clause 11.1, 12.1 of the Leaders' Committee Governing Agreement and Standing Order 14.1...	Subject to Clause 11.1, 12.1 of the Leaders' Committee Governing Agreement and Standing Order 21.1...	To correct reference
10	13.5	... in accordance with 13.6 (b) below.in accordance with 13.6 below.	To correct reference
11	15.1	At every meeting, each representative of a member authority and all other representatives present in accordance with Standing Order 2 (Membership), shall enter his/her name in an	At every meeting, the Clerk to the Meeting will record the attendance of each representative of a member authority and all other representatives present in accordance with	Update to reflect London Councils practices

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		attendance book provided by the Clerk to the Meeting.	Standing Order 2 (Membership).	
12	19.6	The urgency procedure to be followed by Transport and Environment Committee is as in 19.1-19.5 above, with the substitution of “Corporate Director” for “Chief Executive” and referring to the Elected Officers of the Transport and Environment Committee.	The urgency procedure to be followed by Transport and Environment Committee is as in 19.1-19.5 above, with the substitution of “Director, Transport & Mobility” for “Chief Executive” and referring to the Elected Officers of the Transport and Environment Committee.	Reflects change to London Councils staffing structure
13	19.9	New SO	The urgency procedure to be followed by any sub-committee appointed by Leaders’ Committee, associated joint committees or sectoral joint committees is as in 19.1-19.5 above, referring to the Elected Officers of that sub-committee and a Corporate Director or senior officer. designated by that sub-committee	Introduces new urgency arrangements for sub-committees.
14	20.6	New SO	You must declare any private interests, both pecuniary and non-pecuniary, including your membership of any Trade Union that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests	To give members the opportunity to declare an interest that they feel may be relevant but is not caught by the existing SOs
15	27.2	Any of these Standing Orders except Standing Orders 13.8, 14.2 and 27.2 may be suspended at any meeting...	Any of these Standing Orders except Standing Orders 13.7, 14.2 and 27.2 may be suspended at any meeting...	To correct reference

Leaders' Committee AGM

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

Item no: 15C

Report by: Christiane Jenkins

Director Corporate Governance

Date: 7 June 2016

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Summary

This report requests approval of London Councils' Scheme of Delegations to Officers which includes the following amendments and additions to the Scheme approved in 2015:

1. To authorise the Chief Executive, in consultation with the Chair of the relevant sub-committee, to amend the programme of sub-committee meetings as required throughout the year.
2. Change the proper officer in section 36 of the Scheme of Delegations from the *PATAS Tribunal Manager* to *Head of Support Services*.
3. To make express reference to the delegations to the Chief Executive and the Directors of any corporate service (and their nominated deputies).

Recommendations

Leaders' Committee is asked to approve the Scheme of Delegations to Officers incorporating the amendments detailed in the Appendix to this report.

Approval of/Amendment to Scheme of Delegations to Officers

Background

1. As required by London Councils' Standing Orders, London Councils' Scheme of Delegations 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's Annual General Meeting on 2 June 2015.
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 the running of London Councils.
3. The Scheme of Delegations 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 year's report requests approval of proposed changes to the London Councils' Scheme of Delegations to Officers approved in 2015 as detailed in the Appendix. There are three changes of substance:

a) Changing the dates of a sub-committee

SO 1.8 requires a relevant joint committee to approve a programme of ordinary meetings for the sub-committees it appoints at its AGM.

The timing and location of meetings is delegated to the Chief Executive under SO 3.1. At present the power to change the date of a sub-committee remains solely with the relevant joint committee, a somewhat cumbersome mechanism if exigencies require swift action to cancel, postpone or call a meeting of a sub-committee. Leaders' Committee is therefore recommended to agree a further delegation as set out in the attached Appendix.

b) Changing the proper officer in relation to London Tribunals

Section 36 of the Scheme of Delegations approved in 2015 appointed the PATAS tribunals manager to perform the functions of the proper officer under the Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007. Changes to staffing arrangements in London Tribunals require that function to be now performed by a new post, the Head of Support Services. It is therefore proposed to appoint the Head of Support Services as the proper officer. Whilst making this change, it is also proposed to correct the description of the statutory provisions. Leaders' Committee is therefore recommended to agree the amendments as set out in the Appendix.

c) Day-to-Day Management

Reflecting existing practice and for the purposes of ensuring effective day-to-day management of London Councils and administration of the London Councils joint committees, it is proposed that express reference is made to the delegations to the Chief Executive and the Directors of any corporate service (and their nominated deputies) as set out in the Appendix.

5. There are further drafting changes which are intended to provide additional clarity to procedures, to ensure clarity of language and consistency and to ensure legislative references are up to date throughout the document as set out in the Appendix. Please note the table which has been included in Part A of the Appendix has been updated to remove provisions which are not relevant and these changes are not marked as tracked changes.

Recommendations

5. Leaders' Committee is asked to approve the Scheme of Delegations to Officers incorporating the amendments detailed in the Appendix to 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.

Appendix: London Councils Scheme of Delegations to Officers 2015 with proposed changes as a track changed version

Background Document:

[London Councils Scheme of Delegations to Officers \(last revised July 2015\):](#)

London Councils Scheme of Delegations to Officers is available from London Councils' website in the constitutional information section.

15C - Appendix - Proposed changes to the 2015 version for Leaders' Committee AGM 7 June 2016

Scheme of delegations to officers

June 2015



Scheme of Delegations to Officers

INTRODUCTION

London Councils¹ ~~or any of its Member Bodies²~~ may, and only in a manner consistent with the London Councils Governing Agreements³:

- (i) ~~a) delegate to officers of London Councils such of their those of its~~ functions as are ~~are permitted by under~~ statute to be delegated; and
 - ~~(ii) b) in relation to any of those functions, require that the exercise of those functions be subject to such conditions as London Councils deems fit to impose, including, where appropriate, prior consultation with the leading member on London Councils of each political party or group before taking such action.⁴~~
- ~~For London Councils must formally resolve or any of its Member Bodies to delegate the exercise of one or more of their functions to officers by either they must formally agree on the delegation. This agreement to delegate can be documented by:~~

- (i) ~~a) a formal agreement (e.g. the ALC Agreement); or a decision taken at a meeting of London Councils, i.e. on a case-by-case basis;~~
- (ii) ~~b) the minutes of a London Councils Member Body meeting agreeing a general scheme of delegations to officers.~~

~~This document is the general scheme of delegations to London Councils officers. It is not the intention of this document to reproduce details of The majority of the functions which have been delegated to officers under the London Councils Governing London Councils' delegated powers were agreed by, and are contained in, the London Councils Agreements and the London Councils Transport and Environment Committee Agreement and subsequent variations⁵. This document will, however, be kept under annual review and any additional general delegations to officers which may be made by London Councils throughout the year, will be considered for inclusion in this scheme as part of that review. It is not the intention of this document to reproduce those delegated powers.~~

As a general rule, the functions delegated to the London Councils joint committees and their sub committees reflect the purpose of the organisation in best representing the interests of the 32 London Boroughs and the City of London. Decisions about policy directions, lobbying and scope of services remain reserved to Member Committees unless specifically delegated on an issue by issue basis. The authority to manage the administrative aspects of the organisation's work has been delegated to Officers within the conditions specified below. ~~The powers delegated by Member bodies to the Chief Executive and other officers are~~ to enable the effective and efficient running of the organisation.

¹ The reference to London Councils in this Scheme of Delegations to Officers encompasses any joint committee of elected Members (including Leaders' Committee, the London Councils Transport and Environment Committee, Grants Committee and the London Pensions CIV Sectoral Joint Committee, and any of their sub-committees authorised to take decisions.

² ~~"London Councils Member Bodies" include all London Councils Member groupings, committees, steering groups, forums, etc. Please note, this document reflects the change of name from Association of London Government to London Councils in 2006.~~

³ The London Councils (Leaders' Committee) Governing Agreement, dated 13 December 2001 (as amended); and the London Councils Transport and Environment Committee Governing Agreement, dated 13 December 2001 (as amended).

⁴ Paragraph 22 of Schedule 6 (Standing Orders) of the ALC-London Councils (Leaders' Committee) Governing Agreement, dated 13 December 2001 (as amended); Agreement 2001.

⁵ Association of London Government (ALG) Agreement 2001, subsequent variation dated 1/2/04 and minor variations approved 15/7/14 and 2/6/15. Association of London Government Transport & Environment Committee (ALGTEC) Agreement 2001, First Variation 1/5/03, further variation 30/11/06, a second further variation, 8/6/09, a third further variation 14/5/15, minor variations approved 17/7/14 and delegated authority 27/10/14. Op cit, footnote 3.

Section 1 - General Conditions Of Delegations To Officers

Day-to-Day Management

1. ~~4.~~ 4.—The Chief Executive and the Directors of any corporate service (and their nominated deputies) shall, in accordance with this Scheme of Delegations, have authority delegated to them for carrying out the day-to-day management of the London Councils services for which they are responsible. (Day-to-day management should include those items which have been recognised as such by past practice or by specific decision/resolution of a committee, or where the Chief Executive, in consultation with the relevant Director, agrees is ancillary to or analogous with matters accepted as being within the scope of day-to-day business exercisable by officers of London Councils). This includes authority to:
 - (a) appoint and manage staff in accordance with agreed policies and procedures, having regard to Section 2. below;
 - (b) place orders and enter into contracts for the supply of goods and services in line with the Financial Regulations and to authorise or incur any other expenditure for which provision has been made in the appropriate budget subject to limits set out in the Financial Regulations and subject to these not being in conflict with existing contracts.

Limitations

- ~~1-2.~~ 2. Any exercise of ~~delegated~~ powers by officers shall comply with London Councils current Financial Regulations⁶ and Standing Orders. The Financial Regulations will not form part ~~of~~ this scheme but must be read alongside it.
- ~~2-3.~~ 2.—The Chief Executive will have the authority to extend an existing policy or procedure only if it relates to the internal administration of the organisation and when exercised subject to the conditions below.
- ~~3-4.~~ 3.—The Chief Executive, ~~and~~ the Finance Officer (Director of Corporate Resources), ~~and any other person authorised under the Financial Regulations,~~ will have the authority to negotiate ~~and agree~~ minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations.
- ~~4-5.~~ 4.—With the exception of policies referred to in ~~condition paragraph 32,~~ any exercise of delegated powers shall not involve a new policy or extend an existing policy of the organisation unless the Chief Executive is acting under the urgency procedures as contained in the current Standing Orders⁷.
- ~~5.~~ 5.
- ~~6.~~ a)—Any delegation to the Chief Executive or the Finance Officer may be exercised by any officer authorised by the Chief Executive or the Finance Officer (as the case may be) either generally or specifically for the purpose (except where restrictions exist in employment policies which have been agreed in accordance with Section 2 below).
- ~~6-7.~~ The Chief Executive ~~will nominate~~ as Corporate Director of corporate services to assume authority to exercise all powers delegated to him in his absence.
- ~~7-8.~~ b)—In the event of the Chief Executive being unexpectedly indisposed, authority will be granted to the Corporate Director, Policy and Public Affairs to take over as interim Chief Executive between January to June in any year and to the Corporate Director, Services between July and December, until such time as Elected Officers are able to ~~determine~~ what temporary or transitional arrangements will apply following such indisposition (or death).

⁶ Current Financial Regulations dated 2/6/15

⁷ Current Standing orders dated 2/6/15

~~8-9.~~ 6.—The Chief Executive may exercise any delegated function in the absence of an ~~o~~Officer to whom that authority has been specifically delegated.

~~9-10.~~ 7.—All delegations are without prejudice to the overriding rights and powers of ~~the a~~ London Councils' joint committee or decision-making sub-committee to exercise those functions delegated to it. Any officer may refer a matter to a London Councils ~~Member Body~~joint committee or decision-making sub-committee in lieu of exercising delegated powers.

~~10-11.~~ 8.—Subject to the foregoing conditions, and to any ~~specific special~~ conditions which ~~are~~ may have been or may in future be applied hereby or may in future be applied in respect of particular matters, the Chief Executive will be expected to make such decisions and to take such action as he/she deems necessary in the interests of the efficient running of the organisation and the services provided and administered.

Section 2 - Staffing Delegations

~~11-12.~~ 4.—The Chief Executive has been granted ~~the following~~ delegated ~~powers authority, in~~ consultation with the Corporate Management Board (CMB), to approve policies and procedures relating to human resources and corporate policies and procedures⁸ subject to the following conditions to be undertaken in consultation with the Corporate Management Board (CMB);

~~(a)~~ a) To approve policies and procedures relating to human resources and corporate policies and procedures⁸ subject to the following conditions—

~~(a)~~ i. a) Any policy relating to internal organisational functions which also applies to Members will be referred to the London Councils' (Leaders) Executive Sub-Committee for approval;

~~(b)~~ ii. a) All new or amended policies relating to the internal administration of the organisation will only be approved following consultation with the Joint Consultative Committee (JCC);

~~(c)~~ iii. i) In the event that CMB and the JCC are unable to reach an agreement on the terms of a policy that policy will be referred to the London Councils' (Leaders) Executive Committee for approval;

~~(d)~~ any iv. d) Delegations to officers within made in accordance with these policies and procedures to Officers of a certain post level shall be considered, with reference to Section 1, paragraph 4(i) above to be general

~~(e)~~ (d) delegations from the Chief Executive or the Finance Officer (as the case may be) in accordance with paragraph 6 above.

Section 3 -- Proper Officers And Statutory FunctionsOfficers authorised for certain purposes

~~12-13.~~ 1.—Under the terms of In accordance with the specific the Local Government Act, 1972 statutory functions delegated to the London Councils joint committees ~~(or other statute or otherwise to allow the proper and efficient exercise of those functions in accordance with section~~

⁸ Corporate policies and procedures would include, but not be limited to, the code of conduct, health and safety and information management policies

⁹ Corporate policies and procedures would include, but not be limited to, the code of conduct, health and safety and information management policies

111 of the Local Government Act 1972 mentioned,) a officers have been individually authorised to act in respect of particular matters (i.e. they are an “proper officer/authorised officer” for those purposes) has been appointed pursuant to those statutory provisions. Where permitted under that the applicable legislation these powers may be further delegated, whether specifically or generally, to another officer to act in the absence of the proper officer.

14. 2.—The Chief Executive has been appointed:

(a) a) to act as the “proper officer” for the purposes of the Access to Information provisions of the Local Government Act 1972 (as amended) except insofar as such powers have been specifically delegated to another officer; and

(a)(b) b) to be responsible for the preparation of papers for London Councils Member Body meetings, the preparation of minutes and the promulgation of decisions of such meetings.

15. The Chief Executive, in consultation with the Chair of the relevant sub-committee, will have the authority to amend the programme of ordinary meetings approved by the relevant joint committee for the sub-committees it appoints at its AGM in accordance with Standing Order 1.8. as required throughout the year.

13.16. 3.—The Director, Corporate Resources (Finance Officer) has been appointed to act as the proper officer for the purposes of Section 151 of the Local Government Act 1972 (and section 114 of the Local Government Finance Act 1988). The officer to be responsible for the proper administration of Authority's London Councils' financial affairs and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget.

14.17. 4.—Additional delegations to named officers, some of which do not strictly apply to London Councils but which are adopted as a matter of best practice to allow the proper and efficient exercise of the functions delegated to the London Councils joint committees, in accordance with section 111 of the Local Government Act 1972, are set out in Appendix A with reference to the relevant legislative provisions.

Section 4 – Grant-Making Powers Delegated To Director Of Those Services

15. The Grants Committee has agreed to delegate the following powers to the Director responsible for Grants Services, subject any decisions taken under these delegated powers being approved in advance by the Chair of the Grants Committee and communicated to Grants Committee Executive Members who, if they have any concerns about the proposals, can call for those items to be referred to the full Grants Committee. The scheme of delegations reflects the provisions set out in the Commissioning Monitoring Arrangements approved by the Grants Committee on 20 February 2013.

a/ Small grants to currently funded organisations

1. To Approve:

Urgent non-recurrent purposes to enable delivery of programme outcomes

a) — for which an overall provision of £40,000 has initially been set aside for 2013/14 subject to a limit of £10,000 in any one instance.

b/ Other issues relating to currently funded organisations

2. To decide the outcome of any appeal.

3. To approve:

Comment [CJ1]: This whole section is deleted as this delegation has not been updated. Any actions which need to be taken will be done by way of Urgency

- a) ~~Interim grant variations +/- 10% of the original grant award (within the financial envelope approved by the Grants Committee) to achieve programme outcomes until variations can be considered by Committee.~~
- b) ~~Significant change requests made by providers that do not affect the original grant award amount.~~
- c) ~~Management consultancies — small grants (up to £7,500).~~

~~c/ Delegated European Social Fund Joint financing decision-making~~

~~4. To approve:~~

- a) ~~Interim grant variations +/- 10% of the original grant award (within the financial envelope approved by the Grants Committee) to achieve programme outcomes until variations can be considered by Committee.~~

~~d/ Specific Annual Funds~~

- 5. ~~To take any other decisions as the Grants Committee may from time to time delegate to the Director, in particular where bids have been invited against specific, and typically ring-fenced, funds.~~

Section 5.4 - Nominations of elected members to outside bodies

18. The Chief Executive has delegated authority to nominate elected Members to serve on outside bodies subject to:

- (a) those decision being taken in accordance with guidelines agreed by the London Councils Appointments Panel (set out at paragraph 19 below);
- (b) having regard to the Nolan principles, and

(c) those decisions being reported to the next meeting of the Appointments Panel.¹⁰
~~In 2002, London Councils' Elected Officers, acting in their capacity as its Appointments Panel, agreed to delegate the making of nominations to outside bodies to the Chief Executive within agreed guidelines and on Nolan principles and on the basis that they were reported to the next available meeting of the Appointments Panel. The guidelines were refined in 2012 and are set out below.~~

~~16-19.~~ Nominations will be made by the Chief Executive under paragraph 19¹⁸ in consultation with elected Mmembers.s — as appropriate. In making nominations the Chief Executive will first apply the Particular Principles {at (a)1, below} first but will also seek to ensure that nothing is done to depart from the General Principles {at (b)2, below}. Regard should also be had to the General Conditions at (c){3, below} are included for guidance.

(a) 4—Particular Principles

- ~~(i) — a)~~ In cases where a single nomination is required.
 - ~~(i) — (i)~~ In first instance the relevant portfolio-holder will be considered and if that is not a suitable appointment then the Chief Executive will consult elected Mmembers on an alternative candidate.

¹⁰ In accordance with the decision of the London Councils' Executive acting in their capacity as its Appointments Panel on 29 May 2012

~~(ii) b)~~ In cases where an outside body requires more than a single nomination-

~~(i)~~—The first principle to be applied in such cases is any reasonable external requirement placed on London Councils in making the nomination¹¹.

~~(ii)~~—The second principle to be applied, if the first principle does not obtain, is ~~that~~ the number of nominations made from each political party shall reflect the balance of the parties represented on Leaders' Committee at that time.

(b) 2 General Principles

(i) —When the Chief Executive is applying the Particular Pinciples set out above they will seek to reflect any particular interest that the body to be nominated to has expressed to London Councils¹².

(ii) ~~ii.~~—The Chief Executive will also be mindful of other factors that it would be reasonable or proper for London Councils to consider, for example specialist knowledge and skills, stability of service, diversity as well as the Nolan principles set out below and the Chief Executive may ~~—~~in consultation with elected Members ~~—~~ override the Particular Pinciples set out above when there is a compelling case to do so.

(iii) ~~iii.~~—All public bodies are under a duty to follow the Seven Principles of Public Life set out by the Committee for Standards in Public Life, formerly chaired by Lord Nolan (the principles are often called the “Nolan Principles”). In particular, the Chief Executive will seek to ensure that the following three Nolan principles are applied ~~—~~:

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.¹³

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

(iv) ~~(iv)~~—The Chief Executive will give consideration to the elected Members of the City Corporation of London Corporation when making any nominations to outside bodies.

(c) 3 General conditions

(i) When a nominee to an outside body ceases to be an elected Member of a

¹¹ For example the mechanism employed in determining the number of **nominations** for each political party made by London Councils to the London Fire and Emergency Planning Authority is set out in legislation – the Greater London Authority Act 1999. This will be determined by the application of the d'Hondt formula

¹² For example outside bodies occasionally ask for cross-party appointments

¹³ Members will be expected to regularly attend meetings of the bodies they are appointed to and may be accountable to and from, London Councils for their actions in that capacity.

London local authority, London Councils will, in general, take whatever steps are necessary to remove them from that outside body.

- (ii) At a freeze date, being the date of the meeting of the London Councils' Leaders' Executive Sub-Committee in May of each year, a report will be brought to that meeting setting out the total number of nominations made to outside bodies for each of the political parties with a calculation of how this reflects the agreed principles (above) for nominations, and the variation from the balance of the parties on Leaders' Committee. That report may also contain recommendations to rectify any variations that may exist.

Section 6-5 – Appointments to Young People's Education and Skills Board (YPES Board)

~~17-20.~~ The YPES Board is a ~~F~~forum (or sub-committee) of London Councils Leaders' Committee which operates under a constitution (terms of reference) approved by Leaders' 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.

Appendix A

PROPER OFFICER AND PERSONS AUTHORISED BY LONDON COUNCILS TO EXERCISE POWERS CONSISTENT WITH FUNCTIONS - GENERAL STATUTORY FUNCTIONS OF THE PARTICIPATING LOCAL AUTHORITIES

PART A

The following statutory provisions give powers to ~~the~~ duly authorised Proper Officers/Authorised Persons in most local authorities in London. Some of these functions have been expressly delegated by the 33 London local authorities to the London Councils joint committees, some have not and are instead are captured within the general delegations to the joint committee.

The following table sets out the ~~Proper Officers~~persons authorised for the functions identified. This list includes delegations to named officers, some of which do not strictly apply to London Councils' joint committees as a Joint Committee but which are ~~adopted~~followed as a matter of best practice in accordance with the exercise of the functions expressly delegated to the joint committees.

~~Proper Officers~~Authorised Persons should nominate, in writing, an appropriate deputy to carry out any statutory duties during planned absences. Officers should also ensure arrangements are in place ~~to grant authority to authorise~~ another officer in the event of unplanned absence. These may vary according to the nature of the responsibility but will be approved by the Corporate Management Board.

	<u>STATUTE AND FUNCTION/POWER</u> <u>STATUTORY PROVISION</u>	<u>PROPER OFFICER</u> <u>PERSONS AUTHORISED</u>
LOCAL GOVERNMENT ACT 1972		
1	Section 84 – The officer to whom written notice of resignation of elected office shall be delivered	Chief Executive
2	Section 96 – The officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Director of Corporate Governance
3	Section 99 + Schedule 12 - To give notice and send summonses in respect of any Council <u>London Councils committee</u> meeting	Chief Executive
4	Section 100 - To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press	Chief Executive
5	Section 100B (2) – The officer to exclude from committees <u>or</u> sub Committees , Council or Executive meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded	Director of Corporate Governance
6	Section 100B (7)(c) – The officer to supply to any newspaper copies of documents supplied to Members of committees <u>or</u> sub-committees , Council or Executive meetings in connection with an item for consideration <u>at their meetings</u>	Director of Corporate Governance

	STATUTE AND FUNCTION/POWER PROVISION	PROPER- OFFICERPERSONS AUTHORISED
7	Section 100C (2) – The officer to prepare a written summary of proceedings of committees <u>or</u> , sub-committees, Council or the Executive from which the public were excluded	Director of Corporate Governance
8	Section 100D (1)(a) – The officer to prepare a list of background papers for reports considered by committees, <u>or</u> sub-committees, Council or the Executive	Director of Corporate Governance
9	Section 100D (5) – The o Officer to determine which documents constitute background papers; and <u>under</u> Section 100H –to be responsible for –chargingability to charge for copies of those	Director of Corporate Governance
10	Section 100F (2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection	Director of Corporate Governance
11	Section 100G - To maintain a register of the names and addresses of <u>Elected</u> Members and membership of committees, lists of delegations and the like	Director of Corporate Governance
12	Section 115 – The officer to whom money properly due from officers shall be paid	<u>Finance Officer</u> (Director of Corporate Resources)
13	Section 151 (and section 114 of the Local Government Finance Act 1988) – The officer to be responsible for the proper administration of the Authority's <u>London Councils'</u> financial affairs (and to issue a report to <u>elected</u> Members if there is or is likely to be unlawful expenditure or an unbalanced budget)	<u>Finance Officer</u> (Director of Corporate Resources)
14	Section- 223 <u>-</u> Authorising officers to attend court and appear on behalf of the <u>Council</u> <u>London Councils</u> under Local Government Act 1972 and the County Courts Act 1984	Chief Executive, Corporate Directors & Programme Directors
15	Section 225 (1) – The officer to receive and retain statutory documents on behalf of the Authority <u>London Councils</u>	Chief Executive
16	Section 229 (5) – The officer to certify photographic copies of documents	Chief Executive
17	Section 233 – The officer to receive documents required to be served on the Authority <u>London Councils</u>	Chief Executive
18	Section 234 (1) & (2) – The officer to authenticate documents on behalf of the Authority <u>London Councils</u>	Chief Executive
19	Schedule 12 [paragraphs 4(12)(ab) & 4(3)] – The officer responsible for <u>issuing summons to meetings at which business is proposed</u> the receipt of notices regarding the address to which a summons to meetings is to be sent	Chief Executive
20	Schedule 14 [paragraph 25(7)] – The officer responsible for the certification of true copies of resolutions	Chief Executive
LOCAL GOVERNMENT ACT 1974		
21	Section 30(5) - Notice of Local Government Ombudsman's Report	Chief Executive
LOCAL GOVERNMENT FINANCE ACT 1988		
22	Section 116 - Notification to the Council's <u>London Councils'</u> auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Chief Finance Office under Section 114)	<u>Finance Officer</u> (Director of Corporate Resources)

23	Section 139A - Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when <u>required</u>	<u>Finance Officer</u> (Director of Corporate Resources)
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LOCAL GOVERNMENT AND HOUSING ACT 1989

24	Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 - provision of certificates as to whether a post is politically restricted	Director of Corporate Governance
25	Section 4 – The officer to be designated Head of Paid Service	Chief Executive
26	Sections 15 – 17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups	Chief Executive

CIVIL EVIDENCE ACT 1995

27	To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	<u>Any member of the</u> Corporate Management Board
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LOCAL GOVERNMENT (CONTRACTS) ACT 1997

28	Certification of relevant powers to enter into contracts	Chief Executive and Director of Corporate
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DATA PROTECTION ACT 1998

29	Duty to notify the Information Commission of any changes in accordance with Section 20 of the DPA 1998	Director of Corporate Governance
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TRAFFIC MANAGEMENT ACT 2004 and ~~SCHEDULE 7~~ CIVIL ENFORCEMENT OF PARKING CONTRAVENTIONS (England) REPRESENTATIONS AND APPEALS REGULATIONS 2007

30	Section 81(4)(a) requires enforcement authorities to provide administrative staff for adjudicators. <u>The Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007</u> provides that one of the members of the administrative staff required by section 81 shall be appointed to perform the functions of proper officer as set out in the Schedule	PATAS- Tribunal Manager Head of Support Services –
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LOCAL GOVERNMENT ACT 2003

31	Requirement to report to <u>Council-London Councils</u> annually on the robustness of estimates and financial reserves	<u>Finance Officer</u> (Director of Corporate Resources)
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MONEY LAUNDERING REGULATIONS 2003 - PROCEEDS OF CRIME ACT 2002

32	Money Laundering Reporting Officer for the purposes of receiving disclosure on suspicions of money laundering and reporting as necessary	<u>Finance Officer</u> (Director of Corporate Resources)
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OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS		
33	Any other miscellaneous proper or statutory officer functions not otherwise specifically delegated by the Authority	Chief Executive or his/her nominated delegate

PART B

~~The following general statutory requirements shall be exercisable by all London Councils officers shall have regard to the following insofar as is relevant for the effective performance of their duties and within their job description and for the effective performance of their duties and responsibilities and are of responsibility.~~

B1	Audit	To comply with any powers and duties contained in directions made by the Audit Commission, or any other body which may be responsible for audit of the exercise of London Councils functions, including publication of performance standards and provision of information.
B2	Disabled Persons	Make provision for the supply of services and admission to public buildings and premises for those who are disabled, ensure proper signage and make appropriate adjustments for staff and service users.
B3	Criminal Proceedings	Have regard to London the Council's protocol in relation to the bringing of Council proceedings when deciding whether a person should be charged with any offence.
B4	Best Value	To have regard to London Councils' Best Value duties on the Authority when providing services and to keep under review the provision of all.
B5	Equalities	Ensure that London the Council's functions are carried out to eliminate discrimination and promote equality of opportunity and good relations and carry out appropriate equalities impact assessments of service delivery, policies and strategies and any changes.
B6	Identity Checks	To comply with any powers or duties contained in any Regulations or statutory provisions with regard to the necessity to check identification before the provision of public services.
B7	Proceeds of Crime and Money Laundering	To notify the Council's Money Laundering Officer (Head of Finance Officer (Director of Corporate Resources)) of any matter where proceeds from crime maybe used to fund an acquisition, benefit, agreement or services from the Council or where there is a suspicion that same are may be harbouring the proceeds of crime.
B8	Human Rights	To notify the Council's Money Laundering Officer (Head of Finance) Finance Officer of any matter where proceeds from crime maybe used to fund an acquisition, benefit, agreement or services from the Council London Councils or where there is a suspicion that someone same are may be harbouring the proceeds of crime.

London Councils' Transport & Environment Committee

OLEV Go Ultra Low City Scheme Item no: 13

Report by: Katharina Winbeck **Job title:** Head of Transport, Environment and Infrastructure, London Councils

Date: 16 June 2016

Contact Officer: Katharina Winbeck

Telephone: 020 7934 9945 **Email:** Katharina.winbeck@londoncouncils.gov.uk

Summary: London was announced as one of four winning cities in the Office for Low Emission Vehicles "Go Ultra Low City Scheme" and awarded £13,000,000 in capital funding and £240,000 in revenue funding over the period 2016-2020. Whilst the grant has been paid to TfL, a steering group that consists of representatives from TfL, the Mayor's office and London Councils (including the Chair and Conservative and Labour Vice-Chairs of TEC) has been established to guide the implementation of the projects proposed in London's bid.

Recommendations: The Committee is asked to:

- Note and discuss the report.

OLEV Go Ultra Low City Scheme

Background

1. Reports on the Office for Low Emissions Vehicles (OLEV) Go Ultra Low City Scheme (GULCS) were presented to TEC Executive in July and September 2015. These explained that a London bid was being prepared by TfL, GLA and London Councils, with support from a working group of borough officers. Following discussions on the draft bid at these meetings, the final version was endorsed by the TEC Chair and Vice-Chairs for submission in October. Updates on the bid and the funding award have also been presented to TEC in the Chair's report.
2. The London bid asked for £20,000,000 for four work streams:
 - a) £8m to increase ULEV charging infrastructure in residential areas by establishing a London-wide delivery partnership for providing, managing and maintaining approximately 1,225 residential charging points by 2020.
 - b) £4.5m to retrofit 1,000 car club bays with EV charging points, with management and maintenance of the infrastructure being undertaken by the partnership responsible for residential charging infrastructure (point a).
 - c) £4m to support the increase of rapid EV chargers from the approximately 150 planned by TfL for 2018, by contributing to its higher target of approximately 300 in 2020, to be delivered through rapid charging hubs.
 - d) £3.5m to bring forward around eight local schemes to prioritise and encourage the uptake of ultra low emission vehicles (ULEVs), referred to as "NoF" in the bid. Locations were included in the bid, following a mini competition that invited boroughs to put forward proposals.

Funding award

3. London was announced as one of the winning cities in the competition, alongside Nottinghamshire and Derby, Milton Keynes and Bristol, in January 2016. It has been awarded £13,000,000 in capital funding and £240,000 in revenue funding to be spent between now and 2020.

Governance Arrangements

4. The grant funding will be paid to TfL and it has the agreement with OLEV about how the money will be spent. However, following discussion with the TEC Executive in February 2016, a governance structure has been agreed that will see London Councils, TfL and the GLA represented on a steering group that will guide the implementation of the proposals in the GULCS bid. London Councils is represented on this at a political level, through the Chair and Conservative and Labour Vice-Chairs of TEC.
5. A working group of borough officers to discuss the further development of London's Go Ultra Low projects has been formed. These officers are asked to keep officers in their sub-regions up-to-date and feed their comments into the group. In addition, a Programme Board has been established and meetings have been held with officers from those boroughs that had Neighbourhoods of the Future included in the bid.

Allocation of funding between the projects

6. OLEV asked all of the winning cities to decide how they would allocate the funding between the different projects in their bids by early February / late March. The steering group met for the first time on 1 March 2016 to debate this. It recommended that each scheme should be allocated 65% of the total in the original bid, that opportunities for match funding should be sought and that there needs to be flexibility from OLEV to vary how its grant is spent depending on how much match funding can be secured for each project and how successful it proves to be.
7. No decisions have been made about how funding will be allocated between boroughs, which will require further consideration by the steering group.
8. Revised proposals submitted to (and accepted by) OLEV are attached at Appendix I.

Residential and Car Club EV Charging Scheme Update

Borough Survey

9. A comprehensive survey of borough officers has been undertaken through the GULCS borough Working Group about residential and car club charging infrastructure. The following paragraphs give a short summary of the key findings.
10. The majority of London boroughs have residential electric charging points in their area. There are two that do not have any and 11 that do not have any on the public highway.
11. Responsibility for Electric Vehicle (EV) policy and delivery are spread within councils including Highways, Parking, Urban design, Planning, Smarter Travel, Sustainability, Carbon reduction and Transport Strategy functions.
12. All boroughs put money towards EV infrastructure in their areas ranging from £5k- £140k per annum. This funding comes from LIP, the Mayors Air Quality Fund (MAQF), parking revenue accounts and S106.
13. Almost all London boroughs receive requests from residents for charging points; there is currently a waiting list of at least 500 across London.
14. Eight Councils have been approached by businesses and car clubs for charging infrastructure.
15. There is support for a new public/private delivery partnership to deliver charging infrastructure in London.
16. There are approximately 2,000 car club bays on the public highway within London and at least 400 more on private land.
17. At least an additional 550 car club bays are planned in the next two years.
18. There is less funding available for electrification of car clubs with only four boroughs stating that they are making funds available.
19. Most councils are moving towards 'roaming permits' to allow for greater flexibility.
20. There are a number of car club operators in London (seven were named).

Car Club Survey

21. TfL has asked the car club operators to complete a survey seeking their views on the level of charging infrastructure they may need to support their commitments to deliver 50 per cent ultra low emission vehicles in their fleet by 2025. The closing date for the survey is Friday 10 June 2016.

Developing a new Delivery Partnership for the residential and car club infrastructure

22. London's GULCS consortium is considering how it may approach the market to procure the services of an organisation or consortia of organisations ('the consultant') with the expertise to develop a series of options for a new Delivery Partnership for the residential and car club electric vehicle charging network work streams.
23. It is anticipated that the new Delivery Partnership will be required to work with and accommodate individual borough needs, whilst delivering a pan London offering. The Delivery Partnership will be funded for the first 1-2 years from the OLEV bid, after which their business model will need to become self-sustaining, to not only maintain the network, but to also ensure incremental growth, year on year.
24. The consultant will be expected to initially determine a long-list of potential options for the delivery model by utilising their own knowledge, looking at similar partnership models elsewhere and carrying out consultations with various Boroughs, Car Club operators and vehicle manufacturers. The long-list of options will then be presented to TfL's legal department to be reviewed for EU legal compliance. Once the legally deliverable options have been established they will be presented to the GULSC Steering Group for comments. This is likely to take place late August / early September.
25. Following this process, all London boroughs and other stakeholders will have the opportunity to provide their comments on the shortlisted options to determine the preferred delivery model.
26. Following this process, we will procure a new supplier by March 2017.

Secondment Working on the implementation of the residential and car club infrastructure

27. Following a GULCS Working Group suggestion, a secondment opportunity for a senior lead to deliver the residential and car club charging network for London has been advertised.
28. This was the first Secondment opportunity advertised through the joint TfL and London Councils 'Sharing Skilled Transport Staff' Initiative. Interest was good and interviews are taking place at the end of June to determine the successful candidate. Hopefully a secondment will be in place by August/September 2016.

Rapid Charging Network

29. TfL has begun the process of establishing a framework contract of rapid charge point operators. In order to win a place on the framework, operators will be required to demonstrate their ability to install, operate and maintain rapid charge point infrastructure. Once the contract has been awarded (April 2017) TfL and all London boroughs will be able to access the framework to select operators for proposed rapid charge point locations.

30. Go Ultra Low City Scheme funding is available to TfL and London boroughs for the purposes of upgrading proposed rapid charge point locations in order to make them viable for charge point operators. A key element of any site upgrade will involve ensuring the provision of a suitably sized power connection to the site. Funding will also be available for additional civil works which may be required to make the site safe and accessible.
31. All costs related to the supply, installation, operation and maintenance of the charge point infrastructure will be met by the charge point operators. Operators will seek to achieve a return on their investment over the duration of an operating concession by charging electric vehicle drivers to use the charge points. During the term of the concession the charge point host will be financially compensated by the operator.
32. Boroughs interested in installing rapid charge points should provide proposed locations (either off-street or on-street) to TfL. TfL is aiming to provisionally confirm the first tranche of sites in summer 2016 in order for planning to begin for enabling works, e.g. power supply upgrades. The first charge point installations are expected to begin in June 2017

Neighbourhoods of the Future

33. Given London received less funding than bid for, boroughs with a Neighbourhood of the Future (NoF) were required to re-profile their bid to take account of this reduction. Boroughs have now undertaken this work and also took part in a 'show and tell' event where each borough introduced their scheme to fellow officers.
34. The GULCS partners will assess the revisions and start agreeing delivery plans with each of the NoF to ensure delivery can start as planned by October 2016.

Recommendations

The Committee is asked to:

- Note and discuss the report.

Financial Implications

There are no financial implications for London Councils.

Legal Implications

Legal advice has been sought as to the arrangements for implementation of the proposals having regard to LCTEC's constitution and governance. LCTEC's on-going role, as stated in the Report, is consistent with the discharge of the functions which have been delegated to the joint committee by the London local authorities under the LCTEC Governing Agreement dated 13 December 2001 (as amended).

Equalities Implications

There are no equalities implications of the recommendation.

GO ULTRA LOW CITY SCHEMES OPTIONS ANALYSIS

The options below set out how the £20 million bid to OLEV could be reprofiled to fit with the £13 million award London received. Flexibility would be required from OLEV to adjust how funding from the Go Ultra Low City Scheme is allocated, depending on the success in securing match funding against the different schemes.

Based on feedback from OLEV and the Go Ultra Low working group option one fits most closely with the original goal set out in London's bid, and provides the highest output of EV charging infrastructure and the greatest potential air quality benefits. It is recommended that option one is recommended to OLEV as the main proposal.

There is a risk that a viable charging infrastructure for car club vehicles can not be implemented because of State Aid requirements limiting the amount and application of expenditure, so option two should be recommended as the back up option to be submitted to OLEV.

- Potential demand for EV charging infrastructure
- Satisfying legislation
- Importance of the Go Ultra Low City Scheme funding to deliver growth
- Resource implications
- Strategic commitment.
- Potential for interoperability / flexibility
- Potential for innovation
- Opportunity for monitoring success.

Original Bid		<ul style="list-style-type: none"> • 1,250 residential charging points (CPs) • 1,000 car club CPs • Contribution to TfL's target of 300 rapid chargepoints • Full NoF budget 	£8m	£4.5m	£4m	£3.5m
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Options	Options summary	Estimated deliverables*	Residential (and local businesses)**	Car Clubs	Rapid Charging Network	NoF
1	<p>65 per cent of original budget, with the reduction shared proportionally across the work streams, with the exception of residential charging where the overall budget has been reduced to £7.5m to comply with EU legal requirements. Match funding would be sought over the 2016-2020 period to fill the 35 per cent funding shortfall, to support the delivery of the outputs set out in the initial bid. This will help London to support the growth to 70,000 ultra low emission vehicles (ULEVs) in London by 2020 and unlock progress to an almost entirely ultra low emission light vehicle stock by 2050.</p> <p>London's air quality has improved significantly in recent years but more than one million Londoners live in areas which exceed the legal limits set by the European Union for NO2 and London accounts for 49 of the 50 roads with the UK's highest NO2 concentrations. With 80 per cent of all journeys made by road, increasing ULEV uptake will be an important component of tackling this challenge.</p>	<ul style="list-style-type: none"> • 1,150 residential charging points (CPs) • 1,000 car club CPs • 90 - 100 commercial rapid charging points • Full NoF budget 	<p>£5.2m plus £2.3m match funding would enable the delivery of what was set out in the original bid</p> <p>= £7.5m</p>	<p>£2.93m plus £1.57m match funding</p> <p>= £4.5m</p>	<p>£2.6m plus £1.4m match funding</p> <p>= £4m</p>	£2.275m
2	<p>Proportional redistribution of the £13 million across residential, commercial and NoF. OLEV has indicated that this should be our fall back option if an acceptable car club charging network scheme can not be delivered due to legal obstacles.</p> <p>OLEV has stated that the strongest elements of the original bid were the residential and commercial charging proposals, which is reflected in the distribution of budgets for this option. Eight NoFs have been shortlisted so commitment has been made to deliver these.</p> <p>846 residential charging points are unlikely to provide for demand across London so this option is not recommended.</p>	<ul style="list-style-type: none"> • 1,150 residential CPs • 100 per cent NoF budget • 90 - 100 Commercial Rapid chargers 	<p>£6.7m plus £0.8m match funding would enable the delivery of what was set out in the original bid</p> <p>= £7.5m</p>		<p>£3.4m plus £0.6m match funding</p> <p>= £4m</p>	£2.9m

*The 'estimated deliverables' are based on assumptions of match funding availability as set out in the bid document

** Some boroughs have separate permit holders (businesses and residents) bays and pay & display bays. Others have shared use (pay & display and permit holders access). Some funding may need to be allocated to help develop enforcement tools, bay infrastructure and signage to allow for a new EV residential bay format

^ Amounts in bold represent proposed project budgets that have been kept the same as the initial bid proposal

London Councils' Transport and Environment Committee

Freedom Pass Progress Report Item No: 14

Report by: Stephen Boon **Job titles:** Chief Contracts Officer
Date: 16 June 2016
Contact Officer: Stephen Boon
Telephone: 020 7934 9951 **Email:** stephen.boon@londoncouncils.gov.uk

Summary: This report provides Members with a general progress update on the Freedom Pass scheme.

Recommendations: Members are asked to:

Note the progress update for the Freedom Pass scheme, including the 2016 re-issue and new customer service improvements.

Introduction

1. This report provides members with an update on the 2016 Freedom Pass re-issue, as well as some customer service improvements that will be launched in late summer / early autumn.

2016 Re-issue Progress Update

Introduction

2. The following section provides a progress update on the 2016 Freedom Pass re-issue as of 22 May 2016. On 31 March 2016 139,517 Older Person, 29,049 Disabled Person and 1,102 Discretionary Disabled Person Freedom Passes expired. Older passholders received a letter asking them to renew either on line or by post. Disabled passholders and discretionary disabled persons pass holders were reassessed by boroughs and if still eligible received their 2021 passes without having to complete a renewal process.
3. The Renewal is overseen by a project board that has met monthly since September 2015. The board is made up of representatives from:

- the London boroughs;
 - London Councils' transport and mobility and communications teams;
 - Transport for London (TfL);
 - Association of Train Operating Companies (ATOC);
 - Association of Chief Librarians;
 - Transport for All;
 - Age UK London; and
 - ESP Systex and Journeycall.
4. A final board meeting will be held in June to review successes of the re-issue and lessons learned in order to improve future re-issues.

Older Persons Freedom Pass Renewal

5. The older person's renewal progressed well with 78% completing their renewal by 31 March 2016. This is four per cent lower than at the same time in 2015. As of 22 May 2016 a further four per cent have renewed (82%). 79% have renewed on line and 21% using paper application forms.
6. Appendix 1 sets out progress to date in graphical format and Appendix 2 sets out progress in each of the boroughs. Members are asked to note two matters highlighted by these documents.
7. First, the number of renewals completed means that c 22,000 have not renewed. Officers believe that this may be a result of the fact that more time has elapsed since the last mid-term review, and a higher proportion will have moved out of London.
8. Second, and connected to the issue above, renewal rates vary significantly between boroughs. Of the non-own application boroughs, Havering has the highest renewal rate (88%) and the City of Westminster, the lowest (75%). This mirrors patterns seen in 2015, where inner London boroughs, that tend to have higher levels of population churn, had lower renewal rates.
9. Officers worked with boroughs' Heads of Communications to increase the renewal rate in those boroughs with the lowest response to ensure that those who did not renew, but were still eligible, were not unduly adversely affected. London Councils agreed with TfL and ATOC to provide a grace period until mid-May during which time, 2016 pass holders could continue to travel if they presented their card for visual inspection on buses and at station gates.
10. Pass holders who have not yet renewed have until the end of June to renew their pass on-line or by post. From July pass holders will need to submit an application for a new pass.

Own application boroughs update

11. As with the previous renewal, the London Borough of Sutton has offered an on-line only option to pass holders. This does not seem to have adversely affected renewal rates: Sutton's figure is 82%.
12. The London Borough of Camden undertook internal verification of residency details and automatically reissued passes to people that passed verification. The renewal rate in Camden is 88%.

Disabled Persons Freedom Pass renewal

13. The renewal of Disabled Person Freedom Pass holders is the responsibility of the local authority. Local authorities checked residency and confirmed continued eligibility of their pass holders against the Transport Act 2000 criteria. A total of 18,875 have been re-issued (62.6%). The renewal rate is lower, as boroughs have re-assessed eligibility and some passholders have been deemed no longer to be eligible.

Costs of the 2016 re-issue

14. The total forecast costs of the 2016 re-issue is £413,000. This is lower than the original £500,000 estimate because of lower than estimated renewal rates (the budget was based on a conservative estimate of 90% pass holders renewing). Final outturn will be known in July once the portal closes on 30 June 2016.

New Customer Service Improvements

15. In June 2015, London Councils introduced on-line applications for first time applicants. This innovation has proved very popular, with almost 80% of first time applicants now applying in this way. Feedback suggests that users find the process both intuitive and straightforward.
16. With the 2016 renewal all but over, London Councils will now embark on the next phase of customer service improvements. These will see passholders being able to create on-line accounts and make on-line payments for replacement Freedom Passes.
17. These improvements will bring a number of benefits. They will enable existing Freedom Pass holders that applied with a paper application form or who applied online without using an e-mail address to create an on-line account. This will mean that they will be able to transact with London Councils on-line when they need to update their details e.g. change address.
18. The improvements will also have benefits for London Councils. Once someone has created an account, it will be possible for London Councils to correspond electronically with them (where they state this is their preferred method of contact), reducing the costs. Furthermore, those people replacing passes on-line should no longer call the contact centre to do so, further reducing costs.
19. The estimated £56,000 development and implementation costs are estimated to lead to consequential cost reductions of at least the same value by the time the current contract with ESP, the provider of the portal and contact centre, ends in 2016.
20. This estimate is based on the following. First, 50% of calls made to the contact centre are to replace a card. Second, officers assume that 50% of these callers will switch to on-line replacements once the facility is introduced, leading to a 25% reduction in overall call volumes. Given the experience of introducing on-line applications, officers consider these

assumptions to be realistic. Should take up of the online service be higher, there is the potential to derive further future savings.

Financial Implications for London Councils

£362,000 of the total £413,000 forecast cost of the 2016 re-issue will be met from the 2015/16 Freedom Pass budget of £1.518 million. The estimated remainder of £51,000 will be met from the 2016/17 budget, of £1.518 million also. The total final cost for the re-issue is therefore expected to be well within the £500,000 approved estimate.

The estimated £56,000 development and implementation costs for the new on-line payment facility can be met from the 2016/17 survey and reissue budget of £1.518 million. As explained in paragraph 19 above, this improvement is estimated to pay for itself before the end of the current support service contract.

Based on the supporting information provided in respect of this report, the Director of Corporate Resources concurs with the financial implications highlighted above.

Equalities Implications for London Councils

None

Recommendations

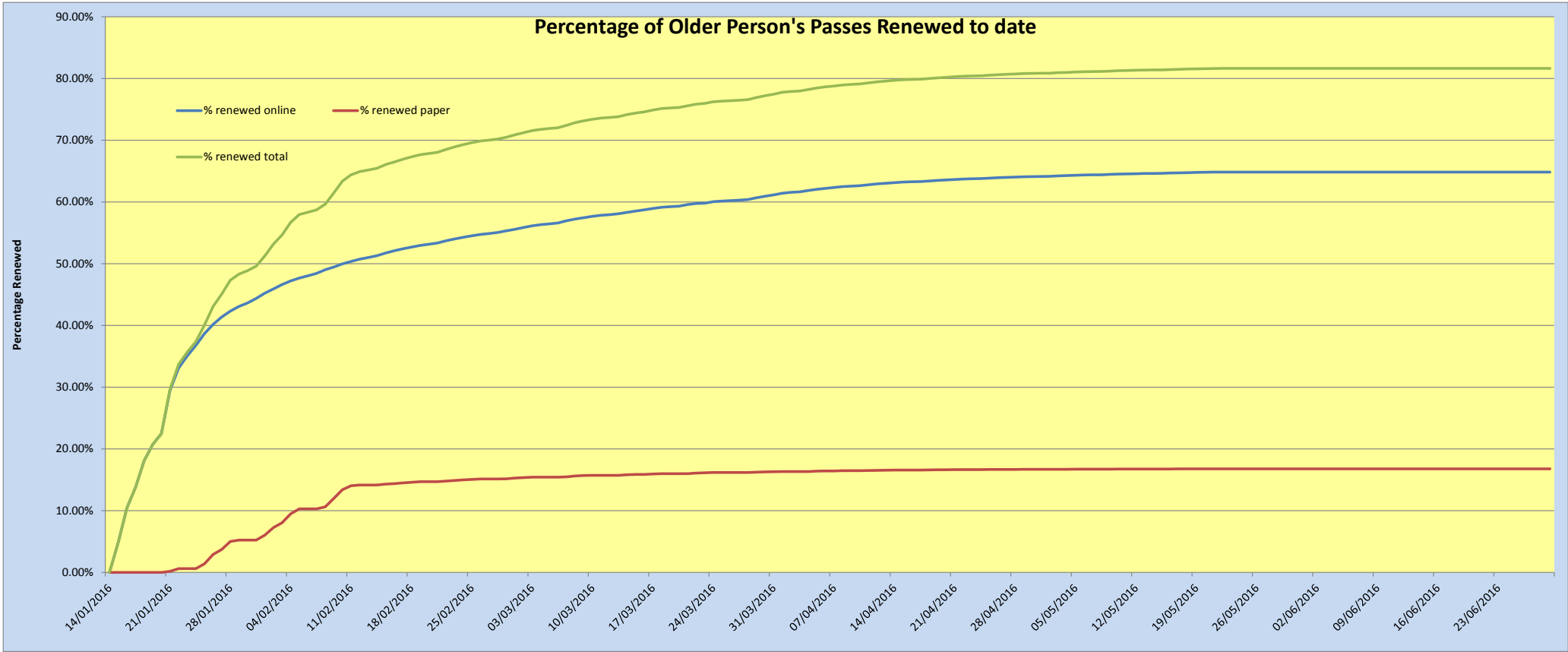
Members are asked to:

Note the progress update for the Freedom Pass scheme, including the 2016 re-issue and new customer service improvements.

Background Papers

TEC – Freedom Pass Progress Report – 23 March 2016 (Item 10)

Appendix 1.



Appendix 2. Renewal Borough Renewal Rates

Borough	Total % Passes Renewed	Number of Older Person Passes Expired in 2016
Havering	87.75%	4,703
Camden	87.70%	4,260
Bexley	87.25%	4,463
Bromley	85.70%	6,484
Richmond upon Thames	85.09%	4,212
Hillingdon	84.84%	4,763
Harrow	84.06%	5,739
Barnet	83.69%	7,301
Redbridge	83.60%	4,982
Enfield	83.47%	5,306
Croydon	82.94%	6,648
Kingston upon Thames	82.61%	3,054
Barking & Dagenham	82.58%	2,371
Sutton	82.02%	3,577
Greenwich	81.82%	4,048
Hounslow	81.32%	4,481
Merton	81.17%	3,516
Islington	81.03%	3,115
City of London	81.02%	216
Hammersmith and Fulham	80.92%	2,825
Ealing	80.77%	6,090
Wandsworth	80.77%	4,332
Lewisham	79.93%	3,901
Brent	79.30%	5,455
Waltham Forest	79.13%	4,053
Southwark	79.01%	3,806
Kensington and Chelsea	78.94%	3,708
Lambeth	78.92%	4,046
Hackney	78.63%	3,061
Haringey	78.49%	3,980
Tower Hamlets	76.20%	2,710
Newham	75.71%	3,800
City of Westminster	74.99%	4,511
Total	81.88%	139,517*

* The total number of cards expiring is greater than the total number of letters posted because this table includes cards renewed in the London Borough of Camden who did not write to pass holders but undertook internal verification of residency details.

London Councils' Transport & Environment Committee

TEC Committee Dates 2016/17

Item No: 15

Report by: Alan Edwards

Job title: Governance Manager

Date: 16 June 2016

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 municipal year 2016/17.

Recommendations: It is recommended that Members:

- Note and agree the dates for TEC and TEC Executive Sub Committee meetings for the municipal year 2016/17, and
- Note the new start time of 10:00am for the TEC Executive Sub Committee meetings, in order for the City of London to attend.

TEC (Main) Committee Proposed Dates

- Thursday 13 October 2016
- Thursday 8 December 2016
- Thursday 23 March 2017

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 Proposed Dates

- Thursday 21 July 2016
- Thursday 15 September 2016
- Thursday 17 November 2016
- Thursday 9 February 2017

The new start time is 10:00am and meetings will be held at the offices of the London Councils, 59½ Southwark Street, London, SE1 0AL

Recommendations

It is recommended that Members:

- Note and agree the dates for the TEC and TEC Executive Sub Committee meetings for the municipal year 2016/17, and
- Note the new start time of 10:00am for the TEC Executive Sub Committee meetings, in order for the City of London to attend.

Financial Implications

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

Legal Implications

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

Equalities Implications

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

London Councils' Transport and Environment Committee

23 March 2016

Minutes of a meeting of London Councils' Transport and Environment Committee held on Wednesday 23 March 2016 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL

Present:

Council	Councillor
Barking and Dagenham	Apologies
Barnet	Cllr Dean Cohen
Bexley	Cllr Colin Tandy (Deputy)
Brent	Apologies
Bromley	Apologies
Camden	Cllr Phil Jones
Croydon	Cllr Kathy Bee
Ealing	Cllr Julian Bell (Chair)
Enfield	Cllr Vicki Pite (Deputy)
Greenwich	
Hackney	Cllr Feryal Demirci
Hammersmith and Fulham	Cllr Wesley Harcourt
Haringey	Cllr Joanna Christophides
Harrow	Apologies
Havering	Apologies
Hillingdon	Apologies
Hounslow	Apologies
Islington	Cllr Claudia Webbe
Kensington and Chelsea	Cllr Tim Coleridge
Kingston Upon Thames	Cllr Richard Hudson (Deputy)
Lambeth	Cllr Jenny Brathwaite
Lewisham	Apologies
Merton	Cllr Nick Draper
Newham	Cllr Ian Corbett
Redbridge	Cllr Baldesh Nijjar
Richmond Upon Thames	Cllr Stephen Speak
Southwark	Cllr Darren Merrill
Sutton	Cllr Jill Whitehead
Tower Hamlets	
Waltham Forest	Apologies
Wandsworth	Cllr Caroline Usher
City of Westminster	Cllr Heather Acton
City of London	Marianne Fredericks (Deputy)
Transport for London	Alex Williams

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Lynda Rice (LB Barking & Dagenham)
Cllr Alex Sawyer (LB Bexley)
Cllr Ellie Southwood (LB Brent)
Cllr Colin Smith (LB Bromley)
Cllr Daniel Anderson (LB Enfield)
Cllr Graham Henson (LB Harrow)
Cllr Robert Benham (LB Havering)
Cllr Keith Burrows (LB Hillingdon)
Cllr Amrit Mann (LB Hounslow)
Cllr Terry Paton (RB Kingston)
Cllr Alan Smith (LB Lewisham)
Cllr Clyde Loakes (LB Waltham Forest)
Michael Welbank (City Of London)

Deputies:

Cllr Colin Tandy (LB Bexley)
Cllr Vicki Pite (LB Enfield)
Cllr Richard Hudson (RB Kingston)
Marianne Fredericks (City of London)

2. Declaration of Interests

Freedom Pass Holders/60+ Oyster Cards

Cllr Colin Tandy (LB Bexley), Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Nick Draper (LB Merton), Cllr Jill Whitehead (LB Sutton) and Cllr Caroline Usher (LB Wandsworth)

North London Waste Authority

Cllr Dean Cohen, Cllr Phil Jones (LB Camden), Cllr Feryal Demirci (LB Hackney), and Claudia Webbe (LB Islington)

Western Riverside 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), Cllr Nick Draper (LB Merton) and Cllr Jill Whitehead (LB Sutton)

South Regional Flood Partnership

Cllr Colin Tandy (LB Bexley)

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 Tim Coleridge (RB Kensington & Chelsea), Cllr Nick Draper (LB Merton) and Cllr Darren Merrill (LB Southwark)

3. Operation Clearway Update

The Committee received a report that had been prepared for the Transport and Environment Committee of London Councils, to update the Committee on the enforcement and engagement activity being undertaken as part of “Operation Clearway”, in relation to free-standing advertising boards (“A” Boards) as well as other unlawful highway obstructions on the Transport for London Road Network (TLRN).

Alex Williams introduced the Operation Clearway report. He informed TEC that the results for this approach had been very positive, with over 80% compliance in the six locations already targeted (paragraph 7 of the report). Members were now being asked to comment and endorse the approach.

Councillor Coleridge welcomed the report and said that consistency among the boroughs now needed to be sought, as boroughs had different planning policies. Councillor Demirci said that she also welcomed the policy and was already working with TfL on this. She said that the borough of Hackney was looking to make footpaths clear of clutter, especially to help partially sighted people. Alex Williams confirmed that the Royal National Institute for the Blind had contributed towards shaping the policy. Councillor Webbe said that she also welcomed the report, but had concerns about the joining-up of enforcement on borough and TLRN roads.

Councillor Brathwaite said that she had had a meeting with TfL with regards to the “A” Boards on Streatham High Road, in the borough of Lambeth. She said that she had reservations about how this would be enforced on these roads. Alex Williams said that TfL used the Highways Act 1980 and the London Local Authorities and TfL Act 2003, same as the boroughs. Councillor Usher said that the borough of Wandsworth had taken part in a pilot scheme with TfL, using borough officers to enforce. Cllr Usher also questioned who was responsible for licencing table and chairs. Members were informed that planning departments gave licences for tables and chairs outside on the street. Councillor Usher said that it was then even more important for TfL to know borough planning policies in order to ensure that enforcement did not contradict borough policy.

Councillor Corbett asked whether Operation Clearway was a change in policy, or whether it was an operation to change behaviour over the short-term. He said that he supported a long-term change in policy. Alex Williams confirmed that it was a combination of enforcement and policy. Marianne Fredericks asked what reaction TfL had received when businesses were asked to move “A- Boards. Alex Williams said TfL’s first step was to explain to businesses the problems caused by “A” Boards and once this was understood, businesses were generally happy to make changes.

Decision: The Committee:

- Noted TfL's problem-solving approach to dealing with unauthorised obstructions on the TLRN;
- Noted and commented on the new Operation Clearway Policy included in Appendix 1;
- Endorsed continued support for borough officers own activity to jointly address wilful obstructions of the highway; and
- Agreed that Alex Williams would take back the issue of the differing practices and policies that boroughs had regarding the obstruction of pathways, to the TfL team.

4. Chair's Report

The Committee received a report that updated members on transport and policy issues since the last TEC meeting on 10 December 2015, and provided a forward look until the next TEC meeting on 16 June 2016.

Councillor Whitehead said that London Travelwatch had carried out a presentation for Sutton on the "Living on the Edge" report that London Councils commissioned with it and Trust for London. It said that a large number of lower paid workers had come to live in the borough of Sutton, as it was too expensive to live in other parts of London. She also asked for more information on the first meeting of the OLEV steering group which had discussed how the OLEV funding secured would be split between the different proposals, as London had not been allocated all the funding it bid for. The Chair said that the member-level steering group, comprising of the Chair and Conservative and Labour vice chairs of TEC, had its first meeting and looked at the option to pro-rata the reduced amount of the bid (£13million). Councillor Coleridge said that there was a target to obtain the outstanding £7million from match funding and the Chair agreed.

Councillor Whitehead asked if a final decision had been made regarding the allocation of funds. The Chair said that a final decision from OLEV was still outstanding, and that there may be flexibility in the allocation further down the line, depending on the success of the projects and the ability to secure match funding.

Councillor Whitehead asked for an update on Local Implementation Plan (LIP) funding. Alex Williams said that funding for boroughs had been confirmed for the next financial year (2016/17). He informed members that the new Mayor of London would be responsible for the allocation of LIP funding, post April 2017. Alex Williams added that £80million had been allocated by the Chancellor in the Budget to develop proposals for Crossrail 2 further.

Decision: The Committee noted the Chair's report.

5. Flood Partnerships Update

The Committee received a report that provided members with the 6-monthly update on the work of the seven sub-regional flood partnerships, the Thames Regional Flood and Coastal Committee (TRFCC) and the Environment Agency (EA).

Councillor Draper introduced the Flood Partnerships report in the absence of Councillor Alan Smith. Councillor Draper said that the boroughs were divided into 7 sub-regional flood partnerships which were part of the Thames Regional Flood and Coastal Committee (TRFCC). All the boroughs paid a local flood levy and £75million Local Levy secured £302million in Grant in Aid up to 2021. Councillor Draper said that this money funded urgent work that needed to be carried out on the Thames Barrier, as well as projects to protect London boroughs from river and surface water flooding. Money would be spent all across London and 12 officers were being brought in to help support the local flood authorities. Councillor Draper said that the Environment Agency (EA) worked on flooding and co-ordinated with Thames Water and the flood partnerships. This was a difficult task due the issue of boundaries – physical and otherwise. Councillor Coleridge said that it was important for local flood authorities to identify appropriate schemes and put them forward. Councillor Draper said that the TRFCC was recruiting 12 new officers to work across the Thames region and they would be assisting with this.

Councillor Tandy said that he was very happy with the service provided to the borough of Bexley, who was a member of two RFCCs, Thames and Southern. He also made the point that local levies were charged at different rates because there were no specific national guidelines. Councillor Whitehead asked whether the 12 officers would help with planning applications and said that Sutton had a good SUDs scheme. She also asked about the TRFCC 25-year priorities conference that had taken place recently. Councillor Draper confirmed that the first flooding conference had now taken place and it was hoped that they would become more regular. He stated that the new officer resource would not cover the planning function, but may free up some time from borough officers to do this more effectively.

Decision: The Committee noted and commented on the report.

6. Sharing Skilled Transport Staff Initiative - Update

The Committee received a report that updated members on the work and plans of the “Sharing Skilled Transport Staff Initiative”, including recommendations for the extension of TfL’s graduate programme to include borough work placements.

The Chair said that the boroughs would benefit from the sharing of skilled transport staff. The issue of an apprenticeship scheme would be discussed at a future TEC.

Decision: The Committee:

- Noted the update on progress set out in the report;
- Agreed the proposed extension of the TfL graduate scheme to include optional borough placements, subject to TfL approval;
- Noted the opportunity for boroughs to offer graduate placements as part of identified relevant TfL graduate schemes; and
- Noted that details of a potential apprenticeship scheme would be brought back to TEC at a later date.

7. Mayor’s Green Infrastructure Taskforce

The Committee received a report on the Mayor’s Green Infrastructure Taskforce. Two of the recommendations were for the boroughs and one was for TEC. The report

outlined the background to the Taskforce, the recommendations it had made, and the options for discussion at TEC.

The Chair informed members that Katharina Winbeck and himself had been members of the Taskforce.

Councillor Coleridge felt that the Taskforce's report was aspirational and needed to be broken down into parts to make it work. He said that he was unsure whether the strategic focus for green infrastructure fitted with the suggestion that it be considered by sub-regional partnerships, as green infrastructure (drainage) and flooding were separate areas. The Chair queried whether there would be the capacity for another set of sub-regional partnerships. Councillor Coleridge said that the Mayor already had a cycling "czar", and now needed a green infrastructure "czar". The Chair said that this was one of the report's other recommendations.

Councillor Whitehead said that behaviour change was needed to address the issue of garden trees being cut down and the concreting over of front and back gardens by residents. Councillor Demirci felt that it was increasingly difficult to promote green infrastructure in development. The Chair summed up stating that green infrastructure should not be covered by the flooding sub-regional partnerships. A further report should come back to the Executive with proposals for implementing the report's other recommendations.

Decision: The Committee:

- Noted and discussed the report, and in particular paragraphs 12-17 – "considering the recommendations"
- Agreed that green infrastructure should not be added to the responsibility of the flooding sub-regional partnerships; and
- Agreed that a further report on implementing the report's other recommendations would come back to the Executive for discussion.

8. DfT and Mayor of London's Rail Prospectus

The Committee considered a report on the DfT and Mayor of London's Rail Prospectus that set out plans to put TfL in control of more of London's suburban train services. It proposed a partnership between TfL and DfT that would agree new franchise specifications for train services. The Prospectus invited comments from stakeholders, and TEC was asked to agree the London Councils' response.

The Chair said that he welcomed the Rail Prospectus but did not want any additional Freedom Pass costs to be passed on to London boroughs as a result of travel to stations outside of London on TfL services, as a result of the proposals. This point had been made to the TfL Commissioner, who had given a verbal commitment to address this issue. The Chair said that it now needed to be ascertained at which stations outside of London the Freedom Pass would cease to allow free travel to. Alex Williams said that TfL fully accepted this. Spencer Palmer said that a further meeting was taking place in the following week with TfL and London Councils to discuss this issue.

Councillor Usher confirmed that the borough of Wandsworth had responded to the consultation on the draft Rail Prospectus. She said that any further improvements to south London rail services would be very expensive and should be funded by DfT.

Councillor Usher said that the new London Metro high performance trains did not go very fast as it was. She also asked whether being able to purchase rail tickets for journeys all over England at TfL operated rail stations could be looked into.

Councillor Tandy asked whether Freedom Pass holders would in future be able to purchase an “add-on” ticket for journeys that extend beyond the London area at a preferential rate. Councillor Whitehead said that the borough of Sutton did not have tram services or a “light” railway, like the DLR. She said the borough only had an existing “heavy” rail service that was infrequent. The franchise for this rail company did not come to an end until 2021. Carol Smales from TfL Rail confirmed that the Southern-operated London rail services could not be transferred to TfL until 2022, with South West Trains in 2020. She said that metroisation would focus on inner London services and discussions would be taking place with Network Rail and DfT regarding these issues. Carol Smales said that the “diagramming” of trains was also being looked into to see which suburban services it would be appropriate to transfer to TfL and which types of trains it would be most appropriate for TfL to take on to run these. Funding to enable enhancements to services still had to be worked out.

Decision: The Committee:

- Noted and discussed the report;
- Agreed the proposed response (Appendix 1) to the consultation on the draft Rail Prospectus;
- Agreed that TfL would look into the prospect of Freedom Pass holders being able to purchase “add-ons” to their journeys that carried on outside of London at a preferential rate; and
- Agreed that TfL would look at the issue of ensuring ticket machines at all of their rail stations enabled the purchase of tickets for journeys all over the country.

9. Taxicard Scheme Progress Report

The Committee considered a report that informed members of the Taxicard trip budget projected outturn for 2015/16, and provided the outcome of the research into the reasons for the reduction in Taxicard journeys in recent years. The report also provided an update on the introduction of charging for replacement Taxicards.

The Chair informed members that there had been a decrease in the number of Taxicard trips in recent years and there were fewer replacement passes than previously envisaged. Councillor Pite said that the availability of taxi cabs in the borough of Enfield was a problem. She said that many of the taxis and private hire vehicles did not have sufficient provision to accommodate wheelchair users and elderly passengers. The reliability of pick-ups was also a concern.

Councillor Coleridge said that he was not concerned about the Taxicard budget underspend, as a large number of passholders appeared to be switching to public transport. The Chair said that public transport was becoming much more accessible, which must be an element to this switch.

The Chair said that TEC needed to wait for the TfL Social Needs Transport Review, before any responses from officers were made. This review would be coming to the TEC meeting on 16 June 2016.

Spencer Palmer said that the issue of availability of taxis was a problem in some boroughs. He said that there were two key performance measures in place though – advance bookings and 30 minute (asap) bookings, which had a 90% target rate of taxis reaching the person in most boroughs. New contractors were also being funded, that already had adequate wheelchair provisions.

Decision: The Committee:

- Noted the Taxicard trip budget projected outturn for 2015/16 based on data to January 2016;
- Noted the outcome of the research into the reasons for the reduction in Taxicard journeys in recent years, and endorsed the officer responses to the report's recommendations; and
- Noted the update on the introduction of a £10 charge for lost and damaged Taxicards.

10. Freedom Pass Progress Report

The Committee received a report that provided members with a general progress update on the Freedom Pass scheme and sought approval to retender the provision of externally managed support services.

The Chair informed members that the current contract for managed services would end on 1 July 2017, and TEC was being asked to approve the proposed approach, costs and timescales for the new managed service tender. The second part of the report informed members of the 2016 Freedom Pass reissue.

Councillor Coleridge asked whether the potential tenderers would be asked how they would reduce the 250,000 “business as usual” calls, which seemed excessive. Stephen Boon, Chief Contracts Officer, London Councils, said that 50% of these calls were from people who needed to replace their passes or had queries regarding their online pass application. He said that an online replacement pass service was being introduced which would reduce costs and encourage tenderers to say how they would reduce the volume of calls further. Councillor Whitehead said that 72% of Freedom Pass holders in the borough of Sutton used their online service, and could also go into libraries to renew their pass if they did not have a computer at home.

Decision: The Committee:

- Approved the proposed approach, costs and timescales for the Freedom Pass managed service tender; and
- Noted the progress of the 2016 Freedom Pass re-issue.

11. TEC Committee Dates 2016/17

The Committee received a report that notified members of the proposed TEC and TEC Executive Sub Committee dates for 2016/17.

The Chair apologised for the date change for this TEC meeting. He said that this was because he had attended a charity event in France and was unable to make the original date in March 2016. The Chair said that it was likely he would attend the

same event in March 2017, and asked if the TEC date then could also be put back a week.

Decision: The Committee:

- Noted and agreed the dates for TEC and TEC Executive Sub Committee meetings for the year 2016/17), with the exception of the TEC meeting date in March 2017, which would now convene on 23 March (and not 16 March 2017); and
- Agreed a new start time of 10:00am for the TEC Executive Sub Committee meetings, in order for the City of London to attend these meetings.

12. Minutes of the TEC Executive Sub Committee Meeting held on 11 February 2016 (for noting)

The Committee noted the minutes of the TEC Executive Sub Committee meeting held on 11 February 2016.

13. Minutes of the TEC Main Meeting held on 10 December 2015 (for agreeing)

The Committee agreed the minutes of the TEC Main meeting held on the 10 December 2015 as being an accurate record.

The meeting finished 3.45pm