

London Councils' Transport and Environment Committee

Thursday 19 March 2020

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)

Liberal Democrat Group: Meeting Room 8 at 1.30pm (4th Floor)

Contact Officer: Alan Edwards

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Part One:		
1	Apologies for Absence and Announcement of Deputies	-
2	Declarations of Interests*	
3	Buses Presentation by Gareth Powell, Managing Director, Surface Transport, TfL	-
4	Crossrail Presentation by Alexander Kaufman, Director of Communications, Crossrail	-
5	London Waste & Recycling Board (LWARB) Update (Wayne Hubbard & Liz Goodwin)	
6	Dockless Bicycles – Londonwide Byelaw by Mike Beevor, Senior Policy Manager, TfL	
7	Chair's Report	
8	Climate Change Action Update	
9	Safer Speeds Review for London Update	

10	HGV Safety Permit Scheme: Approval of Arrangements for the Administration & Enforcement by Transport for London	
11	TEC Business Plan 2020/21	
12	Freedom Pass Update	
13	Taxicard Update	
14	Additional Parking Charges – London Boroughs of Ealing & Hounslow	
15	TEC & TEC Executive Sub Committee Dates for 2020/21	
16	Minutes of the TEC Executive Sub Committee Meeting held on 6 February 2020 (for noting)	
17	Minutes of the TEC Main Meeting held on 5 December 2019 (for agreeing)	

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

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TEC Declarations of Interest as at 19 March 2020

Freedom Pass Holders/60+ Oyster Cards

Cllr Julian Bell (LB Ealing – Chair), Cllr Kirsten Hearn (LB Haringey), Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Nick Draper (LB Merton), Cllr David Edgar (LB Tower Hamlets), Cllr Richard Field (LB Wandsworth), and Cllr Tim Mitchell (City of Westminster).

North London Waste Authority

Cllr Dean Cohen (LB Barnet), Cllr Adam Harrison (LB Camden), Cllr Kirsten Hearn (LB Haringey), and Cllr Clyde Loakes (LB Waltham Forest).

Western Riverside Waste Authority

Cllr Wesley Harcourt (LB Hammersmith & Fulham) and Cllr Claire Holland (LB Lambeth) and Cllr Nick Draper.

East London Waste Authority

Cllr Syed Ghani (LB Barking & Dagenham), Cllr Osman Dervish (LB Havering), Cllr James Asser (LB Newham), and Cllr John Howard (LB Redbridge).

West London Waste Authority

Cllr Krupa Sheth (LB Brent)

South London Waste Partnership

Cllr Stuart King (LB Croydon), Cllr Hilary Gander (RB Kingston), Cllr Nick Draper (LB Merton), and Cllr Manual Abellan (LB Sutton).

South East Waste Disposal Group

Cllr Denise Scott-McDonald (RB Greenwich).

Environmental Protection UK

Cllr Denise Scott-McDonald (RB Greenwich).

Car Club

Cllr Julian Bell (LB Ealing – Chair), Cllr Denise Scott-McDonald (RB Greenwich), Cllr David Edgar (LB Tower Hamlets) and Cllr Tim Mitchell (City of Westminster).

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Syed Ghani (LB Barking & Dagenham), Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Denise Scott-McDonald (RB Greenwich), Cllr Jon Burke (LB Hackney), and Cllr Richard Livingstone (LB Southwark).

London Cycling Campaign

Cllr Julian Bell (LB Ealing, Chair), Cllr Hilary Gander (RB Kingston), and Cllr Clyde Loakes (LB Waltham Forest)

London Road Safety Council (LRSC)

Cllr Denise Scott McDonald (RB Greenwich), Cllr Nick Draper (LB Merton), Cllr Jerry Miles (LB Harrow), Cllr Richard Livingstone (LB Southwark), and Cllr Tim Mitchell (City of Westminster)

Dockless Bike Scheme

Cllr Julian Bell (LB Ealing – Chair), Cllr Hilary Gander (RB Kingston) and Cllr Clyde Loakes (LB Waltham Forest).

Rail Delivery Group

Cllr John Howard (LB Redbridge)

London Councils' Transport & Environment Committee

LWARB Activities Update

Item
No: 05

Report by: Wayne Hubbard

Job title: Chief Executive Officer

Date: 19 March 2020

Contact Officer: Antony Buchan

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Email: Antony.buchan@lwarb.gov.uk

Summary:

This report provides a summary update on LWARB activities. It is suggested that LC TEC will receive these updates on a six-monthly basis to improve visibility of LWARB's activities.

Recommendations:

- Members to note and discuss the update

LWARB Activities Update

Business Plan

1. The LWARB board approved the 2020 – 25 Business Plan at its last meeting in February. It sets out a series of activities designed to reduce the amount of waste London produces and to recycle more of what remains. These actions are part of a theory of change designed to reduce London's consumption-based emissions, to help address the climate emergency by contributing to capping global temperature rises at 1.5°C.
2. The Business Plan will enable LWARB to become a more financially sustainable organisation by adopting a more commercial approach. It sets out changes to the way support is delivered through a combination of paid-for and free services. It also sets out the additional resources needed to become more commercial and provides a budget to deliver our programme over five years.
3. The Business Plan has the following principles:
 - a. All LWARB's core activities will support waste reduction and recycling in London. Commercial activities will have no geographical boundary;
 - b. LWARB's primary (but not exclusive) focus is municipal waste;
 - c. Support for London boroughs will be delivered to implement their Reduction and Recycling Plans (RRPs);
 - d. LWARB's two programmes, Resource London and Circular London, will closely integrate to leverage each other and deliver enhanced benefits for London's citizens and businesses;
 - e. LWARB will broaden its funding base by seeking grant support from public sources, as well as seeking out opportunities to leverage private funding (trusts, philanthropy, corporate);
 - f. LWARB is developing a suite of commercial ventures delivered through a commercial company – LWARB Circular Solutions. Commercial services will not detract from borough support activity but will ideally complement the acceleration of the development of a circular economy in London;
 - g. LWARB will continue to offer free support to London's boroughs but this will be supplemented by an "at cost" service contribution for support in certain areas to be detailed shortly.
4. The Business Plan will be published before the start of the Mayoral and Assembly pre-election period.

Resource London

5. Resource London is LWARB's London borough support programme, delivered in partnership with WRAP. Below is a summary of current activity.
6. Several regional projects are underway in partnership boroughs:
 - a. Existing purpose-built flats – The Resource London Peabody Flats Recycling Project has now completed and a launch event took place on 28 January at the Whitechapel Estate in Tower Hamlets. The introduction of the Flats Recycling Package on all 12 test estates saw the following results.

- capture rate increased by 22%,
- recycling rate increased by 26%
- contamination rate decreased by 24%.

The Final Report is available at :

<https://resourcelondon.org/resources/research-and-innovation/making-recycling-work-for-people-in-flats/>

- b. New build flats – Officers are working with an inner London borough with the second highest number of new households due to be built over the next 20 years to develop supplementary planning guidance for waste in new build purpose-built flats that could be used as a template for other authorities.
- c. Contamination Hit Squad – with all London boroughs providing some form of co-mingled recycling, delivering quality of the recyclate is critical to increasing recycling rates. Resource London, with LEDNET are piloting a centrally managed resource of recycling quality officers to deliver the Council's feedback to householders that contaminate. The aim of the pilot is to test the hypothesis that a shared dedicated team of officers (the hit squad) checking contamination in kerbside containers, presents a cost-effective way of managing and reducing contamination. The first cycle has been completed in the London boroughs of Lewisham, Greenwich, Haringey and Brent. Early indications are that the intervention is having a positive impact. After a short break to allow for the Christmas catch up, cycle two will commence in Lewisham w/c 20 January and w/c 24 February in Haringey and Brent. Due to round changes, and with mutual agreement, the LB Greenwich will not participate in the second cycle. Final results will be ready in the early summer of 2020.
- d. Short-term-lets – Two interrelated projects are being delivered: an ethnographic study of HMO residents to look at waste and recycling behaviours; and audience insights research into users of London holiday rentals to gain a better understanding the impact of their waste management behaviours on borough services. Both projects are live and in the fieldwork phase and will be completed in Spring 2020.
- e. 1-2-1 borough support – In addition to the demonstration projects officers continue to provide bespoke borough support. Projects are currently being delivered with Haringey; Islington; Westminster; and Hammersmith and Fulham.
- f. Reduction and Recycling Plans (RRP) – The Mayor's London Environment Strategy includes a requirement for all boroughs to develop a Reduction and Recycling Plan, the first of which will cover the four-year period from 2018 - 2022. At the time of writing 29 boroughs had submitted their plans, with the GLA working with the remaining four boroughs. The Mayor's office has confirmed that they will be approving the RRP's. Officers are working with GLA colleagues to determine the arrangements for future monitoring of these. Suggestions by GLA officers were presented to LEDNET on 02 December and the London Recycling Officer Group (LROG) on 10 December for comments. Final arrangements are being confirmed.
- g. Commercial Recycling support – Officers established and facilitate the Commercial Waste Network for London boroughs. Three meetings have been held to date (June, September and December 2019).

A Commercial Waste Communications Toolkit has been produced comprising:

- i. A suite of six bin posters designed to be distributed by Local Authorities to their commercial waste customers. They are customisable to match their service offering, and advise customers what can, and cannot, go into their bins.
- ii. Educational video and guide focusing on the importance of recycling; and
- iii. Educational video and guide focusing on the duty of care legislation.
- h. Behaviour Change – Resource London manages three behaviour change campaigns: One Bin Is Rubbish (London Recycles), Love Not Landfill and, Small change big difference.

London Recycles:

- i. One bin is rubbish: The 'One bin is rubbish' campaign relaunched for its third and final year in October 2019, starting with bus-sides and then moving into social media advertising in November. Both bus-sides and social media advertising continued in bursts until the end of February, including a plastics push in mid-January, focusing on what plastic items can and cannot be recycled easily from home.
- ii. Officers are exploring potential retail partnerships, with the aim of collaborating to signpost consumers through our digital advertising campaign to cheap, convenient bin solutions for recycling at home. Initial interest is encouraging with two corporates asking for meetings to discuss.
- iii. Borough toolkit: A toolkit is in development incorporating all the campaign assets created over the past three years, to share with boroughs so that they can use them over the coming years.

iv. Small Change Big Difference:

The EU funded food project, TRiFOCAL, has now concluded its outward-facing activity and is in reporting and evidence-gathering phase before project closure at the end of January 2020. The last wave activity took place in October 2019 with a final celebratory week of activity co-delivered with WRAP, 12 boroughs and a communications agency. London-wide activity revolved around a PR stunt involving a 'house of food waste', an installation constructed on the front of a house in Hackney using fruit and vegetables to represent the amount of edible food that 14 households throw in the bin every year. Borough-level activity involved 22 resident events, including cookery demonstrations and classes, market stalls and pop-ups, and an urban foraging walk in a community park.

v. Love Not Landfill:

The ECAP (European Clothing Action Plan) project concluded on the 31 December 2019. Its final outward-facing activity was the second charity pop-up shop in November. The pop-up ran from 14th to 17th November 2019 in a large shop on Neal Street, Covent Garden. The space was provided for free by Shaftesbury PLC. The shop was hugely successful raising c.£23k for the four charity partners.

- vi. Although the ECAP came to an end, it is hoped that this won't be the end of the Love Not Landfill campaign. LWARB's draft business plan recognises the contribution of behaviour change and campaign work to delivering its mission. As a consequence, the contracts for the Love Not Landfill team have been made permanent and the campaign will continue on a core funding basis beyond March 2020. This does not however negate the need to pursue partnerships and funding to amplify

and grow the work of the campaign. The team is now working in earnest to secure match funding to continue to grow and develop the campaign.

Circular London

7. Circular London is LWARB's programme to accelerate the development of a circular economy in London. Currently the programme is focused on providing business advice and finance, as well as developing a community of circular economy businesses and practitioners. The programme will be further developed to help enable residents reduce waste through circular economy products and services.

- a. Circular Construction In Regenerative Cities (CiRCUIT):

LWARB is a partner in an EU Horizon 2020 project that focuses on circular economy built environment demonstrator projects. The project involves Copenhagen, Hamburg and Helsinki Region as well as London.

As the lead for communications, dissemination, and exploitation (CDE) activities, LWARB has completed the branding and communications package, which was submitted to the European Commission and circulated among consortium partners. We have also drafted a CDE plan that will be reviewed at the next steering committee meeting in Helsinki.

London partners are on track in the initial collection of existing data sets of material flows in the built environment to identify gaps and make recommendations that could be applied to demonstration projects. We are working with BRE, UKGBC, and Grimshaw on narrowing down a longlist of promising pilot opportunities, among them projects in Merton and the relocation of London's markets including New Spitalfields, Billingsgate and Smithfield.

- b. C & A Foundation Fashion project:

LWARB and our delivery partner QSA are continuing to work with four fashion retailers Adidas, Far fetch and FW and Ted Baker to develop circular economy business models to be delivered in London, tailored to the retailers through in-depth examination of their businesses. Adidas, Far fetch and FW have all launched pilots which are running successfully, and we are collecting data from these to identify their level of environmental impact. Ted Baker is on track to launch its pilot in Spring. Our partners QSA and Far fetch have also conducted new research into how reuse of clothing prevents buying of new clothes which will be published via a press release. Adidas and Far fetch are now looking at how to take their pilot business models further.

As a result of media interest in our work with Adidas we have been contacted by other companies (including Lego) with whom we are currently in discussions to provide advice on developing their circular business model.

A panel discussion event to highlight the project and drive interest in other fashion companies has been held by LWARB on 20th February with panelists including Adidas, and Far fetch and chaired by the Editor of Drapers magazine.

We are also currently developing a proposal for the C&A Foundation which would set out how our relationship with C&A Foundation can be extended into a longer-term funded partnership between LWARB and QSA.

c. Circular Economy Week:

Following on from last year's success, planning is currently on the way for #CEweekLDN 2020 which will take place from 1st – 5th June to coincide with World Environment Day on 5th June. The week will focus on how cities are reducing consumption-based CO2 emissions using circular economy principles. The week will begin with a launch event on Mon, 1st June followed by two key events on behaviour change and finance on Weds 3rd and Fri 5th June respectively. We are currently in discussions with several potential partners for hosting and sponsoring. As with previous years, interested parties in London will be encouraged to hold events throughout the week.

d. London Plan - Circular Economy Statement and Guidance:

LWARB worked with the GLA to procure technical specialists to work with the built environment sector in London to create guidance to accompany the new Circular Economy Statement policy within the draft London Plan. LWARB provided funding towards the development of the guidance and assisted in its development and work to test and refine it. The Circular Economy Statement policy is due to come into effect when the new London Plan is published. Guidance will be released at this time.

e. Circular Economy Champions

Bromley and LWARB have been working on the development of a procurement tool to help boroughs include circular economy principles in procurements. A draft version of the tool is now being tested and refined. Officers from LWARB have delivered a workshop to Bromley officers on 10th February to provide training on circular economy in procurement. LWARB is exploring how the tool can be shared with other boroughs.

Camden launched its refill market stall in December, and Hackney is setting up a Library of Things. An officer from Camden also accompanied LWARB representatives to an Ellen MacArthur Foundation event and Camden is now exploring with LWARB the opportunity to set up a plastics packaging optimisation pilot.

The LEDNET Circular Economy group held 3 meetings throughout 2019 with the aim of increasing group members understanding of the circular economy. To ensure this knowledge is now applied and turned into action, the group will become part of the Climate Change group. This will allow closer alignment of LWARB's ambition to help reduce London's consumption-based CO2 emissions through the adoption and use of circular economy business models.

f. Greater London Investment Fund - Circular Economy Equity Fund:

LWARB has contributed £7 million to a £14 million (minimum) circular economy equity fund, forming part of the Mayor's £100 million Greater London Investment Fund. The equity fund, which is run by fund managers MMC, is targeting early stage circular economy businesses, and has so far made two investments. QFlow, one of the LWARB accelerator businesses and Unmade, a garment manufacturer specialising in producing short run, low waste, apparel lines.

g. Advance London Business Support

The Advance London business support programme has completed a rebranding cycle that resulted in a significantly upgraded, on-line presence. The support services provided to the SMEs have been streamlined and businesses can apply for specific services (redesign, validate or amplify). The portfolio now consists of 176 SMEs (leads and converted) who have each received business

advice and support from LWARB's specialist team. Over half of these have received the higher level of support (12 hours), which in many cases lead to the launch of new circular products or services (see table below). The website features 9 case studies with businesses that Advance London has either helped amplify their impact and reach new markets or has guided in starting their circular trajectory.

The team is currently developing two knowledge products:

- A Circular Restaurant Guide in collaboration with the Sustainable Restaurant Association with the aim to be completed by March 2020 and
- A Circular Business Guide also estimated to be completed by end of March 2020.

An engagement strategy is being prepared for rolling out business engagement activities in different London boroughs. The team has already engaged with London Borough of Barking and Dagenham, Bexley, Sutton, Islington as well as with BIDs and has set the ambition to have reached SMEs in all London 33 boroughs by the end of 2022. Currently, businesses from 30 out of 33 boroughs are part of the Advance London cohort. The table below presents the SME spread as of Dec 2019.

Number of circular SMEs that have received support from LWARB's Advance London project by London borough

London Borough	SMES in AL programme
Barnet	3
Brent	2
Bromley	1
Camden	13
City of London	6
Croydon	1
Ealing	3
Enfield	6
Greenwich	1
Hackney	14
Hammersmith and Fulham	5
Haringey	7
Harrow	3
Havering	2
Hillingdon	4
Hounslow	3
Islington	20
Kensington and Chelsea	5
Kingston upon Thames	3

London Borough	SMES in AL programme
Lambeth	5
Lewisham	2
Merton	1
Redbridge	1
Richmond upon Thames	6
Southwark	14
Sutton	1
Tower Hamlets	9
Waltham Forest	2
Wandsworth	5
Westminster	13

Recommendations

- Members to note and discuss the update

Financial Implications

There are no financial implications arising from this report.

Legal Implications

There are no legal implications arising from this report.

Equalities Implications

There are no equalities implications arising from this report.

London Councils' Transport and Environment Committee

Dockless Bicycles – Londonwide Byelaw

Item No: 06

Report by: Mike Beevor; Paulius Mackela

Job title: Senior Policy Manager, TfL; Principal Policy & Project Officer, London Councils

Date: 19 March 2020

Contact Officer: Paulius Mackela

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Summary:

This report updates TEC on the proposed pan-London byelaw for the regulation of dockless bicycle hire schemes in London.

Recommendations: Members are asked to:

1. Note the report and its attachments;
2. Agree that the attachments be provided for external legal review of the proposed byelaw and its accompanying documents;
3. Agree to delegate authority to the Director, Transport and Mobility to make any appropriate minor amendment (if required) to the Statement of Assessment of Regulatory Burden and publish and publicise the document on behalf of TEC once the external legal review is done and all borough delegations are received; and
4. Note that once the legal review is complete and the final delegations to TEC are made, officers will get TEC's approval in June 2020 for the Ministerial agreement to make the byelaw to be sought.

Overview

1. As TEC members know, a pan-London approach to regulating the operation of dockless bike sharing schemes has been developed by TfL and London Councils in partnership with borough officers. The proposed approach takes the form of a new byelaw, which would complement existing powers and enable councils to determine where bikes can and cannot be left.
2. This was last discussed at TEC in December 2019, when it was agreed that the draft text of the byelaw could be shared with dockless operators, to enable an assessment of the regulatory burden of the proposed byelaw to be made. This is one of the regulatory requirements that must be complied with when making a new byelaw.
3. In line with TEC's agreement, the draft text has been shared with operators, and a draft Statement of the Assessment of Regulatory Burden (from now on referred to as "the Statement") has been prepared. Officers are now planning the other necessary steps to enable Ministerial agreement to make the byelaw to be sought. In the meantime, the market in London looks set to expand.

Market update

4. There are currently 5 dockless operators working in London – Mobike and Beryl providing pedal bikes, and Lime, JUMP and Freebike providing e-bikes. We are aware of at least 5 further companies considering launching, and there is still no indication that new powers to manage bikeshare will be provided by the Government.
5. Separately, the Government is expected to seek views via a consultation on its Future of Mobility Regulatory Reviews about the prospect of legalising e-scooters. If these vehicles are made legal in the coming months/years, the prospective rental market in London could be very large (in Paris, for example, there are already 20,000 e-scooters). So if the vehicles are legalised in the UK, but no new powers are provided for cities to manage the rental market, it will be essential that highway authorities in London are as well-equipped as possible to manage these schemes. As such, the case for the proposed byelaw, which uses the term "dockless vehicles" (as opposed to "dockless bikes", so as to apply equally to bikes, e-bikes and e-scooters) remains compelling.

Update

6. As noted above, officers are now planning the steps necessary to enable Ministerial agreement to make the byelaw for Greater London (with the exception of the City of London) to be sought.
7. The Byelaws (Alternative Procedure) (England) Regulations 2016 does not apply to byelaws made for the City of London under its local legislation. Therefore it is intended that the equivalent byelaw for the City of London will be made, publicised and confirmed in accordance with the procedure in section 236 of the Local Government Act 1972, with a view to running the two processes in tandem so far as possible.
8. Before seeking Ministerial Agreement, the Statement must be published on-line and publicised as appropriate to bring it to the attention of persons affected. If Ministerial agreement is secured, the byelaw would then be subject to a public consultation, and following that, TEC would need to decide whether to complete the process of making it. As such, the act of applying for Ministerial agreement will not be the end of TEC's involvement in this process. Officers will seek a unanimous TEC decision to give the final approval for the byelaw to come into force.
9. To secure Ministerial agreement, the Byelaws (Alternative Procedure) (England) Regulations 2016 require several documents to be submitted to the Secretary of State. These are:
 - a) the proposed text of the byelaw;

- b) a report explaining why it is required and summarising consultation; and
 - c) a statement of the assessment of the regulatory burden the byelaw will create ("the Statement").
- 10. Now that operators and other relevant stakeholders (i.e. TfL's Independent Disability Advisory Group, a number of disability charities/representative groups) have been engaged and consulted with, the draft Statement has been prepared, as has a provisional report explaining why the byelaw is required and summarising the consultation. These documents have been discussed with TfL and London Councils legal teams and borough officers, and drafts are attached to this report.
- 11. Since the draft text of the byelaw was last presented to TEC in October 2019, there have been a small number of minor amendments made to the text. The definition of a "dockless parking space" has been amended to being "authorised" rather than "designated", which has specific connotations in relation to the formal designation of car parking spaces pursuant to s45 of the Road Traffic Regulation Act 1984. The definition of a "dockless hire scheme" has been amended so as not to exempt journeys which start from private land, and to prevent dockless operators from offering a small number of docked vehicles and therefore becoming a hybrid scheme, which may have unintentionally made them exempt from having to comply with the byelaw requirements. To ensure consistency with the definitions in part 1 of the byelaw there has been a slight change to the order of 3(1) and a change from vehicles being "placed" to being "left" on any highway in 5. Finally, provision 4(3) has been redrafted to make clearer the intention and not to accidentally limit the data which operators will be required to share or require that data to be made public.
- 12. These amendments to the draft text of the byelaw do not represent material changes to the substance of the byelaw and have been reviewed and discussed with TfL and London Councils legal teams, borough officers and dockless operators.
- 13. Before publishing and publicising the Statement and seeking TEC's agreement to submit the documents to the Secretary of State, officers propose that they are reviewed by a QC following the TEC meeting on 19 March, to ensure they are robust. TEC's approval is therefore sought to provide these drafts to Leading Counsel for review. If TEC is content, officers expect this review to take place in the coming weeks. If any drafting changes to the byelaw or its accompanying documents are proposed as a result of the legal review, officers will make the changes to the drafts, agree them with borough officers and share them with operators ahead of the next TEC meeting. TEC's approval to the final form of the Byelaw and accompanying documents (with potential exception of the Statement – see the paragraph below) and the submission of the proposals to the Secretary of State will be sought at future TEC meetings.
- 14. The Statement can be published and publicised by TEC only after the Committee receives all 33 borough delegations. At the time of writing, 28 Boroughs have done so, and all delegations are expected to be secured before the next TEC meeting. However, as it is likely that the final delegations will be secured within weeks, the Statement could be published before the TEC meeting in June and in this way increasing the speed of the project delivery and reducing the prospect of any potential delay. TEC members are asked to agree to delegate authority to Spencer Palmer, Director, Transport and Mobility at London Councils, to make any appropriate minor amendment to the Statement if required after Counsel advice has been received and authorise the publishing and publicising the Statement as requested by the Byelaws (Alternative Procedure) (England) Regulations 2016.
- 15. In addition, while it is not a regulatory requirement and does not represent part of the byelaw itself, a guidance document is being drafted to assist borough officers in using the byelaw powers as positively and consistently as possible. Officers will ensure that this guidance reflects any advice from the QC review and will share it with officers ahead of the next TEC

meeting. For completeness, officers suggest that this document is shared with the Secretary of State when ministerial agreement to make the byelaw is sought.

16. As TEC members know, in order for the byelaw to be agreed and made centrally, all London borough councils need to delegate their powers to make byelaws pertaining to dockless bikes to TEC. At time of writing, 28 Boroughs have done so, and all delegations are expected to be secured before the next TEC meeting.

17. Therefore, by the June TEC meeting officers expect to be in a position to recommend that the Ministerial agreement to make the byelaw is sought.

Next Steps

18. With TEC's agreement, officers will proceed with the QC review of the byelaw and supporting documents, publish and publicise the Statement once all delegations have been received, and expect to report to TEC in June that the process of seeking Ministerial agreement to make the byelaw should commence. If the Ministerial agreement is secured, a public consultation on the proposed byelaw will need to be held before TEC makes any final decisions about implementation.

Recommendations: The Committee is asked to:

1. Note the report and its attachments;
2. Agree that the attachments be provided for external legal review of the proposed byelaw and its accompanying documents;
3. Agree to delegate authority to the Director, Transport and Mobility to make any appropriate minor amendment (if required) to the Statement of Assessment of Regulatory Burden and publish and publicise the document on behalf of TEC once the external legal review is done and all borough delegations are received; and
4. Note that once the legal review is complete and the final delegations to TEC are made, officers will get TEC's approval in June 2020 for the Ministerial agreement to make the byelaw to be sought.

Financial implications for London Councils

19. The cost of the external legal review.

Legal implications for London Councils

20. All implications are contained in the body of the report.

Equalities implications for London Councils

21. Addressing inappropriate parking of dockless bikes on the highway in a manner which causes inconvenience or disruption to highway users would help meet the needs of all highway users, particularly those who are blind or partially sighted and those who require wider available footways such as for wheelchairs or buggies.

22. Officers have discussed the proposal with TfL's Independent Disability Advisory Group and a number of disability charities/representative groups to ensure that the issues that dockless rental schemes can cause are understood. Officers are developing guidance for use by borough officers to help them minimise these issues in the future.

Annex A

The Greater London Dockless Vehicle Hire Byelaws

Draft Bye Law - 19 March 2020

1. General Interpretation

(1) In these byelaws:

“Dockless Parking Space” shall mean:

- (a) a parking place on the highway; or
- (b) a parking area in any Public Place

where a Local Authority or Transport for London has authorised Dockless Vehicles to be left.

“Dockless Vehicle” means any transport device (whether mechanically propelled or not) which is made available for hire through a Dockless Hire Scheme and which is a pedal cycle, electrically assisted pedal cycle or any similar class of transport device which may be lawfully used on the highway.

“Dockless Hire Scheme” means a scheme offering Dockless Vehicles for hire - (other than a scheme offering Dockless Vehicles for hire wholly from on-street infrastructure constructed and installed for their use) where the contract for hire is entered into without the simultaneous physical presence of the Dockless Operator and the hirer.

“Dockless Operator” means any person offering Dockless Vehicles for hire through a Dockless Hire Scheme.

“Public Place” means an area of highway or other open land (whether or not it is fenced) under the ownership or control of a Local Authority or Transport for London.

“Local Authority” means a London Borough Council or the Common Council of the City of London.

(2) A reference to:

- (a) legislation (whether primary or secondary) includes a reference to the legislation as amended, consolidated or re-enacted from time to time and, in the case of regulations, includes a reference to any regulations which replace the regulations referred to;
- (b) a “person” includes a natural person and a corporate or unincorporated body;
- (c) words in the singular include the plural and vice versa.

2. Application

These byelaws apply throughout Greater London.

3. Safe condition of Dockless Vehicles.

- (1) No Dockless Operator shall offer a Dockless Vehicle for hire unless it is safe.
- (2) In determining whether a Dockless Vehicle is safe regard shall be had to whether the Dockless Vehicle complies with, or the Dockless Operator has complied with, applicable provisions of:
 - (a) in the case of a pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983 and the Road Vehicles Lighting Regulations 1989;
 - (b) in the case of an electrically assisted pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983, the Road Vehicles Lighting Regulations 1989 and the Electrically Assisted Pedal Cycle Regulations 1983; or
 - (c) in all cases, any statutory requirements applicable to a Dockless Vehicle of that class.

4. Identification and management of Dockless Vehicles

- (1) No Dockless Operator shall offer a Dockless Vehicle for hire unless:
 - (a) it has an individually identifiable asset number visibly displayed;
 - (b) it is fitted with a device which ensures the location of the Dockless Vehicle can be identified at all times by the Dockless Operator, the local authority in whose area the Dockless vehicle is situated and Transport for London, and the device is retained in operation.
- (2) No Dockless Operator shall offer a Dockless Vehicle for hire unless the hirer is prevented from leaving the Dockless Vehicle on any highway or other Public Place other than at a Dockless Parking Space.
- (3) For the purposes of complying with paragraph 4(1)(b) and 4(2), the Dockless Operator shall make available to Local Authorities and Transport for London real time data via an application programming interface for each Dockless Vehicle that is available for hire or has been hired through its Dockless Hire Scheme.

5. Parking of Dockless Vehicles

No Dockless Operator shall cause or permit a Dockless Vehicle to be left on any highway or Public Place other than at a Dockless Parking Space.

6. Penalty

Any Dockless Operator offending against these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Annex B

Report on the proposal to make the Greater London Dockless Vehicle Hire Byelaws

In accordance with the Byelaws (Alternative Procedure) (England) Regulations 2016, this report must be submitted to the Secretary of State alongside the draft byelaws and an assessment of the regulatory burden of the byelaws.

The structure follows the requirements prescribed in regulation 6(2)(c) of those regulations.

1. Identifying the enactment under which the byelaw is proposed to be made

The byelaw is proposed to be made under section 235 of the Local Government Act 1972 (and in respect of the City of London Corporation, under section 39 of the City of London (Various Powers) Act 1961) .

2. The procedure for making the byelaw

The procedure for making these byelaws is set out in Part 3 of The Byelaws (Alternative Procedure) (England) Regulations 2016 and in respect of the City of London Corporation, is set out in section 236 of the Local Government Act 1972.

3. The purpose of and need for the byelaw

The purpose of the byelaw is to provide for a coordinated pan-London approach to ensuring that dockless hire vehicles are managed effectively in the public realm. The byelaws seek to ensure that anyone offering dockless vehicles for hire in London can only do so if vehicles are safe, are parked only in areas authorised by TfL or the relevant local authority and if data about the vehicles is shared with TfL and boroughs.

There are currently no regulatory mechanisms for requiring dockless vehicle hire scheme operators (“dockless operators”) to ensure that the vehicles they hire out are safe, are only parked in authorised parking spaces or requiring them to share data with TfL or London boroughs.

These byelaws are necessary to ensure that TfL and boroughs can manage the use of highways and other public places by dockless vehicle hire schemes, consistent with their statutory responsibilities including in respect of asserting and protection the public’s right to use and enjoyment of highways and securing expeditious, safe and convenient movement of traffic.

At present, the dockless hire market in London consists of dockless bikes and e-bikes but should e-scooters be legalised they would also be within the scope of these byelaws.

Given the current composition of the dockless hire market, and TfL and borough commitments to reducing car use and promoting active travel, these byelaws also seek to remove barriers to cycling that have been caused in some places by inconsistencies between individual boroughs’ responses to the emergence of the dockless model.

4. Consideration of the reasonableness of the byelaws

The byelaws are restricted to ensuring that dockless operators only offer for hire vehicles which are safe, that dockless vehicles are parked only in parking spaces agreed by TfL and local authorities and that data necessary to be able to monitor compliance is shared with TfL and local authorities.

It is reasonable that operators should only offer for hire vehicles that are safe and that meet existing vehicle standards.

The byelaws are not prescriptive about implementation, allowing boroughs to assess the needs of their residents and the impact of dockless vehicle operations in their local areas to apply the byelaws in the most appropriate way for their local circumstances.

The data that is requested is necessary for TfL and boroughs to be able to monitor compliance with the byelaw requirements. The vehicles are already equipped to collect this data, and operators already collect location data to be able to tell customers where they can find available vehicles for hire, and to be able to collect vehicles for re-distribution, charging or maintenance.

Once in force, it will be an offence for a dockless operator to act in contravention of the byelaw requirements. The associated penalty is a fine not exceeding level 2 on the standard scale. This is the penalty set in primary legislation and is considered a proportionate enforcement mechanism that will drive compliance with the provisions but is not unnecessarily punitive. Under the current circumstances, neither local authorities nor TfL have the ability to require operators to ensure that their vehicles are parked responsibly. A Code of Practice has been in existence since 2018, but there are no enforcement mechanisms available. Without an enforcement mechanism, local authorities have found themselves unable effectively to manage dockless hire vehicles which are left on their streets or other public places such as to cause inconvenience or nuisance. The offence applies only to operators, not to individual hirers. Operators will be responsible for incentivising hirers to park their vehicles in the correct places.

5. Existing enactments

No existing enactment fulfils the purpose identified at paragraph 3. Under existing legislation, local authorities can designate parking spaces for these vehicles (under section 45 Road Traffic Regulation Act 1984), but they cannot mandate that dockless vehicles are parked only in these spaces. These byelaws are necessary because local authorities and TfL require the power to regulate the use of the highway and other public places by dockless vehicles, particularly the manner in which they are placed for hire and left by users.

The byelaw does not conflict with any existing enactment.

No byelaw is being revoked or has been revoked in order for this byelaw to be made.

No model byelaw is being used.

6. Application of these byelaws

These byelaws apply across all of Greater London.

7. Consultation

TfL and London Councils (on behalf of the London boroughs) have consulted:

- dockless bike operators (Lime, Freebike, JUMP, Dott, Beryl, Human Forest),
- CoMoUK (an organisation that accredits and represents shared mobility operators)
- TfL's Independent Disability Advisory Group and other organisations that represent the interests of disabled people, visually impaired people and other vulnerable road users (RNIB, London Vision, Transport for All, Guide Dogs, Alzheimer's Society).

Operators had three weeks to submit written comments on the draft byelaws. Several roundtable and individual meetings have been held with the current and prospective dockless operators and with CoMoUK over the course of the drafting of the byelaw and the accompanying non-statutory guidance.

This consultation has shown that these stakeholders are supportive of the objectives of the byelaws. However, operators have demonstrated some concern that inconsistent application, or the refusal of individual local authorities to agree sufficient locations or density for dockless parking spaces could restrict their ability to operate in a profitable way. These concerns are set out in greater detail in the Assessment of Regulatory Burden which accompanies this report. In order to minimise these concerns, TfL, London Councils and a group of representatives from boroughs have discussed the draft guidance with operators. Operators responded positively to this engagement. This guidance has been drafted with the intention of promoting consistency across London and ensuring that the byelaws are implemented in a way that removes barriers to cycling in the form of inconsistency across borough boundaries.

THE PROPOSED GREATER LONDON DOCKLESS VEHICLE HIRE BYELAWS

**PROVISIONAL AND DRAFT STATEMENT ON THE ASSESSMENT OF THE
REGULATORY BURDEN IMPOSED BY THE PROPOSED BYELAW (REGULATION 5 OF
THE BYELAWS (ALTERNATIVE PROCEDURE)(ENGLAND) REGULATIONS 2016)**

**PREPARED BY LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE
(ON BEHALF OF THE LONDON BOROUGH)**

1. The objective that the proposed byelaw is seeking to secure

The proposed byelaws seek to provide a London-wide framework for better managing the way dockless vehicle operators (“operators”) use the highway and other public places in Greater London for the purpose of making dockless vehicles (such as bicycles and other similar shared micromobility vehicles) available for hire remotely (without the simultaneous physical presence of the operator and the hirer, usually through an App on the hirer’s mobile phone). This is considered to be in the interests of good traffic management particularly in order to secure the safe and convenient movement of pedestrian traffic, acceptable standards of pedestrian comfort, the promotion of walking as an active travel mode, and its appropriate integration with cycling and other active personal transport modes.

It is especially important in improving the current situation for blind and disabled people who are facing daily challenges from dockless vehicles which have become non-permanent street furniture, and which cause obstruction on dropped kerbs, narrow streets, or streets with heavy footfall regardless of the width of the pavement.

It also aims to improve the experience for the users of dockless vehicle hire schemes, reducing barriers to cycling. The current situation has resulted in boroughs taking individual approaches which sometimes create confusion for users who start their journey in one borough and end it in another, perhaps without realising they have crossed a borough boundary. The byelaws seek to create one regulatory framework across London to reduce such inconsistency.

The byelaws seek to achieve this overarching objective by:

- (a) requiring that operators only offer safe vehicles for hire
- (b) requiring operators (“operators”) to ensure dockless vehicles are only left in dockless parking spaces as agreed with local authorities or TfL;
- (c) requiring that each dockless vehicle is uniquely identifiable and fitted with a working device that enables operators, TfL and local authorities to know its location;
- (d) requiring operators to make real-time data available to TfL and local authorities for the purposes of (b) and (c).

(It is recognised that central government consultation on legislation to address dangerous cycling has been introduced to Parliament and the byelaws do not seek to duplicate consideration and regulation of this wider national issue).

2. Evaluation of whether the objective could be secured by other means

2.1 Detailed evaluation has been carried out of the existing legal framework to consider whether there are adequate remedies and controls to secure the objective. Consideration has been given to whether the objective could be met by the creation of a Traffic Management Order (TMO) made under the Road Traffic Regulation Act 1984. It was concluded that the most appropriate course of action was to create a byelaw which included minimum standards of safety, contained provisions which control where operators can leave dockless vehicles and cause their users to leave dockless vehicles, and required operators to take steps to address misuse by users. The use of a TMO was considered impractical and inappropriate as it would require all areas of highway to be restricted by the Order other than designated parking places, would primarily target hirers (who would be difficult to identify) rather than operators, would not allow for the seizure or disposal of non-compliant vehicles, would require excessive signage to work effectively, and could be argued to be irrational if hirers were treated differently to other cyclists. The conclusion was that the existing remedies address issues of unauthorised obstruction, but not of interference with pedestrian comfort and convenience, which fall short of “obstruction”.

2.2 Since the introduction of dockless bicycles in parts of Greater London in Autumn 2017, the affected local authorities and Transport for London have sought to encourage “self-regulation” as a means of achieving the objectives by the adoption of a TfL Code of Practice¹. While the existing operators have largely demonstrated willingness to engage positively with the local authorities and adhere to the Code of Practice in many respects, local authorities have struggled to ensure that operators and hirers leave dockless vehicles in places that avoid inconvenience and are safe and sensible, keeping the carriageway and footway convenient, comfortable and safe for all users. Complaints have been made to TfL and boroughs by groups representing people including disabled road users, visually-impaired road users and others who rely on clear footways and carriageways to make their way safely around the city. While the Code of Practice sets guidelines for operators to follow, it cannot require operators to ensure that their vehicles are parked in a way that local authorities have approved and it does not provide an enforcement mechanism for local authorities or TfL.

2.3 Furthermore, some operators have engaged with local authorities but when they disagreed with the approach set out by those authorities, they have indicated that they intend to launch or operate their service regardless. Even with the existing powers that local authorities already have to create parking spaces for these vehicles and to attach conditions to these spaces (on the carriageway under section 45 of the Road Traffic Regulation Act 1984, or on the footpath or carriageway under section 115e Highways Act 1980), without a measure which requires that operators actually use such spaces and prohibits non-compliant use, local authorities have found themselves unable to effectively prevent uncooperative operators from leaving hire vehicles on their streets. The byelaws would enable local authorities to mandate that dockless vehicles can only be parked in places that they have approved. The byelaws also provide a penalty for non-compliance.

¹ <http://content.tfl.gov.uk/dockless-bike-share-code-of-practice.pdf>

2.4 Consideration has also been given to more localised byelaws by individual London local authorities. This is not considered appropriate because hirers routinely cross borough boundaries and a proliferation of local arrangements would be confusing and could therefore have a negative impact on the number of people cycling. It would also risk duplication and having to comply with a range of different requirements would increase the regulatory burden on operators.

3. The impact and assessment of the regulatory burden of the proposed byelaw on affected persons

3.1 Those potentially affected by the proposed byelaw and the impacts on them are set out below. This assessment of those affected and the likely impacts upon them is informed by consultation with operators as described in **Paragraph 7 of the Report** and other impacted stakeholders as described at Paragraph 3.4 of this document, and a careful consideration of the consultation responses.

3.2 Byelaw requirements: summary, rationale and assessment of impact

3.2.1 The byelaws require that only safe dockless vehicles should be made available for hire. The operator is required to determine that a vehicle is safe by having regard to compliance with the relevant construction regulations, as set out in section 3 of the byelaws. Operators have raised concerns that they may not always be able to assure the safety of all hire vehicles between hires as they will be renting out the vehicles without the simultaneous physical presence of hirer and operator. We expect operators to be able to satisfy themselves as required that the vehicles that they are offering for hire are safe for use, which they should be able to evidence, for example with proper records of vehicle maintenance. Therefore, we do not consider this to be a disproportionate regulatory burden.

3.2.2 The byelaws will introduce additional technical requirements regarding the devices to be fitted on the vehicles and on their management and monitoring. The operators already fit tracking devices on all their vehicles so that they know where they are, and so that customers can locate them via GPS-enabled apps. This will therefore not create an additional burden for operators, it simply makes this a legal requirement in a way that it was not previously. One operator was concerned that they may not always be able to meet this obligation as they are not in physical proximity to their vehicles and unbeknownst to them somebody could damage the GPS tracker, meaning that in some circumstances they may be unable to locate some of their vehicles. However, the intention of this provision is not to unreasonably punish operators in the rare case that the GPS tracker is damaged to the point where the vehicle cannot be located. In such a case, TfL or the relevant local authority would be expected to exercise reasonable judgement as to whether the byelaws had not been complied with on a case by case basis.

3.2.3 The byelaws contain data-sharing requirements that will require operators to make available to TfL and local authorities via an API data about their vehicles. This is intended to help TfL and local authorities as highways authorities to ensure compliance with the byelaws and to be able to manage their roads and public spaces. Operators already have this data and provide some of this data to users, staff and third parties to enable hirers to find vehicles to hire and staff to find vehicles to charge, fix or redistribute. TfL and boroughs need this data to be able to validate compliance with the byelaw requirements and that the objectives of the byelaw are met. We therefore consider this additional obligation for operators to be proportionate and necessary.

3.2.4 The byelaws create the requirements that dockless vehicles are only left by operators and parked by hirers in spaces that have been authorised by a Local Authority or Transport for London. In their responses to consultation on the draft byelaws, operators expressed some concern that while they could make clear where hirers should leave vehicles, they would not always be able to actually prevent hirers from parking the vehicles outside of approved spaces, particularly when hirers are pausing rather than ending a journey. They were concerned that they may be penalised if individual hirers act irresponsibly. The intention is that the operator should communicate clearly to hirers where they can park their vehicles. They may use incentives to encourage compliance but the byelaws are not prescriptive about how operators should achieve compliance from hirers. The byelaws are intended to improve the parking situation, not to unreasonably penalise operators. The accompanying guidance will set out the timeframes during which operators should ensure that their vehicles are parked appropriately. All operators have a live view of where each of their vehicles is and will have the opportunity to rectify any non-compliant parking before any action is taken by local authorities or TfL because a vehicle has been parked irresponsibly or unsafely. Local authorities and TfL will be expected to apply reasonable judgement in their enforcement. We do not consider that this provision does create a disproportionate regulatory burden.

3.2.5 Once the byelaws are in force, operators will be obliged to comply with the requirements as noncompliance will be an offence, with the penalty of a fine not exceeding level 2 on the standard scale. We consider this to be a proportionate mechanism for local authorities to be able to enforce the byelaw provisions, with no impact for operators who act in accordance with those provisions, and without targeting individual cyclists.

3.2.6 The byelaws will introduce requirements regarding hire arrangements including additional restrictions on where users may leave vehicles after use. The operators will be responsible for communicating requirements to users in a clear and unambiguous way, but the impacts on users will be minimal. Users will still be expected to hire and park their vehicles from appropriate locations as instructed through the relevant operator's application.

3.2.7 Users will continue to be required to comply with parking policies set out in the applications through which they hire vehicles. Users may already be fined or charged more for leaving vehicles outside of parking areas shown in the applications.

3.2.8 The byelaws seek to introduce increased consistency across Greater London. They will be supplemented by guidance which seeks to establish a consistent approach across boroughs, improving what at present can be a confusing situation for hirers as they move around London and start and end their journeys in different boroughs, with different rules for parking dockless vehicles. The draft Guidance is attached at **Appendix 1**.

3.2.9 The byelaws do not represent any significant additional regulatory burden for dockless hire vehicle users but seek to reduce barriers to cycling by creating greater consistency across boroughs.

3.3 Wider operator reflections

3.3.1 How the byelaws are implemented is important for assessing the impact and regulatory burden for operators. Operators have expressed concern that the provisions in the byelaws don't do enough to reduce the borough boundaries that currently exist, creating ambiguity for users and adding regulatory burden for operators.

3.3.2 They reported concern that boroughs could use existing mechanisms in primary legislation to designate and attach conditions to parking spaces, but not create enough spaces for all operators to be able to comply with the parking provisions in the byelaws and therefore for operations to be sustainable. They were concerned that the byelaw provisions would allow boroughs to "opt out" of dockless hire schemes by not designating sufficient parking capacity or density. However, it is right that boroughs have the right to decide where vehicles can be parked on their highways. Boroughs are already able to create and designate parking spaces with conditions attached under existing powers in section 45 Road Traffic Regulation Act 1984 ("s45"). The local authority will designate parking places on the highway for dockless bikes under s45 but to ensure nuisance does not result by non-complying dockless operators not using the designated parking space, the byelaws will be used to regulate the conduct of those operators by prohibiting dockless operators from leaving dockless vehicles or permitting dockless vehicles being left other than at a dockless parking place. It is a criminal offence to act in breach of the byelaws. The guidance that will accompany the byelaws will contain a section on the principles for identification, designation and density of dockless parking spaces. This guidance is being drawn up in consultation with the boroughs which should minimise discrepancies in approach, and therefore reduce additional regulatory burden for operators.

3.3.3 At present some boroughs have existing arrangements with particular operators whereby in exchange for a financial contribution from the operators towards the cost of managing dockless operations in the boroughs, boroughs have selected preferred operators who they support to operate in their borough. This has led to issues for users when they cross borough boundaries, as some boroughs select operators which their neighbours have not selected, and therefore users often find themselves unable to end their hires that they started in another borough. Operators questioned whether these existing agreements with boroughs would continue once the byelaws come into force. In the absence of powers to be able to grant licences to specific operators, one intention of the byelaw is to ensure that vehicles from any operator are safe, parked responsibly and that data is shared with TfL and boroughs as required, regardless of which operators are active. It is intended that by introducing minimum

parking and safety requirements in the byelaws that all operators must comply with, that individual boroughs can be less concerned with which individual operators can park in their borough and that they can transition away from operator-specific dockless parking spaces. This will improve the situation for users and reduce the likelihood that operators have to comply with a range of different requirements to be able to operate across London.

3.3.4 The operators have been consulted and have had chances to contribute their views during the development of the byelaws and the accompanying guidance document.

3.3.5 While the byelaws do introduce new obligations for operators, we consider this additional regulatory burden to be necessary and proportionate. There is currently no regulation of dockless vehicle hire schemes in London, and local authorities need powers in the byelaws to allow us to exercise our duties as highways and traffic authorities and to better manage the public spaces on which operators rely to be able to conduct their operations. The parking provisions enable us to improve the current situation for pedestrians, blind, disabled and other vulnerable road users. The byelaw provisions also reduce barriers to cycling that have emerged as individual boroughs have developed approaches in isolation in response to the arrival of dockless vehicles.

3.3.6 It is not possible to estimate any additional cost for operators, because the scale of any additional burden is dependent on how the byelaws are implemented across London by the individual London boroughs. The guidance document that accompanies the byelaws seeks to promote consistency in order to reduce the burden in the form of different approaches to application across London.

3.4 Views of other impacted stakeholders:

3.4.1 We have consulted with TfL's Independent Disability Advisory Group (IDAG), as well as the following organisations: London Vision, Transport for All, Royal National Institute of Blind People (RNIB), Guide Dogs, and Alzheimer's Society.

3.4.2 These groups are generally very supportive of efforts to introduce more order in relation to the parking of dockless vehicle schemes. They expressed frustrations with the current situation, citing regular instances of the vehicles becoming a form of non-permanent street furniture that makes the pavement inaccessible for pedestrians, particularly disabled people. This is exacerbated by being unable to know where these vehicles will be, unlike docked cycles, leading to a real risk of injury, particularly for those with visual impairments.

3.4.3 The byelaws will help secure pedestrian safety, comfort and convenience, and give pedestrians and other road users confidence that footpaths are more likely to be clear and safe to use. The parking requirements contained in the byelaws mean that boroughs can specify where dockless vehicles can be left, helping to keep footpaths, dropped kerbs, access to crossings etc clear.

3.4.4 Implementation of the byelaws is key to reducing impact. During consultation these groups raised concerns about the impact of inconsistent application of the byelaws across boroughs. For visually impaired or disabled road users in particular it is important that

neighbouring boroughs do not take radically different approaches to implementing the parking requirements in the byelaws which could result in different approaches to parking from one street to another, causing difficulties for many road users.

3.4.5 The guidance document will cover principles for how parking spaces should be identified and marked out to promote consistency and careful consideration of accessibility in the application of the byelaw requirements.

3.4.6 The byelaws bring no additional regulatory burden for these road users and have the potential to vastly improve the impact that these vehicles have for pedestrians and vulnerable road users.

4. Evaluation of how alternative means of securing the objectives and the proposed byelaw compare with carrying out no further action

4.1 If the local authorities and TfL were to do nothing or sought to rely on existing legislation and/or the TfL Code of Conduct, their ability to meet their traffic authority responsibilities to secure the convenient movement of traffic (including pedestrian traffic) (S.122 Road Traffic Regulation Act 1984) would be prejudiced.

4.2 It would allow a proliferation of dockless personal vehicle hire operators to carry out business on footways (and other public spaces) in a manner which disproportionately inconveniences other highway users. The safety, comfort and convenience of pedestrians would be reduced, in some cases, to an unacceptable extent. The attractiveness of walking as an active transport mode would be compromised, including for vulnerable road users.

4.3 Without the means to specify that dockless vehicles can only be left in authorised parking spaces and to be able to enforce this, it is very difficult for local authorities to manage the obstructions that are currently being caused by dockless vehicles. Were the byelaws not introduced, this situation would continue.

4.4 There currently exists a 'patchwork' of different approaches across London boroughs as individual local authorities have sought to manage the arrival of dockless schemes in ways that differ from the approaches of their neighbouring authorities. Without the introduction of the byelaws that provide a London-wide approach this situation would continue and would compromise the attractiveness of using dockless bikes as a means of active travel across London as users would continue to face confusion when crossing borough boundaries on a dockless hire vehicle.

5. Evaluation of whether the increase in regulatory burden (if any) is proportionate and necessary

5.1 The local authorities in Greater London wish to encourage both walking and cycling and ensure appropriate integration of both modes. They recognise that the use of dockless personal transport can contribute to increased cycling and other preferred alternatives to petrol and diesel powered transport modes. They have therefore sought to ensure the increased regulatory burden on dockless personal vehicle hire secures the continued operation of the

dockless personal vehicle hire industry in Greater London in an appropriate manner and allowing for appropriate growth and expansion. The local authorities have sought to ensure the regulatory burdens on dockless vehicle hire operations are proportionate and the minimum necessary to secure appropriate integration and balance between the needs of those operations and of pedestrians.

5.2 The measures proposed to ensure the regulatory burdens achieve the balance and proportionality identified at 6.1 are as follows:

5.3 There are no proposed offences by hirers – the byelaws do not seek to criminalise or discourage hirers, but to ensure operators carry out their activities on public space in a responsible manner

5.4 Devices to prevent hirers terminating the hire sessions other than in authorised parking spaces are known to be readily available and can be readily affixed to the personal transport vehicles at reasonable cost.

5.5 The arrangements for authorised parking spaces to be designated or agreed by local authorities allows for proportionate provision of footway/carriageway space for the purpose of the hire operations. In those authorities where there is greater pressure on space, authorities may designate parking spaces more selectively. In areas where there is adequate footway space and/or greater need for cycle hire facilities authorities are likely to be more permissive in authorising parking space.

5.6 There are also potential benefits for operators of boroughs designating specific parking locations which are known to operators. It would be more cost effective to send staff and equipment to service and maintain vehicles that are located together in known hubs rather than scattered all over the city.

5.7 The introduction of a byelaw for use throughout Greater London ensures a single regulatory regime which balances the needs of operators and of highway uses and avoids a proliferation of local arrangements which would be confusing for hirers and operators and cumbersome for operators to manage. It is supported by guidance which seeks to minimise different approaches to implementing the byelaw and invites operators to propose locations. This guidance has been developed in collaboration with boroughs, and in consultation with operators.

Appendix 1 - (Draft Guidance)

(to be added at a later stage)

London Councils' Transport & Environment Committee

Chair's Report

Item no: 07

Report by:	Cllr Julian Bell	Job title:	Chair of London Councils Transport and Environment Committee
Date:	19 March 2020		
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 5 December 2019 and provides a forward look until the next TEC meeting on 11 June 2020.
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Recommendations	Members to note this report.
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Introduction

1. This report updates Members on London Councils' work on transport and environment policy since the last TEC meeting on 5 December 2019 and provides a forward look until 11 June 2020.

Transport

Meeting with the Deputy Mayor for Transport

2. I met with the Deputy Mayor for Transport earlier this month as part of our quarterly catch ups. We discussed the TfL board role, TfL's business plan including LIP funding and Crossrail, safe speeds review and Mobility as a Service (MaaS).

Meeting with the TfL Commissioner

3. TEC chair and vice chairs met with the TfL Commissioner and other senior officers in February. This will be the last meeting with the current incumbent, Mike Brown and the agenda covered the TfL business plan, the impacts of the Crossrail delay and LIP funding, how we can improve joint working on Hostile Vehicle Mitigation and other critical safety and security policies, including speed enforcement. Buses, including the planned changes in outer London, bus priority measures and the current trials on demand responsive services. A more substantive update will be given to the TEC meeting.

The London European Partnership for Transport (LEPT) Update

4. LEPT will be delivering a full programme of activities in 2020/21, following the approval of the TfL business plan in December 2019. As with previous years, LEPT has been granted £140,000 under a section 159 agreement between London Councils and TfL. That agreement is now a yearly rolling agreement, with TfL due to inform LEPT of funding continuation in the month of December from the preceding financial year.
5. In the past three months, LEPT has engaged boroughs on a number of topics, providing them with reports and opportunities to engage with European activity on air quality and vehicle emissions, transport poverty and urban freight. LEPT has also been liaising with European stakeholders on a number of project opportunities that may have benefits for London boroughs.
6. The UK officially exited the European Union on 31 January 2020. The negotiated Withdrawal Agreement guarantees that UK participants can continue to participate in EU Programmes financed by the 2014-2020 Multiannual Financial Framework (MFF) until their closure. Boroughs remain eligible for European funding for any project that would be financed until the end of the 2014-2020 framework. That means boroughs who are selected to participate in EU funded opportunities before 31 December 2020 would still have access to funding after this period.
7. Any access to funding beyond 31 December 2020 will be negotiated bilaterally by the UK and the EU as part of the wider discussion on their future relationship. LEPT is closely monitoring this and providing support to borough officers. In a scenario of reduced access to European funding programmes, LEPT activity would still enable boroughs to benefit from European opportunities such as working groups, replication and learning programmes, awards for transport and mobility initiatives.

GULCS

8. The first round of delivery of residential charge points has now delivered over 1,750 charge points, with another 100 forecast for delivery by the end of the financial year.
9. £4m round two funding was allocated to 28 London boroughs in December 2019. This funding will be used to deliver just under 1,000 additional residential charge points, two community charging hubs and up to 17 rapid charge points by 31 December 2020.
10. GULCS round 2 funding was hugely oversubscribed, with boroughs requesting £8m funding in total. The GULCS programme team is planning to submit an application to OLEV for additional funding for London boroughs to deliver on-street residential charge points through the On-street Residential Chargepoint Scheme (ORCS). Any additional funding received through this scheme will be for delivery by March 2021.
11. Quarterly usage data for the charge points delivered to date was submitted in January and analysed by London Councils. Findings were shared with the boroughs and project partners and should support the boroughs in their strategies for installing charge points in the future.
12. The team has developed a new web page on London Councils' website that shows general information on electric vehicle charging in London, and directs Londoners to borough processes for requesting an on-street charge point.
13. London Councils will take on the role of the electric vehicle coordination function when all 33 London boroughs sign the proposed variation to the LCTEC amendment. Signed approval has been received from 28 boroughs and is in progress for the remaining five (Bexley, Bromley, City of London, Haringey and Newham). All approvals are forecast to be completed by the end of March 2020.

Future Mobility Agenda – Task & Finish Group on MaaS

14. The Task & Finish Group on Smart Mobility and MaaS was brought together by London Councils in order to provide an analysis of the current state of MaaS in London, develop a shared vision supported by all key London government stakeholders and clearly identify the role that London boroughs should play in this policy area going forward. The group was made up of officers from London Councils, the GLA, TfL and local authorities, and also had a large number of guest members involved (MaaS platform providers, universities, consultancies, civil service and 3rd sector organisations).
15. The group concluded that a user centric MaaS, if developed responsibly and tailored to supporting public policy goals, has the potential to make positive improvements on efficiency, sustainability, accessibility and safety of London's transport network. The group therefore recommended that TfL should be recognised as the lead organisation in developing and managing a pan-London MaaS solution which has public good at its heart, in collaboration with and support from London boroughs and London Councils. This recommendation has been agreed by TEC Executive on 6 February 2020¹.
16. The next focus area of the Future Mobility Agenda will be demand responsive transport (DRT). TfL has launched trials for demand-response bus service in Sutton² in May 2019 (due to end in May 2020) and Ealing³ in November 2019 (due to end in November 2020). We are planning to carry out this work over Summer 2020 and report back to TEC Executive in the autumn.

¹ Full report can be found here: <https://www.londoncouncils.gov.uk/node/36985>

² <https://gosutton.co.uk/>

³ <https://consultations.tfl.gov.uk/buses/demand-responsive-buses/>

Press Work

17. London Councils in the press

- Local Transport Today (6.12.19): *Dockless bike operators seek clarity on capital's byelaw*
- Transport Times (17.12.19): *London Transport Awards 2020 shortlist announced*
- Smart Cities World (23.12.19): *London receives £4m investment for EV infrastructure*
- Electrive.com (23.12.19): *London invests in another 1000 charging points*
- Local Transport Today (20.12.19): *Boroughs will retain the right to choose dockless firms*
- Local Transport Today (20.12.19): *Lorry control pilot scheme mooted*
- Highways Magazine (15.1.20): *County motorists 'poor relation' to major cities*
- Local Transport Today (25.1.20): *More boroughs endorse EV role for London Councils*
- Local Transport Today (10.2.20): *Kent awaits PM's decision on moving traffic offence power*
- Hackney Gazette (18.2.20): *Hackney to get 182 new electric vehicle charging points*
- Evening Standard (19.2.20): *Car clubs renewed support after two schemes close*
- Fleet News (20.2.20): *London boroughs look for coordinated car clubs approach*
- Air Quality News (20.2.20): *London Councils to launch online resource encouraging car clubs*
- Fleet World (20.2.20): *London boroughs advance coordinated approach to car clubs*
- Local Gov (20.2.20): *London Councils drive forward coordinated approach to car clubs*
- Local Transport Today (21.2.20): *London Councils' car clubs website*

Environment

Meeting with the Deputy Mayor for Environment and Energy

18. I met with the Deputy Mayor for Environment and Energy in February as part of our quarterly catchups. We discussed waste policy, particularly around the reduction and recycling plans, LWARB and national policy, given that we are expecting a number of significant consultations later this year. We also talked about our work on climate change and how we can work more closely together generally but also specifically for the Climate Change Week, which will be from 27 June to 5 July (unfortunately coinciding with the LGA Conference for much of the week). We then also covered GULCS and the roll out of the ULEZ.
19. The Deputy Mayor requested that all local authorities consider using London Power for their void stock, rather than any other energy company to support the scheme. More information about this can be found in Appendix 1.

Meeting with LWARB Chair

20. In my regular catch up with the LWARB chair, we talked about the LWARB business plan, which was this time more informed by London Councils, London borough officer and members alike, the potential for an additional officer advisory board, LWARB membership, the upcoming Defra consultations and London Councils pledges and TEC/LEDNet joint statement on climate change.

21. We are keen to make the links between LWARB and TEC stronger again and given that three members are due to be replaced by August 2020, there is an opportunity to do this going forward.
22. TEC will continue to receive two yearly updates by LWARB to further foster closer working relationships.

London Green Space Commission

23. The London Green Space Commission, chaired by Shirley Rodrigues, met in February 2020. Commissioners received an update on three research reports, one on skills, one on adult social care and one on the potential approaches to increase city-wide support for London's green spaces.
24. Commissioners received a presentation that outlined the structure and content of the London Green Spaces draft report. Members heard that the report was deliberately concise and tried to avoid repeating work that had been carried out previously.
25. Commissioners had a discussion on the report's target audience. Officers noted that the initial draft had been done with the Green Spaces sector in mind as the key audience. However, Commissioners recommended that there was a need to communicate the overarching messages within the report to the wider public.
26. Officers continue to work closely with Commissioners to produce a report for publication.

Environment Bill

27. The Government's Environment Bill was re-introduced on 30 January 2020, with only few changes from the previous version, published just before the General Election 2019. London Councils produced a briefing for MPs, asking for the following to be amended:
 - The Office of Environmental Protection (OEP) should be more independent of Government. The choice of Chair and budget should not be the responsibility of Defra, but of Parliament.
 - The OEP should have the ability to levy fines against companies or Government, as the European Commission can currently do.
 - The Government should adopt the World Health Organisation target for PM2.5 as a legal limit to be met no later than 2030 and introduced as soon as is possible.
 - The Government should introduce additional regulatory powers for local authorities to control emissions from appliances, such as gas and solid fuel boilers, combined heat and power plants, construction machinery and standby diesel generators.
 - Government should look to review and align the tax system, such as fuel duty and other relevant taxes, with air quality and other environmental priorities.
28. There were a number of MPs who made the point about increased independence from government for the OEP and requested changes that include London Councils' points on the WHO targets for PM2.5. London Councils' briefing also highlighted the principle of non-regression of environmental regulation after exiting the EU, which has also been tables as an amendment for consideration.
29. London Councils will continue to work with MPs, officials and other stakeholders on changes to the Bill that would strengthen the OEP and air quality regulations in particular

throughout the Bill's passage.

Emission Reduction Bill

30. The Emission Reduction (Local Authorities in London) Bill, which was developed by the City of London, was re-introduced into the House of Lords, as a Private Members Bill on 13 January 2020. The Bill aims to deal with emissions from several non-transport related sources and was closely developed with officers and members from London Councils and London Councils TEC.
31. It is looking unlikely that the Bill will progress beyond the first reading stage due to its position on the list. However, officers continue to engage with the City of London and the London boroughs, on any potential next steps for these legislative proposals. This is also connected to the work officers are undertaking with regards to the Government's Environment Bill.

Press Work

32. London Councils in the press

- Local Transport Today (6.12.19): *London Councils wants climate role*
- Let's Recycle.com (20.12.19): *Londoners urged to recycle Christmas trees*
- BBC News (18.1.20): *Recycling household waste in London 'impossible'*
- Let's Recycle.com (20.1.20): *Concern over London's 50% recycling target*
- Evening Standard (31.1.20): *Recycling can't be one size fits all (Cllr Bell's letter)*
- Public Sector Executive (February/March 2020): *Collaboration is central to tackling climate change*

Forward Look

33. Forthcoming meetings and consultations between now and the next TEC meeting on 11 June 2020:

March

- 18 – World Recycling Day
- 24 – London Councils Leaders' Committee
- 23 – Pre-election period starts

April

- 23 – Thames RFCC main committee meeting

May

- 7 – London Mayoral election
- 14 – LWARB meeting

June

- 1-5 – Circular Economy Week London
- 2 – London Councils Leaders' Committee AGM
- 5 – World Environment Day
- 11 – London Councils TEC meeting

Appendix 1 – London Power

Background

London Power (<https://mylondonpower.com/>) was founded by the Mayor of London. In addition to the Mayor's ambition for London to be zero carbon by 2050, the Mayor also wants the energy market to work better for Londoners, delivering fairer prices, helping Londoners manage their energy use and making the best use of smart metering.

London has particularly acute problems. Nearly 12% of London households, over a million people, live in fuel poverty, the highest level since records began. London Power is designed to provide energy to Londoners that's good for the pocket, good for the environment, and good for the community.

London Power offer

London Power is fair, affordable, green, and specially designed for Londoners;

- the *my london fixed yearly plan*, a one-year fixed rate with no exit fees, is **linked to the cheapest 10% of similar tariffs available in the market** at sign up, helping to ensure it's always competitive. For pre-payment customers, our tariff will always be at least two per cent cheaper than the price cap
- **unlike most companies, we also promise to roll customers onto our cheapest similar plan when their fixed term ends.** This means customers do not need to keep switching their energy supplier or the plan they are on to ensure they get fair prices
- **London Power's electricity will always be 100% renewable.** With London Power, all the electricity used will be matched with power generated from renewable sources like the sun and the wind
- **London Power has world-class customer service** powered by Octopus Energy, the top rated Which? recommended energy supplier for the third year in a row
- **City Hall will reinvest the profit it makes into London's communities to help improve Londoners lives.** This will help tackle the climate emergency and Londoners struggling to pay energy bills.

Benefits to boroughs

Through London Power, boroughs could help tackle fuel poverty and realise significant savings for residents, reducing energy costs by around £325 per year for a typical dual fuel household compared to the average Big 6 standard variable tariff. For prepayment customers, London Power's tariff would save a typical dual fuel household £166 compared to the price cap.

London Power will provide a **gateway to GLA and LA support programmes.** Customers can be assessed for their eligibility for various support schemes and referred to borough programmes where appropriate.

London Power can also provide boroughs with **access to data** (at an aggregate, anonymised level to comply with GDPR). This could help with identifying fuel poverty hotspots etc.

London Power also gives boroughs the comfort that when a resident switches they will **remain on a fair-price tariff** even once their contract ends, due to our promise to roll customers onto our cheapest comparable tariff.

Voids

London Power's Voids Service offers a great opportunity for boroughs to call off under our **voids framework** without further procurement and could **collectively save borough tenants over £30m over the next four years⁴**.

Boroughs can switch their social housing properties to London Power when they are vacant between tenancies, so incoming tenants start out on a fair energy tariff (but will be free to switch to a different supplier if they would like to). Some suppliers will offer good deals for housing providers, such as commission for every void property, but make back this money by overcharging tenants. We don't think tenants should be paying the price for this – that's why London Power will ensure tenants start out on a fair tariff.

In addition, we would be happy to conduct analysis on your housing stock to provide more tailored information on the potential benefits of our voids service to you and your residents.

Support for wider promotion

We have been working with many London Boroughs to help promote London Power as we want to get the message to as many residents as possible enabling them to get a great deal on their energy and brilliant customer service.

We recognise that your promotion of London Power is unique to your borough. So, we have created a flexible range of assets which you can choose from and use as appropriate, without obligation.

We can provide boroughs with a digital toolkit containing web banners, email templates and digital ads which can be used to promote London Power and which can be co-branded and localised as appropriate. In addition, boroughs are able to apply for additional marketing assets including hard copy flyers, a postcard mailout to households and print ads for local press.

We are grateful for the support of a number of boroughs who are already engaged and are working with us on promotion, referrals to local fuel poverty support services and developing a local voids service. Your participation in London Power can be tailored to local needs in collaboration with officers.

Next steps

We have held one-to-one meetings with officers in a number of boroughs and are happy to set up further meetings to discuss voids in more detail, as well as how you can:

- promote London Power to your social housing tenants;
- promote London Power to those in fuel poverty through your engagement activities; and
- promote more widely across the borough through any channels at your disposal.

Please contact Katie Lindsay to discuss further: Katie.Lindsay@london.gov.uk | 020 7084 2593

⁴ Estimate of over £30m assumes 4.0% voids rate per annum on 391,000 properties (source <https://www.gov.uk/government/collections/local-authority-housing-data#2018-to-2019>) with 40% on pre-pay tariffs. Saving assumes credit customers are on a Big 6 standard variable tariff and prepay customers are on a tariff priced at the price cap.



London Councils' Transport and Environment Committee

Climate Change Action Update Item No: 08

Report by: Kate Hand

Job title: Head of Climate Change

Date: 19 March 2020

Contact Officer: Kate Hand

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Summary:

This report updates TEC on the work that has been taking place on climate change policy since the last report in December 2019 and what is planned in the run up to COP26 in November this year.

London Councils officers have been working closely with LEDNet and CELC to establish an ambitious programme of activity, support for individual climate action plans and a common approach to data.

Furthermore, London Councils is working with a number of organisations to develop the national advocacy asks and a programme of activity in the run up to the COP26.

Recommendations:

Members are asked to:

- Agree the addition of 'resilient and green London' as a seventh theme to London Councils ambition around climate change, as outlined in paragraph 5
- Agree the requirement of boroughs individual climate action plans to include the actions as outlined in Appendix 1
- Agree for all boroughs to use the data outlined in paragraph 17 to ensure a consistent, minimum standard across London boroughs
- Endorse the collaboration with the GLA on scope 3 emission research as outlined in paragraph 18
- Note and discuss the high-level governance as outlined in paragraphs 21-23

- Note and discuss the activities planned in the lead up to COP26 as outlined in paragraphs 24-28

Climate Change Strategy

Introduction

1. In December 2019, Transport and Environment Committee members agreed an ambitious Joint Statement on Climate Change with the London Environment Directors' Network (LEDNet), covering six main areas of activities.
2. Following the adoption of the Joint Statement, London Councils has been working closely with LEDNet, a network of climate change officers and chief executives to develop the six major ambitions, as well as a proposed common approach to climate change data and reporting, common priorities for borough climate action plans, overall coordination of climate change action in London and national advocacy.
3. COP26 is taking place in Glasgow 9-19 November 2020 and there are a number of activities and events leading up to this internationally significant event. London Councils is working with a number of colleagues to showcase the positive contribution of London local government to the climate change challenge at COP26.
4. TEC members are asked to endorse the described approaches ahead of Leaders Committee, which is considering a similar report at its March meeting.

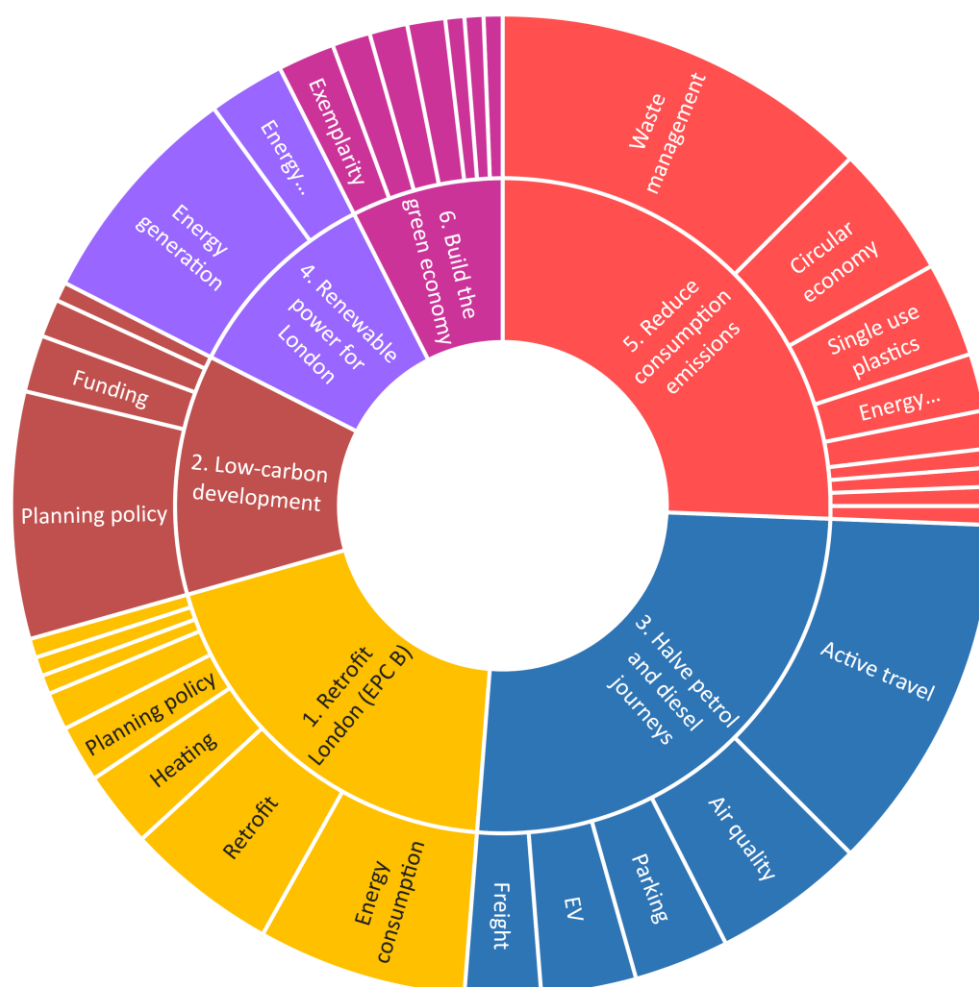
Climate Change Programme of activity

5. London Councils has been working closely with borough officers to develop more detail on the six ambitions covered in the joint statement. During these discussions, it has become clear that adaptation and biodiversity is missing from the list above and should be added. London Councils officers therefore suggest adding a seventh ambition: **#7 Create a resilient and green London:** Ensure London is resilient to the effects of climate change, whilst enhancing its biodiversity and green spaces. Programme timescale: 2020-2030.

Borough climate action plans

6. London Councils officers have analysed four published borough climate action plans (some of which are currently undergoing consultation) together with three recent climate strategies, to identify key trends, and the level of alignment with the main programme of activity.¹
7. At least another 18 boroughs have announced an upcoming publication or a revision of their existing documents in 2020.
8. Although actions in the seven plans varied in scale and scope, they overall aligned strongly with London Councils climate ambitions. There were some additional actions related to air quality or overarching enabling actions for the council or other stakeholders (for example, raising awareness of climate change). This is illustrated in the two graphs below.

FIG. 1: SUB-TOPICS IN THE ORIGINAL 6 LONDON COUNCILS AMBITIONS



¹Camden Climate Action Plan (consultation in progress) – published Jan 2020; Hounslow Climate Emergency Action Plan (consultation in progress) – published Jan 2020; Wandsworth Climate Action Plan – approved by council on 27 Jan 2020; Richmond-on-Thames Climate Emergency Strategy 2020-2024 Action Plan – presented to council on 13 Jan 2020; Harrow Climate Change Strategy – published Jan 2019; Royal Borough of Kensington and Chelsea Air quality and climate action plan 2016-2020 – updated Jan 2019; Sutton's environment strategy 2019-2025 – published June 2019

FIG 2: SUB TOPICS FOR OTHER IDENTIFIED CATEGORIES



9. In order to drive collaboration, learning and cost savings, London Councils officers, with support from senior officers through LEDNet and the CELC Environment sub-group have drawn together the existing plans into a single set of actions, organised via the seven ambitions, and a set of enabling actions (see Appendix 1).
10. It is recognised that each borough will need to respond to its own local circumstances. However, in order to meet the seven ambitions and allow London local government to speak with one voice on the climate agenda, all boroughs should adopt the thematic areas and actions as outlined in Appendix 1.

11. It is recognised that this analysis does not identify whether the borough action plans meet the scale of the challenge at the individual borough level, or as part of the collective effort to meet London's shared objectives. It is anticipated that as data and expertise develop, and the national policy and funding picture becomes clearer, each borough will become increasingly confident in forecasting and managing their emissions trajectory. At this point in time, the priority is rightly focused on setting up systems that can pull the big levers of emissions reductions available to boroughs.
12. The same is true of meeting London's collective carbon ambitions: there is a need to focus now on getting delivery against these up and running, and then start to develop a more nuanced picture of quantified carbon emissions reductions. Forecasting tools like Scatter will help with this.²

Borough climate change data

13. To deliver on their greenhouse gas emissions reductions targets, councils need to understand the source and size of their emissions, how actions can effectively reduce those emissions and how to track and monitor them effectively going forward. Given that many boroughs have committed to emissions reductions from their own council operations and the wider borough, they will need an accurate picture across both council and borough emissions.
14. Emissions management is structured into three 'scopes':
 - i. Scope 1 is direct emissions of greenhouse gases, for example from borough energy infrastructure, including gas boilers, and fleets
 - ii. Scope 2 is indirect emissions associated with electricity purchased and used
 - iii. Scope 3 is all other indirect emissions from activities that arise from sources boroughs do not own or control, for example procurement, waste and water use
15. Members have previously asked that London boroughs adopt comparable approaches to data management, so that an accurate picture of total borough emissions can be established, the efficacy of different approaches to emissions reductions (including their costs and co-benefits) understood and informed public engagement with council action supported.
16. Although it is accepted that greenhouse gas emissions data management will become more accurate over time, boroughs should start with a consistent minimum standard to ensure transparency around climate action. This minimum standard will be limited to scope 1 and 2 emissions in the short-term, because there is not currently a robust methodology for assessing London's scope 3 emissions.

² <https://scattercities.com/>

17. London Councils officers therefore recommend that in the first instance all boroughs should capture:

- i. Total emissions from council operations (tonnes of carbon dioxide equivalent (tCO₂e)), which should be based on the now-retired Carbon Reduction Commitment (CRC) standard for council operations³
- ii. Emissions from council housing, which should be based on the energy that councils procure for housing
- iii. Emissions from the borough as a whole, which should be based on BEIS data⁴

Scope 3 emissions

18. Boroughs' scope 3 emissions are significant and include areas where there may be significant public interest – for example emissions from waste and recycling, or procurement. London Councils officers propose that work to develop data on boroughs' scope 3 emissions should be undertaken in collaboration with the GLA, which has already started to get some consultancy support in this area.

19. Additionally, there are emission sources outside of the control of many councils, such as schools, where there will also be keen public interest. It is suggested that councils utilise their convening roles and status within their local areas to encourage and support organisations in their borough to report their greenhouse gas emissions also.

20. Moving forward, there is a need to continually review London's local government approach to data management and reporting, and to confirm clear principles for which data is reported, based on, for example, ownership of an asset, or control over energy purchasing.

Governance

21. Climate action presents a great opportunity to foster partnership working between boroughs, with London's residents, business, the health sector, GLA and many others.

22. London Councils has called on the next Mayor to set up a Climate Emergency Board that brings together London's elected leadership to engage with Londoners on how to create a zero-carbon city.

³ The CRC standard covers CO₂ from non-domestic energy supplies that the council procures, excluding housing and schools

⁴ Although the current Mayor of London is committed (through his London Environment Strategy) to the production of the LEGGI dataset, it has some differences from the BEIS dataset, and the production of the BEIS dataset seen as more reliable in the long-term as being produced by centrally by government.

23. This joint governance board should have the remit and membership that can ensure that London is delivering the action needed to reach its climate ambitions, and that resources and support are directed to the right place to achieve this. This board should also ensure that London is speaking with a single voice in advocating for the powers, policies and funding that it needs to meet the climate challenge.

Other activities leading up to COP26

National advocacy plans

24. London Councils and LEDNet are working with partners in local government and the third sector, seeking to understand what local government would need in terms of leadership, powers, policies and funding from central government to deliver its climate ambitions.
25. There are three phases to this for 2020:
- i. Writing to the Chancellor ahead of the Budget on 11th March, arguing that the Government needs to send the right signals about its ambition and commitment to domestic climate action and stressing the importance of local authorities in delivery (complete)
 - ii. Preparation of local government's power, policies and funding asks of central government, to be launched at a Local Climate Emergency Summit in July
 - iii. Advocacy and interventions to lobby for these asks through the Spending Review and Party Conferences in the run up to COP26
26. The coalition is broadly England-wide, so it is unlikely that London-specific asks will be included; however, if necessary, this can be enhanced with a sub-set of asks brought together by London partners.

London Climate Action Week

27. London Climate Action Week (LCAW) will be held from 27 June – 5 July 2020. This year, London boroughs will be keen to use this opportunity to share their plans and ambitions with stakeholders across the city, and to develop new partnerships and opportunities to deliver on climate action plans.
28. London Councils will partner with Climate Action⁵ to host a high level breakfast briefing between boroughs and selected private sector partners at the Climate Innovation Forum during LCAW. This provides a valuable opportunity to develop local government's strategic conversation with private sector partners who can support our shared ambitions; it may also

⁵ <http://www.climateaction.org/>

set the stage for engagement at Climate Action's larger and more established Climate Innovation Forum, at COP26 in Glasgow in November.

Recommendations: The Committee is asked to:

- Agree the addition of 'resilient and green London' as a seventh theme to London Councils ambition around climate change, as outlined in paragraph 5
 - Agree the requirement of boroughs individual climate action plans to include the actions as outlined in Appendix 1
 - Agree for all boroughs to use the data outlined in paragraph 17 to ensure a consistent, minimum standard across London boroughs
 - Endorse the collaboration with the GLA on scope 3 emission research as outlined in paragraph 18
 - Note and discuss the high-level governance as outlined in paragraphs 21-23
- Note and discuss the activities planned in the lead up to COP26 as outlined in paragraphs 24-28

Financial implications for London Councils

29. There are no financial implications for London Councils.

Legal implications for London Councils

30. There are no legal implications for London Councils.

Equalities implications for London Councils

31. There are no equalities implications for London Councils

Appendix 1: Proposed alignment of borough climate change action plans

1. RETROFIT LONDON	2. LOW CARBON DEVELOPMENT	3. HALVE PETROL AND DIESEL JOURNEYS	4. RENEWABLE POWER FOR LONDON	5. REDUCE CONSUMPTION EMISSIONS	6. BUILD THE GREEN ECONOMY	7. CREATE A RESILIENT AND GREEN LONDON
Work with partners to identify mechanisms and secure funding to retrofit homes and workplaces in the borough, to increase energy efficiency and introduce low carbon heating sufficient to meet an average of EPC B across the borough	Change planning policy to require zero carbon developments, and/ or introduce a climate emergency SPD	Build joined up cycling and walking infrastructure	Switch all council purchased gas and electricity to renewable or zero carbon sources, and drive energy efficiency improvements across the council estate	⌚ Provide clear, robust advice to residents and organisations on reducing their CO ₂ footprint	⌚ Provide training and guidance for council staff and contractors on sustainable procurement, including low carbon procurement standards	Map climate change vulnerabilities and adaptation opportunities within the borough, including flood risk and overheating analysis
Identify sources of funding for/means to incentivise private retrofit	⌚ Create a carbon offset fund	Enable active travel as part of wider schemes (healthy streets, liveable neighbourhoods)	Work with partners to explore options for a renewable energy PPA	Improve capture of new recycling streams, including food waste and textiles	⌚ Map out and support green local businesses	Support the delivery of sustainable drainage systems and urban greening
Engage with landlords, housing associations and businesses in the borough to encourage retrofitting of their premises	Support planners to secure low carbon standards and adaptation measures in final developments	Implement local low or zero emission zones	Work with UK Power Networks and other partners to prepare for a zero carbon grid, including use of smart energy networks	⌚ Support circular economy schemes and principles	Provide residents with skills and education to work in the low carbon sector	⌚ Plant trees
Take action to reduce overheating risk in existing and new buildings	Pilot passivhaus/low carbon design in council housing	Pilot and promote alternative means of transportation for urban freight	Support generation of renewable energy and low carbon heat within the borough	⌚ Conduct a waste inventory and review existing practices, including those of contractors	Ensure courses and curricula reflect changing job requirements	Avoid loss of green spaces and expand the network of open green spaces
Prioritise and support residents living in fuel poverty with targeted actions		Support the creation of travel plans for all organisations (e.g. council, schools)	⌚ Support opportunities for residents and businesses to create community energy generation projects	Reduce single plastic usage		⌚ Improve environmental practices in park maintenance operations
Enforce minimum energy standards in the private rented sector		Facilitate the uptake of ultra-low emission vehicles		Grow food locally		Require developers to improve the biodiversity value of their sites
ENABLING THE COUNCIL TO ACT						

GOVERNANCE	COMMUNICATIONS	LEARNING AND DEVELOPMENT	RESOURCES	DATA	LOBBYING AND INFLUENCING
Establish clear internal governance structures and a whole-council approach to climate delivery	🕒 Create a unified borough climate emergency 'brand'	🕒 Support the capacity and capability of all council staff to deliver on council climate targets	🕒 Identify funding needs and potential sources, from within and outside the council	🕒 Create a baseline of council and borough wide emissions	🕒 Lobby national to support a London wide position on climate change
🕒 Ensure that all council committee papers include the carbon impact of decisions	🕒 Increase engagement around climate change to help residents make climate-informed decisions	🕒 Review best practice by other councils	Set a climate budget as part of the borough's budget	Collect data on energy and CO ₂ from council operations	Lobby the private sector and London's growth partners to support climate action in London
🕒 Create a partnership panel to monitor the borough's climate action plan with residents (including young people) and others, and support co-design and co-delivery of borough-wide action	Support residents and businesses to register their climate change pledges		Review pension investment funds and ensure all council investment addresses the climate emergency, and/or divest from fossil fuels	Have contractors provide their own carbon emission data so it can be integrated in the councils' total	🕒 Support action in schools (e.g. influence curriculums, hold climate assemblies)
🕒 Ensure that those most vulnerable to climate impacts have a voice in the council's climate action planning and delivery	🕒 Integrate climate-related advice to council helplines				Work with local representative groups (e.g. Voluntary Action, Local Chambers) to support climate action
Ensure all existing council policies and procedures are revised and integrate low-carbon thinking					

Text that appears in **red** in the tables represents actions added by London Councils; actions with a clock symbol (🕒) are quick wins.

London Councils' Transport & Environment Committee

Safe Speeds Review for London Update

Item No: 9

Report by: Andrew Luck

Job title: Transport Manager

Date: 19 March 2020

Contact Officer: Andrew Luck

Telephone: 020 7934 9646

Email: Andrew.luck@londoncouncils.gov.uk

Summary:

This report provides an update to members on activity and planned future actions following the agreement from the Transport and Environment Committee (TEC) in October 2019 to ten recommendations, including the partial decriminalisation of speed enforcement. TEC also agreed to pursue the borough provision of speed awareness courses and to continue to support TfL and MPS on existing plans to improve both speed enforcement in London and engagement with boroughs on activities to improve compliance with speed restrictions.

Recommendation:

The Committee is asked to note the contents of the report, including the progress to date and proposed future work.

Background

1. At the Transport and Environment Committee (TEC) meeting in October 2019, members were presented with a set of recommendations on how London Councils should proceed with the Safe Speeds Review for London programme. This programme encompasses a variety of different interventions, but includes the investigation into enhanced borough enforcement powers, and closer working with TfL and MPS (Metropolitan Police Service) on improving the current way that speed is enforced in London. This followed concerns that members had

raised regarding the adequacy of speed enforcement in London, and whether there was a better alternative to the current activities.

2. The full decision from the committee meeting in October 2019 was as follows:
 - i. Agreed to lobby Central Government for the new primary legislation required for partial decriminalisation to allow local authorities to enforce some (but not all) speeding offences. The steering group to investigate the definition of what partial decriminalisation should include.
 - ii. Agreed to pursue the borough provision of speed awareness courses in conjunction with the lobbying for partial decriminalisation.
 - iii. Agreed to support TfL and the MPS plans for boroughs to play a more active role in where speed enforcement took place and where cameras were located.
 - iv. Agreed to explore the development of borough-led pilots of increased speed data and intelligence gathering for sharing with the police to pursue prosecutions or to inform subsequent police deployments.
 - v. Agreed to support TfL and the MPS with regards to their speed awareness publicity campaigns.
 - vi. Agreed to continue to support TfL with the implementation of their speed enforcement action plan.
 - vii. Agreed to support TfL in delegating speed enforcement powers to Police Community Support Officers (PCSOs) and for the TEC Chair to send a letter of support to the Mayor and the Met Police Commissioner outlining this support.
 - viii. Agreed to continue to support TfL in developing the revised methodology for safety cameras with boroughs on London roads.
 - ix. Agreed to support the development of TfL proposals for borough funded cameras, at locations chosen by boroughs, to help implement trials in a small number of boroughs before further roll-out is considered; and
 - x. Agreed to support the trialing of 'moveable' camera technologies to enhance enforcement opportunities and build flexibility into the network.
3. This report focuses on items i and ii above, setting out the actions and timescales necessary to complete this work. Appendix 1 contains a high-level Gantt Chart programme for the proposed work.

Making the case for Legislative Change

Identify and Examine Existing Research

4. London Councils are aware that existing research into the success of current speed enforcement practices is limited. At our meeting with the Department for Transport (DfT) in January, it was agreed that the need to research and fully evidence the reasons why partial decriminalisation was required would be paramount to any lobbying activity. We are aware of a number of published items of research that we are exploring in detail. We have also highlighted several other papers that could feed into our evidence base. We are engaging with stakeholders locally, nationally and internationally to help inform our review of existing research to ensure a comprehensive evidence base.

Gather London Borough Research and Data

5. London Councils has asked boroughs for any data or related research that they hold that explores speed enforcement and compliance in their borough. Requests have been sent through the London Environment Directors Network (LEDNET), Transport Directors and senior officers. To date we have received 13 borough responses.
6. We aim to conclude the evidence gathering by the end of April 2020 and formulate a full detailed evidence report by June 2020.

Liaise with Road Safety Charities and Organisations Regarding Specific Research

7. As well as engaging with and seeking the support of road safety charities and foundations for the improvements that we are looking for, they have also been approached about any research that they have regarding the effectiveness and impact of speed enforcement in London. The organisations that have been contacted are Brake, 20's Plenty, Road Safety Trust, RoadPeace and ROSPA.

Request for National Research

8. It is important to liaise with organisations such as Local Government Association (LGA) and PATROL (Parking and Traffic Regulations Outside of London) to establish whether there is any existing or planned research into how speed is enforced in other cities that may assist us with our proposals. Approaches to both organisations have also been made and will be included with the full research report in June 2020.

Examine Existing European and International Speed Enforcement Protocols

9. Whilst any legislative requirements will differ between countries, it is important to examine how speed is enforced in other countries to establish whether there is any precedent for the actions we are seeking to take. There are two tier enforcement powers for speed in France for example, so it is important to utilise our European contacts to establish whether there are similar powers elsewhere in Europe and beyond. If so, this may assist with future planning, and help us learn from approaches taken to build a more comprehensive evidence base. Our European contacts have been approached via the London European Partnership for Transport (LEPT) networks.

Identifying Areas Not Covered in Existing Research

10. Following the examination of all the evidence and research available, London Councils will discuss future options with the Steering Group. It may well be that we believe that we have enough evidence and data to support efforts in lobbying for more borough powers. If that is not the case, we need look at what additional research will be required. This would be commissioned by London Councils and would take place after existing data and research has been examined in June 2020.

Fully Establish the Current Position

11. TfL and the MPS hold details on the current and proposed provision of speed enforcement activity and have been very cooperative in sharing information to date. Work analysing TfL proposals for future enforcement without

decriminalisation, coupled with the research highlighted above will allow for a more detailed current picture of speed enforcement in London. We aim to have this finalised by July 2020.

Communication and Engagement

12. Communication and engagement with stakeholders has continued since TEC members raised their initial concerns in December 2018 with discussions taking place with DfT, TfL, MPS, boroughs, safety charities and organisations. The following section outlines the approaches made and future communications objectives.

London Councils Communications Team

13. There will be monthly communication meetings with London Councils' communications team to develop and review progress against the detailed communications plan.

Steering Group

14. The Steering Group was appointed to provide a strategic overview of the aims of the safe speeds review and was concerned with both the work on enhanced borough powers, and the proposed speed compliance improvement work in collaboration with TfL and MPS. The Steering Group consists of London Councils, TfL and MPS as well as cross-party TEC Member representation.
15. To date, the Steering Group has met on two separate occasions, with a third proposed meeting in December 2019 cancelled because of the General Election and the unavailability of TEC members. A further proposed meeting that was to be held the week commencing 16 March 2020 was also cancelled because of limited availability. Full details of the proposals and timescales set out within this report have been provided to Steering Group members before this update to TEC. Any feedback from Steering Group Members will be tabled and discussed at the TEC meeting.
16. It is proposed that the Steering Group will meet quarterly going forward.

Department for Transport

17. The question of enhanced borough powers has been raised at London Councils' quarterly meetings with DfT since the beginning of 2019. Following the agreement by TEC in October 2019, London Councils met with the DfT lead official for road safety and speed management. Much of the discussion outlined the legislative changes that we believe would need to occur to afford the powers to boroughs that were outlined in the advice provided by Clive Sheldon QC. This was confirmed by DfT, who also advised that such changes to primary legislation are likely to take several years, even if there is Government support.
18. DfT indicated that London Councils would need to make a very strong case outlining the reasons why partial decriminalisation is the answer for future speed enforcement in London.
19. We will arrange further discussions with relevant officials once the evidence basis has been completed. We will undertake this by August 2020. The progress will

be reported at our regular quarterly meetings with DfT, the next one being in April 2020.

Government Lobbying

20. Ensuring that a comprehensive case is made for decriminalised speeding enforcement is essential before approaching relevant Ministers and seeking wider political support. We aim to present our case to Ministers following the summer parliamentary recess.
21. In the meantime, we have a meeting this month with Baroness Pinnock, a Liberal Democrat life Peer and Member of Kirklees Metropolitan Council, who is promoting a Private Members Bill on decriminalised speed enforcement (see later in this document for further details). We will find out more about her proposal and any evidence she has already gathered. Although there is no certainty at this stage as to whether the Bill will receive any further parliamentary time and make any progress, it may be something we can seek to support to deliver our aims.

Meetings with Road Safety organisations and Charities

22. Once the full evidence base and plans have been drafted, these will be presented to these groups, and we will look to continue regular discussion and updates with them.

Discussions to seek National Support

23. As well as Kirklees, it is likely that other cities in the UK will be looking at what we are seeking to achieve in London with a keen interest. It is vital therefore that we engage fully with bodies such as the LGA and PATROL to seek their support and discuss our plans and any plans that they may have. This may help to build a stronger case for changes in London and the UK. Once the full evidence base and plans have been drafted, we will look to discuss these further and continue with regular dialogue and updates.

Media Interest

24. This work is likely to continue to generate a keen interest from both London and National media. Media requests will be handled via London Councils communications team as and when approaches are made. Proactive publicity will be agreed later in the year when the full evidence base and plan is completed.

Public Consultation

25. Plans for a future public consultation will be discussed in detail with the communications team in line with the relevant legislative requirements, at the appropriate time.

Outlining the proposals - How decriminalisation could work

26. Lobbying for partial and not full decriminalisation means that the solutions are more complex. There are a number of things that would have to be examined and fully set out before the case is made to Central Government.

Legislation

27. Advice from Counsel indicated that if authorities did not want to enforce speed limits as a criminal matter, then it would be necessary to press for legislative change to decriminalise driving at excess speed. It would be possible to separate out the civil and criminal regimes for speeding, and these would need to be undertaken legislatively. Speeding offences over an agreed threshold could be defined as criminal, with those below this threshold defined as a civil matter.
28. The most obvious existing legislation is the Traffic Management Act (TMA) 2004, which could be utilised by adding speed offences to the list of contraventions. Currently what changes would need to be made to the legislation to make it appropriate in a partial decriminalisation scenario are unclear. This will be explored further in April 2020. By utilising the TMA 2004 as opposed to extending existing powers under the Local Government Act 1972, any surplus revenue generated could be used by the authority for traffic and safety management purposes. This is likely to require changes to the existing terms and definitions outlined in the Financial Provisions of the 2004 Act so that they include speed enforcement.

Private Members Bill

29. As mentioned above, London Councils is aware of a Private Members Bill sponsored by Baroness Pinnock that had its first reading in the House of Lords on 27 January 2020. The Traffic Management (Amendment) Bill is seeking to add speeding contraventions to the Traffic Management Act 2004. This is still in the early stages and the chances of such a Bill succeeding to become legislation are limited. London Councils has contacted Baroness Pinnock's office and we have a meeting scheduled on 17 March 2020 to discuss the Bill and our proposals, to establish whether there is an opportunity to offer mutual support. Details will be fed back to the Steering Group following the meeting.

Threshold for partial decriminalisation

30. A key requirement when examining partial rather than total decriminalisation is establishing when powers change from civil enforcement by a borough to criminal enforcement by the police. Any agreed threshold will be discussed and approved by the Steering Group before seeking TEC agreement.

The Provision of Diversionary Courses

31. TEC agreed that any decriminalisation should afford boroughs the powers to manage and provide speed awareness courses. Currently, the provision of such courses is contracted out by the local police, with providers tendering for such contracts. In London, the MPS have a contract with TfL who use a third-party provider.
32. Counsel indicated that there is no official legislation that governs the approach to diversionary course provisions. The police have a discretion to prosecute or not prosecute for an offence if an alleged offender completes a speed awareness course. Guidelines for such courses can be found in NDORS (National Driver Offender Retraining Scheme), which also contains eligibility criteria. Whilst NDORS is the usual route for such courses, it is not a legal requirement. Dorset Police, for example, manage their own 'Driver Awareness Scheme' (DAS) which

is independent of NDORS. Legal advice indicated that authorities could offer diversionary courses, but exactly how this may work utilising the TMA 2004 needs to be explored further. However, if enforcement was partially decriminalised and the legislation was in place, it would in theory be possible for boroughs to enforce speed limits and make the decision on whether to prosecute or offer a course.

33. It would be important to share intelligence with the police and ensure that systems were aligned. This would avoid the possibility of dual action, or somebody being repeatedly offered a course again and again (currently a course cannot be offered within a period of 3 years of attending a previous course).
34. In agreement with the Steering Group and TEC following legal advice, details of how such courses could be provided will be finalised by August 2020.

Ability to Retain the Endorsement for Offences

35. It is important that decriminalised speed enforcement continues to carry the same impact as criminal enforcement as a deterrent to speeding motorists. Boroughs delivering speed enforcement should not be perceived as reducing the seriousness of such offences. A key component of any decriminalised enforcement would be the ability to retain the endorsement of offences, or points on the driving licence.
36. The endorsement is a process where the DVLA, as agents of the Secretary of State, endorse a driving licence in the relevant circumstances on behalf of the chief officer of the police.
37. Legal Counsel has indicated that if the proposal was for the penalty points system to be retained, then this would require authorities to inform the DVLA (i.e. the Secretary of State) where penalty points are to be made. In principle there is no reason why this could not be done but would require legislative change. Therefore the ability to retain the endorsement will be a key component of any proposed decriminalised speeding enforcement.

Intelligence Sharing

38. For partial decriminalisation to work in practice, it will be important to have the systems and communication channels in place to share intelligence and data between boroughs and the police. A co-ordinated approach would be vital.
39. Whilst we are aware that the police do not currently support the move to partial decriminalisation, it is important to discuss plans on how such a regime may work in the future. This will increase when our intentions have been fully outlined and if the law is changed and will require significant joint co-operation in the future.
40. It would also be necessary to ensure that there are no data protection issues in taking such an approach and sharing data, providing all agreements and mechanisms are in place. Once agreements of how this could work are established, we would discuss plans with the relevant police bodies. We would hope to achieve this by August 2020.

Decriminalised Fine Levels

41. Current speeding fine levels are determined by a banding system (A-C) which relates to the speed limit on the road in question and the actual recorded speed of the vehicle. Band C is the most severe and deals with speeds of 20mph or greater over the speed limit.
42. With decriminalised speed enforcement, it is not proposed currently that we would have a similar banding regime as boroughs would only be dealing with speeding offences below a certain threshold, so such a system is not required.
43. If the TMA 2004 were to be used to enforce decriminalised speed enforcement, then the joint committee (TEC) has the power to set the fine levels. Currently these are only for traffic operations and the maximum fine for a Band A, higher level parking and traffic infringement being £130.
44. Before any enforcement can take place, the fine level for speed enforcement would need to be determined by TEC. This would also need to determine whether any potential discount period usually afforded to civil parking and traffic contraventions would apply in speed cases, although it is likely that this may not be appropriate. It is also likely that the current maximum fine level of £130 is insufficient, so when setting this level, we would need to ensure the criteria for doing so under Schedule 9 of the above legislation is followed.
45. This is an action that will need to occur much later in the process, once any agreement has been provided. It is therefore difficult to put a time frame on this yet.

Continuing work with TfL and MPS

46. Whilst the report focuses on the activities looking at partial decriminalised speeding enforcement, we have continued to work with TfL and MPS on plans for enhanced enforcement and educational activity under the current regulations.
47. On 16 December 2019 London Councils hosted two working group meetings with boroughs and TfL. The first meeting continued the evidence building with respect to the Safety Camera Methodology and the developing Road Risk Tool. The second meeting attendees discussed collision and casualty data and the safe vehicles pillar.
48. It is likely that London Councils and TfL will hold a further meeting this spring with boroughs where all proposals on how speed will and may be enforced in London in the future will be presented and discussed with attendees.

Financial Implications

49. The proposed work will be completed using existing London Councils resources. Any further research work outlined in the document will be funded from TEC's annual research budget. There are no other financial implications at this stage for London Councils, London boroughs or TfL.

Legal Implications

50. There are no legal implications at this stage. However, there may be future legal implications to be considered by TEC in the future depending on the outcome of further research and agreed actions.

Equalities Implications

51. There are no equalities implications at this stage.

Recommendation

The Committee is asked to note the contents of the report, including the progress to date and proposed future work.

High Level Gannt Chart for Speed Decriminalisation Work

[illegible]

London Councils' Transport and Environment Committee

HGV Safety Permit Scheme – Approval of Arrangements for Administration and Enforcement by Transport for London

Item No: 10

Report by: Spencer Palmer

Job title: Director, Transport & Mobility

Date: 19 March 2020

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Summary:

The Committee is asked to formally delegate to Transport for London the administration and enforcement of the HGV Safety Permit Scheme by means of authorising a TfL officer (Director - Licensing, Regulation and Charging) so that enforcement of contraventions of the Scheme can commence from 26 October 2020. The Committee is also asked to approve revised HGV Safety Permit conditions and the list of HGV categories that are outside the scope of the Scheme and so exempt.

Recommendations: The Committee is recommended to:

1. Approve the TEC entering into joint arrangements with TfL for TfL's administration and enforcement of the HGV Safety Permit Scheme ("the Scheme") by means of the proposed delegation by the TEC of its functions to TfL's Director - Licensing, Regulation and Charging as set out in **Appendix 1**.
2. Approve the revised HGV Safety Permit Conditions set out at **Appendix 2**
3. Approve the list of HGVs categories at **Appendix 3** that are exempt from the requirement to obtain a HGV Safety Permit noting that under the delegation referred to at paragraph 1 above, TfL may grant general or specific exemptions (in accordance with the approved list of HGV categories) and will maintain a list of exempt vehicles categories on its website.

Background

1. The Direct Vision Standard (“DVS”) has been developed in order to address the high number of collisions involving HGVs and vulnerable road users (VRUs) in London. In 2017, 29 per cent of pedestrian and 60 per cent of cyclist fatalities involved a HGV, despite HGVs usage only making up four per cent of road miles in the capital.
2. The Mayor of London’s “Vision Zero” goal is to eliminate all deaths and serious injuries from London’s streets by 2041. To this end under the Mayor’s Transport Strategy (MTS) TfL is seeking to reduce danger posed by vehicles, by working with the boroughs to ensure that vehicles driven on London’s streets adhere to the highest safety standards, starting with the new Direct Vision Standard for HGVs.
3. The DVS and HGV Safety Permit Scheme (“Scheme”) that implements it have been developed by Transport for London (TfL) with the active support and cooperation of the Committee and London Councils. Using a star system, the DVS rates HGVs from zero (lowest) to five (highest) stars, based on how much a driver can see directly through their HGV cab windows.
4. From 26 October 2020, the Scheme will require all HGVs of 12 tonnes or over to obtain a permit (HGV Safety Permit) to operate in Greater London, those vehicles that do not meet the minimum DVS standard (One Star until 26 October 2024 and Three Stars after that date) or that are not rated will be required to fit additional safety measures.
5. On the 23 August 2019 the Committee, following statutory consultation, promoted changes to the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“1985 Order”, as amended) to allow for the implementation of the scheme.
6. Scheme enforcement will begin from 26 October 2020 largely through the issue of Penalty Charge Notices (PCNs) to operators of £550 (reduced by half if paid within 14 days) for contravention of the Scheme. Subject to the Committee’s approval there will be a right of internal review and then appeal against a PCN to the Environment and Traffic Adjudicators. Enforcement action may also be taken through the suspension and revocation of permits where operators are in breach. Unpaid PCNs may be enforced through the County Court. Enforcement will be subject to the same statutory requirements as apply for the London Lorry

Control Scheme under the London Local Authorities and Transport for London Act 2003 (“the 2003 Act”).

7. The Scheme launched on 28 October 2019 with a 12-month pre-compliance period within which operators can apply for a permit free of charge. To date 14,049 permits have been granted by TfL.
8. The Committee’s involvement in the project has been on the basis that TfL would administer and enforce the Scheme and meet all costs associated with doing so. For this to happen it is necessary for the Committee and TfL to enter into arrangements under which the Committee formally delegates the Scheme’s administration and enforcement to TfL.

Proposed delegation to TfL to operate the Scheme

9. It is proposed that the Committee approves entering into arrangements with TfL for its administration and enforcement of the Scheme by means of the delegation by the Committee of its functions under the Scheme, 1985 Order and the 2003 Act to TfL’s Director - Licensing, Regulation and Charging as set out in Appendix 1. The delegation is to a named TfL post holder (for the time being) for the reasons explained at paragraph 19 below. (In the event of a future TfL re-organisation the Committee’s appointment includes any other post holder to which responsibility is transferred for undertaking the functions delegated by the Committee.)
10. The main points of the proposed delegation are as follows:
 - (a) It covers all aspects of the administration and enforcement of the Scheme including dealing with applications for Permits by operators, their granting (including subject to conditions concerning the Safe System) and refusal.
 - (b) It also covers enforcement through the suspension of Permits (including where an immediate suspension is warranted on public safety grounds) and their revocation.
 - (c) The determination of any representations or complaints concerning the above matters under the TfL Customer Complaints Policy.
 - (d) The issue and enforcement under the 2003 Act of PCNs issued to HGV operators for contravention of the Scheme and Order including the consideration, internal review and determination of any representation against a PCN issued to an operator and subsequent appeal to the Environment and Traffic Adjudicators (“ETA”) (or

subsequent appeal from them to the Tribunals and Courts) in accordance with the procedures set out in Schedule 1 to the 2003 Act.

- (e) The enforcement of unpaid PCNs in the County Court.
 - (f) A catch-all provision that permits TfL to do anything it considers necessary or expedient to facilitate discharge of the above functions or as otherwise required by the 1985 Order, including the issue of any related notice or other legal or administrative process required by the 1985 Order or otherwise.
- 8. The approval of changes concerning the 1985 Order and key Scheme documents (the combined LLCS and HGV Safety Permit Scheme policy statement and standard conditions attached to the HGV Safety Permit, including the Safe System conditions) are retained by the Committee and are not delegated.
 - 9. TfL is to be responsible for all costs associated with the establishment and operation of the Scheme (including but not limited to the costs of undertaking the functions delegated). It is also proposed that TfL will retain income from PCNs. TfL is obliged to apply the financial provisions set out in Schedule 2 to the 2003 Act which requires the keeping and publication of Scheme accounts and places restrictions (the same as applies to the Boroughs) on what surpluses (if any) may be applied to which include MTS policies including Vision Zero related projects.
 - 10. As well as keeping statutory accounts in relation to the Scheme TfL must provide to the Committee and publish an annual statement of the accounts, identifying how surpluses (if any) have been applied. TfL is required to notify the London Councils' Director, Transport & Mobility of anything regarding its administration that is novel contentious or repercussive and to provide regular updates and information.
 - 11. The proposed delegation also authorises TfL to carry out internal reviews of representations against PCN's, and, in the event of appeals to the Environment and Traffic Adjudicators, to take any action TfL considers appropriate in respect any such appeals to the Environment and Traffic Adjudicators.

Projected enforcement activity and income

- 12. In order to project expected volumes of Contraventions, Penalty Charge Notices and appeals TfL has made assumptions based on the trends seen across traffic enforcement

schemes. Payment levels have been based on the levels seen for the Low Emission Zones, as the PCN recipients are the same customer group.

13. Based on our experience of these similar schemes TfL expect a very low level of PCN income. They expect the enforcement and administration of the HGV Safety Permit Scheme to be cost neutral over the life of the scheme. The net operational costs will be covered by the enforcement income that will be collected, and no surplus is expected.

Forecasts	Annual	4 week	Week (7 days)	Calendar Day
DVS Contraventions	60,500	4,654	1,163	166
DVS PCNs Issued	10,930	841	210	30
DVS PCN Appeals	570	44	11	2

Table 1: Projected Enforcement Levels

- 14.

Estimated Costs (£000s)	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025
Expenditure	1,200	1,300	1,300	1,300	1,300
Income	(600)	(1,300)	(1,300)	(1,300)	(1,300)
Net Cost	600	0	0	0	0

Table 2: Financial summary

Revised HGV Safety Permit Conditions

15. Written material on TfL's website must comply with guidance on accessibility and be compliant with HTML format. This has necessitated the review of the existing HGV Safety Permit conditions approved on behalf of the TEC in March 2019 to make them more accessible in terms of the language used and to remove footnotes and tables. It is proposed that they apply to Permits granted after 31 March 2020. **Appendix 2** contains revised conditions which, apart from changes for clarity:

- Refer to the possibility of revocation of a permit in addition to suspension (an earlier omission in paragraph F);
- Delete the reference to drivers (as opposed to operators) being served with PCNs as this is not now proposed (paragraph F);

- Make it clear that it is the responsibility of the permit applicant to inform Transport for London of any changes to their contact details (paragraph 5);
- Make it clear that a vehicle for which a permit application has been made may not be operated on any public road in Greater London until the HGV Safety Permit has been approved and issued (paragraph 8); and
- A reference has been added applicable to left-hand drive vehicles that mirrors, cameras and sensors must be fitted appropriately to account for the blind spot on the right-hand side of the vehicle as set out within the operator guidance (not previously covered in the Safe System Conditions).
- The table that previously showed exemptions from one or more of the Safe System requirements for particular vehicle types (e.g. road sweepers and gully emptier / suckers are exempt from side under-run protection to both sides of the vehicle) has been converted into more readily understandable text (Safe System Exemptions).

16. The Committee is asked to formally approve the revised conditions.

HGVs outside the scope of the Scheme

17. The Committee is also asked to formally approve the list of HGVs over 12 tonnes (gvw) that are outside the scope of the Scheme and therefore exempt from the requirement to obtain a HGV Safety Permit to operate in London after 26 October 2020. This is at **Appendix 3**. It should be noted that proposed delegation at Appendix 1 allows TfL to grant general or specific exemptions from time to time and must maintain a list of exempt vehicles categories on its website (see paragraph 1(b)).

Financial Implications for London Councils

18. As outlined in section 9, TfL will be responsible for all costs associated with the establishment and operation of the Scheme as laid out in the delegation (Appendix 1). There will be no liability for any costs falling on London Councils.
19. Table 2 at paragraph 14 shows there will be an initial cost of £600k to TfL in 2020/21, after which the scheme is projected to break even.

Legal Implications for London Councils

20. TfL and the Committee have powers to enter into arrangements for the joint discharge functions under (for the Committee) section 101(5) (a) of the Local Government Act 1972 and (for TfL) paragraph 9 of Schedule 10 to the Greater London Authority Act 1999. These enable them to enter into arrangements under which the Committee appoints a TfL officer post which it authorises to discharge certain delegated functions on its behalf under the 1985 Order in relation to the HGV Safety Permit Scheme. This appointment can be done by a resolution of the Committee and avoids the need to amend the Committee's governing constitution. This direct form of delegation also avoids the need to establish a new joint committee with TfL to administer the Scheme. The proposed delegation may be revoked by the Committee at any time.
21. The Committee may therefore make a delegation to TfL in the form of the post of the Director of Director - Licensing, Regulation & Charging (or other post exercising the functions of that post) who is authorised to perform the Committees functions under the Scheme, 1985 Order and 2003 Act as set out in Appendix 1.
22. TfL's enforcement of the Scheme is subject to the same requirements of the 2003 Act as apply to the Committee's enforcement of the LLCS.

Equalities Implications for London Councils

23. There are currently no equalities implications arising from the recommendations. A full Integrated Impact Assessment (IIA), including an equalities impact assessment, was published as part of the various public and stakeholder consultations on proposals for the Scheme Phase undertaken by TfL and London Councils in 2019'.

APPENDIX 1

Proposed form of delegation by the London Councils Transport and Environment Committee to TfL concerning the administration and operation of the HGV Safety Permit Scheme.

*Subject to paragraphs (2) to (4) below, the Committee, under sections 101(5)(a) of the Local Government Act 1972 (as amended) and in accordance with paragraph 9 of Schedule 10 to the Greater London Authority Act 1999 (as amended), **hereby delegates** to the “**Director - Licensing, Regulation & Charging**” of Transport for London (“TfL”) for the time being (or such other TfL officer’s post who is from time to time is responsible for undertaking the following functions in relation to the HGV Safety Permit Scheme) authority to:*

- 1. Discharge and undertake the following functions in relation to the administration and enforcement of the HGV Safety Permit Scheme (“Scheme”) under the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“1985 Order”, as amended) and sections 4 to 6 and Schedules 1 and 2 of the London Local Authorities and Transport for London Act 2003 (“2003 Act”, as amended):*
 - a. To consider, grant or refuse HGV Safety Permit (“Permit”) applications, and to issue Permits subject to such conditions (including safe system conditions) as are approved by TEC from time to time;*
 - b. To grant any general or specific exemption from the requirement for a vehicle to obtain a Permit and to maintain a list of exempt vehicles categories on its website;*
 - c. To consider, review and determine any representation, complaint or appeal against the refusal of a Permit in accordance with TfL’s Customer Complaints Policy (as amended by TfL from time to time);*
 - d. To consider, review and determine the suspension and/or revocation of a Permit including immediate suspension on public safety grounds, including any related representation, complaint or appeal;*
 - e. In accordance with sections 4 to 6 and Schedule 1 of the 2003 Act, as the enforcing authority, to issue and enforce a penalty charge notice (PCN) under section 4(2)(b)(i) of the 2003 Act on a person appearing to be the operator of a vehicle (an “operator’s notice”) in respect of a contravention of the Scheme under*

the 1985 Order's requirements to (a) to obtain a Permit and/ or (b) to comply with any of its applicable conditions;

- f. To consider, review and determine any representation, complaint or appeal against the issue of an operator's notice by a recipient in accordance with Schedule 1 of the 2003 Act, including by any internal review under paragraphs 1 to 3 of that Schedule, and to deal with any appeal to the Environment and Traffic Adjudicators ("ETA") under paragraph 4 of that Schedule or subsequent appeal from the ETA (whether by TfL or by the recipient) to the Lower or Upper Tribunals or to the courts;*
- g. To issue and serve a charge certificate under paragraph 5 of Schedule 1 and to undertake the enforcement of a charge certificate under paragraph 6 of that Schedule; and*
- h. To do anything that TfL considers necessary or expedient to facilitate discharge the above functions or as otherwise required by the 1985 Order, including the issue of any related notice or other legal or administrative process required by the 1985 Order or otherwise.*

2. The above authorisation is subject to the following:

- a. TfL shall be responsible for all costs associated with the establishment and operation of the Scheme (including but not limited to the costs of undertaking the functions delegated in paragraph 1 above);*
- b. TfL may retain the income from any PCNs issued by it for a contravention of the Scheme under the 1985 Order and shall apply the provisions of Schedule 2 to the 2003 Act, in particular as regards:*
 - i. the keeping of accounts of income and expenditure under paragraph 1 of Schedule 2;*
 - ii. the making good of any deficit in the account in accordance with paragraph 2(1);*
 - iii. the application by TfL, in accordance with paragraph 2(2), of any surplus (if any) towards all or any of the purposes specified in paragraph 7; and*
 - iv. the carrying forward of any sum not so applied to the next financial year in accordance with paragraph 4.*

- c. *TfL shall submit to the Committee as soon as practicable after the end of a financial year a statement of accounts that:*
 - i. *identifies the matters required by paragraph 1 of Schedule 2 to the 2003 Act;*
 - ii. *identifies TfL application of any surplus in accordance with paragraphs 2(2) and 7 of that Schedule or carry forward of any sum not so applied under paragraph 4; and*
 - iii. *shall publish that statement on its own website.*
 - d. *TfL shall consult with London Councils Director, Mobility & Transport about matters that might reasonably be considered novel contentious or repercussive in relation to the Scheme; and*
 - e. *TfL shall provide regular updates and information to London Councils Director, Mobility & Transport concerning its administration and enforcement of the Scheme as reasonably required.*
3. *The Committee shall retain for its decision approval of any:*
- a. *Changes to the 1985 Order itself;*
 - b. *Changes to the combined Policy Statement for Granting Permits under the LLCS and HGV Safety Permit Scheme;*
 - c. *Changes to the conditions attached to an HGV Safety Permit; and*
4. *The Committee authorises any appeal against the issue by TfL of penalty charge notice in connection with a contravention of the Scheme under the 1985 Order to be considered and determined by the Environment and Traffic Adjudicators in accordance with paragraph 4 of Schedule 1 to the 2003 Act.*

APPENDIX 2 - Direct Vision Standard HGV Safety Permit Conditions

GREATER LONDON (RESTRICTION OF GOODS VEHICLES) TRAFFIC ORDER 1985

LONDON HEAVY GOODS VEHICLE (HGV) SAFETY PERMIT SCHEME

CONDITIONS ATTACHED A HGV SAFETY PERMIT

The following conditions were approved on 21 March 2019 by London Councils Transport & Environment Committee to apply to all HGV Safety Permits granted under the London HGV Safety Permit Scheme provisions of the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 ("Traffic Order", as amended).

Notes:

- A. An HGV Safety Permit is required before an HGV in excess of 12 tonnes Gross Vehicle Weight (GVW) ("the Vehicle") is operated (used/driven or caused/permitted to be driven) on any public road in Greater London. This is any highway or length of highway maintainable at public expense in Greater London; referred to as the "restricted roads" in the Traffic Order.
- B. The HGV Safety Permit of any Vehicle not meeting the "minimum Direct Vision Standard (DVS) requirement" star rating (One Star or un-rated until 27 October 2024 and Three Stars after that date) will be granted subject to the Safe System Conditions set out in Condition 10 below. (The measures included in the Safe System and the exemptions from those measures will be reviewed in 2022; any new measures to be included in the System will be confirmed prior to 28 October 2024.)
- C. In these Conditions, unless stated otherwise, the word "applicant" shall be taken to mean both (1) the applicant for the HGV Safety Permit and, if different from the applicant, (2) the person to whom the HGV Safety Permit is granted or driver of the Vehicle in respect of which a HGV Safety Permit is granted.
- D. An HGV Safety Permit is valid under the Traffic Order for all public roads in Greater London for the duration of the Permit.
- E. Failure to comply with these Conditions may result in the revocation or suspension of the HGV Safety Permit. Suspension may be immediate if it is considered in the interests of public safety. It is a contravention of the Traffic Order to operate the Vehicle on any public road in Greater London while its HGV Safety Permit is suspended.
- F. It is a contravention of the Traffic Order to either (1) fail to obtain a HGV Safety Permit for a Vehicle prior to operating on any public road in Greater London, including when the Permit has been suspended or revoked, or (2) operate the Vehicle in contravention of these Conditions (including the Safe System Conditions where they apply). A Penalty Charge Notice may be issued to operators or parties/persons liable for £550 (reduced by half if paid within 14 days).

General Conditions applying to all HGV Safety Permits

1. The applicant shall operate the vehicle for which the HGV Safety Permit is issued in compliance with the requirements/ measures set out in these Conditions.
2. The applicant and the driver of the Vehicle shall co-operate in assisting any authorised officer of London Councils and/ or of Transport for London in the reasonable exercise of his/her duties in checking whether the vehicle has been modified and/or is being operated in accordance with the Conditions.
3. An applicant shall bring to the attention of the driver of the Vehicle all Conditions subject to which this HGV Safety Permit has been issued. However, this does not remove the applicant's responsibility for compliance with these Conditions.
4. The HGV Safety Permit is granted to the applicant for the specified vehicle and is not transferable to another vehicle or vehicle registration mark, and where granted to an individual or sole trader, may not be transferred to another Operator. The permit will automatically cease to be valid if the vehicle ceases to be under the ownership or control (as applicable) of the applicant and it shall then be the duty of the applicant to inform Transport for London of this immediately in writing via tfl.gov.uk/modes/driving/dvs-contact-us
5. It is the responsibility of the applicant to inform Transport for London of any changes to their contact details.
6. The duration of a HGV Safety Permit will depend on whether the vehicle met the minimum DVS requirement or if it was granted subject to the Safe System Conditions:
 - The Permits subject to the Safe System Conditions will expire at midnight 25 October 2024;
 - The Permits of Vehicles rated One or Two Star will expire at midnight 25 October 2024; and
 - The Permits of Vehicles rated Three, Four or Five Star will expire at midnight 25 October 2030 or ten years after the application date if granted later than 26 October 2020 (whichever is the later).
7. No vehicle may be operated on any public road in Greater London during any time while its HGV Safety Permit is suspended or revoked.
8. A vehicle for which a permit application has been made may not be operated on any public road in Greater London until the HGV Safety Permit has been approved and issued.

9. The applicant shall ensure that all modifications, and any existing features fitted to the Vehicle to reduce its environmental impact and/ or increase its potential safety as regards other road users, including those required by Condition 10 below are:
 - maintained and kept in proper working order at all times; and
 - operated properly and appropriately in accordance with manufacturers' instructions.

Safe System Conditions where a vehicle does not meet the minimum DVS star rating

10. The applicant shall carry out and complete modifications to the Vehicle so as to comply with the measures set out in the Schedule (Safe System Measures) within the period specified subject to any further conditions, restrictions or limitations or exemptions indicated.

Safe System Measures

The following measures shall be fitted from 26 October 2020 unless an exemption is indicated:

1. A Class V mirror shall be fitted to the nearside of the vehicle
2. A Class VI mirror shall be fitted to the front of the vehicle
3. Side under-run protection shall be fitted to both sides of the vehicle (except where this is impractical or proves to be impossible)
4. External pictorial stickers and markings shall be displayed on vehicles to warn vulnerable road users of the hazards around the vehicle
5. A sensor system that alerts the driver to the presence of a vulnerable road user shall be fitted to the nearside of the vehicle
6. An audible vehicle manoeuvring warning shall be fitted to warn vulnerable road users when a vehicle is turning left
7. A fully operational camera monitoring system shall be fitted to the nearside of the vehicle

For left-hand drive vehicles, mirrors, cameras and sensors must be fitted appropriately to account for the blind spot on the right-hand side of the vehicle.

APPENDIX 3 – HGVs fully exempt from the HGV safety permit scheme

Vehicle type	DVS exemption
Emergency service vehicles, such as ambulances and fire engines, which have a taxation class of 'ambulance' or 'fire engine' on the date of travel	Exempt where applicable It is not considered appropriate to require emergency service vehicles to meet the DVS star rating threshold or to comply with the Safe System conditions as these vehicles need to be suitable for the operations for which they are designed
Specialist gritting and snow plough vehicles (London Boroughs)	Fully exempt These are specialist, very low-mileage vehicles that are only utilised in certain weather conditions
Armed Forces vehicles	Fully exempt It is not considered appropriate to require Armed Forces trucks to meet the DVS star rating threshold or to comply with the Safe System conditions as they need to be suitable for the operations for which they are designed
Ministry of Defence vehicles/military vehicles	Fully exempt where applicable It is not considered appropriate to require military trucks to meet the DVS star rating threshold or to comply with the Safe System conditions as these vehicles need to be suitable for the operations for which they are designed
Breakdown organisations/recovery vehicles	Fully exempt where applicable Exempt for vehicles called out by the emergency services whose load is required for the purposes of dealing with any actual or perceived emergency affecting the safety of persons or property
Historic vehicles	Fully exempt All vehicles that have a 'historic' vehicle tax class will be exempt from the DVS. This tax class excludes any vehicle used commercially. It would be inappropriate to require historic vehicles to comply with the Safe System permit conditions
Showman's vehicles	Fully exempt Showman's vehicles are eligible for an exemption from DVS if they are registered to a person following the business of a travelling showman and have been modified or specially constructed for this purpose. It would be inappropriate to require showman's vehicles to comply with the Safe System permit conditions
A vehicle to which no bodywork has been fitted and which is being driven or towed	Fully exempt where applicable <ol style="list-style-type: none"> For the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles To a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out By previous arrangement to premises of a dealer or distributor
Mobile cranes	Exempt These are specialist, low-mileage vehicles requiring special permission to operate in London
A vehicle being driven/towed to a place where by previous arrangement Safe System equipment is to be fitted	Fully exempt

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London Councils' Transport & Environment Committee

TEC Business Plan 2020/21 Item no: 11

Report by:	Spencer Palmer Katharina Winbeck	Job title:	Director of Transport and Mobility Head of Transport, Environment and Infrastructure, London Councils
Date:	19 March 2020		
Contact Officer:	Katharina Winbeck Spencer Palmer		
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Summary

This report sets out the high-level priorities for London Councils' Transport and Mobility services and the Transport and Environment policy function for 2020/21. TEC members are asked to discuss and comment on these before further discussion at Leaders Committee on 24 March 2020. Officers will prepare a more detailed business plan for comments and sign off at the TEC AGM in June 2020.

Recommendations

- Members to discuss and comment on the report
- Members to note the process for London Councils business planning

Background

1. This report sets out the high-level priorities and actions for London Councils' Transport and Mobility services and the Transport and Environment policy function for 2020/21.
2. The content of this report has been considered by and includes feedback from the TEC chair and vice chairs as well as London Councils' Executive, which discussed this in the context of the wider London Councils' business planning process on 3 March 2020.
3. TEC members are invited to discuss and comment on the high-level priorities, which will be further considered at Leaders Committee on 24 March 2020.
4. Officers will take the additional feedback on board and make any necessary changes for final sign off by the London Councils Executive at its meeting in May 2020.
5. Officers will also prepare a more detailed business plan for TEC activity for consideration and sign off at the TEC AGM in June.
6. The high-level priorities for the Transport and Environment policy function have been drafted in order to be consistent with the agreed Pledges to Londoners and the agreed joint TEC and LEDNet statement on climate change.

TEC High Level Priorities for 2020/21

7. London Councils' TEC helps improve the lives of millions of Londoners every single day, through the London-wide services it is responsible for, such as the Freedom Pass, Taxicard and London Lorry Control schemes and through the highly valued support provided to London boroughs on a range of traffic, parking and transport and environment policy matters.
8. The pledges to Londoners relevant to TEC are replicated below. The high-level priorities for the policy function are based on the delivery of these and the joint TEC/LEDNet statement on climate change.
 - Support the promotion of a new Clean Air Act and the introduction of ULEZ across much of London to protect Londoners from harmful polluted air.
 - Deliver at least 2500 charging points for electric vehicles by 2022, including the option for 20 rapid charge points in each borough.
 - Work towards including a target of one tree for every Londoner in our local plans. Hold TfL to account for improving the bus route network in every London borough.
 - Lobby for improved certainty and levels of local road funding through TfL's LIP process.
 - Press for London borough representation on the TfL Board.
 - Create, cost and lobby for a programme of local transport infrastructure delivery; addressing enhanced connectivity, platform extensions and related responses to growing demand.
 - Lobby for the delivery of major transport investment including CR2, HS2, Euston redevelopment, Bakerloo Line extension, West London Orbital and Tram network.
 - Work to agree new forms of London borough influence on the specification, management and award of rail franchises so that the borough voice is at the heart of commissioning; and argue for further devolution to London.
 - Lobby for fiscal devolution of transport taxes including a proportion of VED to help fund highway maintenance, and new fiscal levers to unlock home building.

9. Whilst the priorities contained within this report are what officers will focus on in 2020/21, officers will continue to be responsive to changing or emerging priorities of Members, the Mayor of London and Government, and respond or undertake work as appropriate.

Environment Policy

Leadership and collaboration to address the climate change emergency and empower London's wider environmental challenges.

Boroughs' supported by London Councils' collaborate to deliver and significantly accelerate the move towards being a carbon neutral city and reduce air pollution; gaining support from government through powers and funding to deliver on this and the wider city environment agenda.

Outputs

- a. Deliver agreement on how London boroughs will move to a commitment on 100 per cent renewable energy for their own estate and publicise their contribution to climate change.
- b. Develop and publicise a collaborative strategy to develop London's green economy with support from business and the Mayor.
- c. Broker agreement on common borough deliverables within all climate action plans and run a wider media campaign to publicise the importance of climate action and London boroughs' contribution to addressing this challenge.
- d. Broker agreement on a standard reporting format for greenhouse gas emission data at council and borough level and publicise the agreement.
- e. Lobby to influence statutory guidance for consistency in recycling and for additional powers to improve air quality.
- f. Develop and publicise a collaborative strategy to priorities walking and cycling in existing and future developments with support from TfL and the Mayor.

Transport Policy

Promote transport infrastructure investment for London to support good growth.

Identify ways to fund and deliver the transport infrastructure investment needed to retain and enhance London's status as a global, successful city and one that achieves carbon neutrality whilst promoting growth.

Outputs

- a. Support boroughs to deliver 1,000 charging points for electric vehicles during this year.
- b. Create and lobby for a programme of local transport infrastructure delivery, addressing enhanced connectivity, orbital travel, platform extensions, walking and cycling and related responses to growing demand.
- c. Make the public case to drive transport innovation in the capital, such as Dockless bikes, demand responsive initiatives, car sharing and autonomous transport.
- d. Make a public case to central government about the importance of borough influence on relevant rail franchise arrangements.

- e. Argue for a joint review of outer London bus services and improved funding for local roads through the LIP process.
- f. Lobby for the delivery of major transport investment including Crossrail 2, High Speed 2, Euston redevelopment, Bakerloo Line Extension, West London Orbital and Tram network.
- g. Develop proposals and media influencing fiscal devolution of transport taxes, including VED.

Transport and Mobility Services

Freedom Pass:

Ensure effective day to day management of the Freedom Pass scheme providing 1.2 million older and disabled London residents free travel on almost all of London's public transport.

Outputs

- a. Negotiate the Freedom Pass annual settlements with Transport for London and other transport operators, achieving best value for London's authorities who fund the scheme.
- b. Complete and assess the new automatic renewal process applied to the 750,000 March 2020 expiring passes.
- c. Further enhance customer experience through improved digital service provision.
- d. Improve fraud detection and prevention

Taxicard:

Ensure effective day to day management of the Taxicard Scheme, providing subsidised journeys in taxi and private hire vehicles to around 60,000 Londoners with severe mobility and visual impairments.

Outputs

- a. Further enhance customer experience through improved digital service provision.
- b. Improve service reliability.

London Lorry Control Scheme:

Minimise the disruption to London's residents caused by the movement of heavy goods vehicles through the operation of the London Lorry Control Scheme.

Outputs

- a. Progress implementation of outstanding scheme review recommendations.
- b. Renew enforcement contract, introducing ANPR technology.

6 Traffic and Parking Policy and Advice:

Helping to deliver effective and consistent traffic and parking policies and operations in London.

Outputs

- a. Lobby for legislative change for the partial decriminalisation of speed enforcement, giving powers to London's local authorities to enforce the speed limits they are responsible for setting.
- b. Continue to provide highly valued advice and support to boroughs and represent their interests at relevant forums and meetings, including hosting the Parking Managers Seminar.

Health Emergency Badge (Urgent Care Badge): Helping medical professionals attend emergencies quickly by managing the Health Emergency Badge Scheme effectively.

Outputs

- a. Progress the review and modernisation of the scheme.

TRACE:

Ensure people who have their vehicle towed away in London can find where it has been taken to quickly and easily through the TRACE service.

Outputs

- a. Continue to manage and operate the TRACE service, achieving an increase in take up of the online portal service.

London European Partnership for Transport (LEPT):

Ensuring effective management of the London European Partnership for Transport (LEPT) to maximise funding, networking and knowledge opportunities in Europe and beyond.

Outputs

- a. Secure future funding for the future of the service in light of Brexit.
- b. Provide briefings, guidance on funding calls and organise a study tour for borough officers.

London Tribunals:

Efficiently supporting the provision of independent appeals services via London Tribunals, including the Environment and Traffic Adjudicators (ETA) and the Road User Charging Adjudicators (RUCA).

Outputs

- a. Implement further system enhancements and efficiencies.
- b. Implement changes and resources to manage the introduction of the ULEZ and Direct Vision Standard schemes.

Recommendations:

- Members to discuss and comment on the report
- Members to note the process for London Councils business planning

Financial Implications

10. There are no financial implications to London Councils arising from this report. The priorities and outputs described in this report will be delivered within approved budgets and resource allocations and/or will be subject to separate TEC reports and decisions as necessary.

Legal Implications

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

Equalities Implications

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

London Councils' Transport and Environment Committee

Freedom Pass Progress Report

Item
No: 12

Report by:	Stephen Boon	Job title:	Chief Contracts Officer
Date:	19 March 2020		
Contact Officer:	Stephen Boon		
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Summary:

This report provides members with an update on the 2019 mid-term review of eligibility and the 2020 renewal of Freedom Passes. It also provides final Freedom Pass scheme costs for 2020/21.

Recommendations:

Members are asked to:

- a. Note the progress of the Freedom Pass renewal.
- b. Approve the revised Rail Delivery Group (RDG) settlement of £20,664,500 (a reduction of £1,221,500 (- 5.6%) compared to the figure reported in December 2019).
- c. Approve the new total settlement figure of £342,245,500.

Background

1. Freedom Pass provides free travel for older and disabled London residents on all Transport for London (TfL) travel modes (bus, Tube, London Overground, TfL rail, DLR and Tram) 24 hours a day, and on most National Rail routes after 9.30am Monday to Friday and at any time on weekends and public holidays. It also allows travel on local buses anywhere in England.

2020 renewal

2. London Councils carries out a renewal exercise each year with passholders whose passes are due to expire. On 31 March 2020 approximately 730,000 passes will expire, of which 647,000 are older persons, 80,000 are Disabled and 3,000 are Discretionary Disabled. The 2020 renewal is the largest renewal since 2015.
3. The renewal, overseen by a project board comprised of London Councils officers, its contractors, borough officers, TfL and the Rail Delivery Group, is nearing completion. As members will be aware, a proposal to change the way in which London Councils undertakes renewal exercises was agreed by this Committee in March 2019.
4. The approach to the older persons renewal includes the following elements:
 - Data matching to identify pass holders whose address details may have changed – followed by a letter to ask these individuals to confirm their continued eligibility on the basis of residency;
 - A usage check to determine which pass holders have not used their pass in the last two years – these members' passes are left to expire (they can re-apply at a later stage if they continue to be eligible);
 - Automatic renewal for all those that have used their pass in the past two years and who were not flagged in the data matching exercise.
 - A publicity campaign, including a short video, which can be viewed at this link: <https://www.youtube.com/watch?v=TkDvK2CDCJI>

Note: Boroughs are responsible for making their own arrangements to check the continued eligibility of disabled persons Freedom Pass holders, with London Councils automatically renewing passes of all disabled persons scheme members with an active record as of 24 January 2020.

5. The first element of the renewal, writing to pass holders to confirm their address, began in mid-January. 62,878 letters were sent on 14 and 15 January 2020. And at the latest count, 46.91% of those contacted have renewed, with 68% doing so on-line. London Councils is working with its data matching contractor to review matching parameters for future exercises, as the response rate suggests that more people were written to than was necessary. While this may have been a minor inconvenience for some, it would not have required them to do anything more than they had to do in previous renewals.
6. Auto-renewed passes have been being sent to passholders since 3 February 2020 with the process due to be completed in the week beginning 9 March. 417,374 passes had been despatched by 22 February 2020. No problems have been reported with this process and some positive feedback has been received by London Councils via borough officers.

7. Call volumes are lower than forecast, but email contacts are higher than expected. London Councils contractor is performing well and is exceeding its target service levels. At 28 February £403,318 had been spent against an overall budget of £1,176,000. This level of expenditure is in line with expectations.
8. Finally, TfL and the RDG recently agreed to allow a grace period for pass holders that have not renewed / received a new pass. Such pass holders will be able to use their old pass on presentation to gate-line staff and travel until 17 May 2020.

2020/21 Settlement and Apportionment

9. In December 2019, London Councils reported a provisional settlement figure for the RDG of £21,886,000. As members will be aware, the RDG notified TEC of its intention to move from the previous survey-based method of settlement to an oyster 'clicks' method. The new method provides more accurate measurement of the number of rail journeys undertaken by Freedom Pass holders.
10. The move to the new method would have resulted in a significant (£2.436 million) increase in costs between 2019/20 and 2020/21. Officers made the case to the RDG that it was unreasonable to expect boroughs to adjust to this increase over a single year. As a result, the RDG has agreed that 2020/21 should be treated as a transition year, with the settlement worked out on the basis of a 50/50 split between the old and new methods. Next year's settlement (2021/22) will be based completely on the new method.
11. Therefore, TEC is asked to approve a revised RDG settlement figure of £20,664,500 (a reduction of £1,221,500 (-5.6%) compared to the figure reported in December 2019). The committee is also asked to approve a revised overall settlement figure of £342,245,500 to account for the RDG adjustment. Full details of the settlement amounts can be found at Appendices 1 and 2 of this report, which now includes a borough by borough comparison of costs from 2019/20 to 2020/21, as requested by the committee in December.

Financial Implications for London Councils

The Director of Corporate Resources reports that, as outlined in paragraph seven (above), the estimated cost of the 2020 Freedom Pass renewal exercise, can be met from resources accumulated in the Committee's specific reserve for this exercise. The Director of Corporate Resources also notes the improved settlement position for the 2020/21 Freedom Pass scheme, which will be reflected in amounts requested from boroughs from April 2020.

Legal Implications for London Councils

None

Equalities Implications for London Councils

None

Recommendations

Members are asked to:

- a. Note the progress of the Freedom Pass renewal.
- b. Approve the revised Rail Delivery Group (RDG) settlement of £20,664,500 (a reduction of £1,221,500 (-5.6%) compared to the figure reported in December 2019).
- c. Approve the new total settlement figure of £342,245,500.

Background Papers

TEC – Item 20: Freedom Pass Progress Report – 13 June 2019

TEC – Item 11: Freedom Pass Update – 21 March 2019

Appendix 1: 2020/21 Apportionment by mode and borough; subject to RDG settlement

BOROUGH	Bus Boardings	Bus Charge	% Tram Boardings	Tram Charge	% LUL Exits	LUL Charge	% DLR Exits	DLR Charge	% LO	LO Charge	% LO/GA	LO/GA Charge	% CR East	CR East Charge	% CR West	CR West Charge	Total TFL charges	% NR Exits	NR Charge	Formula Funding Percentage	Non TFL buses and Reissue charges	Non TFL service charges	2020/21 total	2019/20 total	Change
Barking & Dagenham	1.59%	£3,548,206	0.05%	£2,201	1.62%	£1,229,406	1.04%	£53,578	0.32%	£15,492	0.61%	£13,214	9.20%	£239,166	0.28%	£3,267	£5,104,530	0.61%	£125,701	1.71%	£48,236	£173,937	£5,278,467	£5,370,260	-1.71%
Barnet	4.39%	£9,785,976	0.10%	£4,380	6.66%	£5,041,498	0.43%	£22,362	2.71%	£129,399	1.07%	£23,352	0.45%	£11,744	1.20%	£14,058	£15,032,767	1.52%	£313,897	4.64%	£130,812	£444,708	£15,477,476	£15,434,672	0.28%
Bexley	2.12%	£4,735,754	0.13%	£5,459	0.68%	£511,092	3.99%	£205,611	0.48%	£22,066	0.21%	£4,521	0.19%	£4,969	0.40%	£4,697	£5,494,769	4.63%	£955,738	2.02%	£56,814	£1,012,552	£6,507,321	£6,550,748	-0.66%
Brent	4.72%	£10,512,802	0.22%	£9,211	5.66%	£4,285,434	0.60%	£31,185	9.88%	£471,243	0.55%	£11,907	0.42%	£10,876	2.96%	£34,573	£15,367,232	1.40%	£289,647	4.68%	£131,840	£421,487	£15,788,719	£15,891,042	-0.64%
Bromley	3.17%	£7,061,700	8.90%	£379,115	1.55%	£1,174,383	2.10%	£108,061	1.69%	£80,557	0.36%	£7,767	0.22%	£5,790	0.68%	£7,999	£8,825,373	11.39%	£2,354,043	2.93%	£82,504	£2,436,547	£11,261,920	£11,333,099	-0.63%
Camden	3.31%	£7,371,462	0.14%	£5,914	4.96%	£3,769,356	0.57%	£29,545	13.41%	£639,234	0.96%	£20,864	0.60%	£15,588	2.07%	£24,131	£11,876,093	1.38%	£285,148	3.79%	£106,805	£391,953	£12,268,046	£12,276,603	-0.07%
City of London	0.07%	£158,386	0.03%	£1,073	0.37%	£282,632	0.15%	£7,924	0.04%	£1,706	0.24%	£5,201	0.22%	£5,672	0.19%	£2,164	£464,758	0.12%	£23,899	0.13%	£3,648	£27,547	£492,305	£496,870	-0.92%
Croydon	4.08%	£9,097,214	57.59%	£2,454,611	1.62%	£1,228,287	0.59%	£30,333	3.00%	£143,097	0.39%	£8,421	0.32%	£8,307	0.74%	£8,693	£12,978,963	12.68%	£2,619,764	3.87%	£109,040	£2,728,804	£15,707,767	£15,698,670	0.06%
Ealing	4.80%	£10,693,369	0.19%	£7,998	5.11%	£3,864,635	0.32%	£16,269	3.27%	£155,900	0.50%	£10,944	0.31%	£8,192	43.52%	£508,260	£15,265,567	1.34%	£277,562	4.42%	£124,574	£402,136	£15,667,702	£15,501,574	1.07%
Enfield	3.51%	£7,818,482	0.15%	£6,342	3.32%	£2,513,815	0.47%	£24,422	1.01%	£48,325	25.28%	£549,772	1.31%	£34,074	0.71%	£8,259	£11,003,492	1.78%	£368,738	3.40%	£95,673	£464,411	£11,467,903	£11,544,153	-0.66%
Greenwich	2.99%	£6,666,836	0.34%	£14,634	1.47%	£1,112,981	15.11%	£779,366	0.91%	£43,427	0.30%	£6,439	0.46%	£12,094	1.11%	£12,983	£8,648,759	4.36%	£901,048	2.82%	£79,359	£980,407	£9,629,166	£9,682,406	-0.55%
Hackney	3.94%	£8,785,903	0.12%	£4,985	2.14%	£1,619,292	2.28%	£117,535	12.38%	£590,177	13.83%	£300,880	2.74%	£71,220	0.62%	£7,246	£11,497,238	0.70%	£144,608	3.77%	£106,098	£250,706	£11,747,944	£11,954,052	-1.72%
Hammersmith & Fulham	2.58%	£5,746,667	0.41%	£17,304	3.77%	£2,850,401	0.26%	£13,606	2.77%	£131,901	0.34%	£7,335	0.19%	£4,842	1.43%	£16,697	£8,788,753	0.73%	£151,213	2.71%	£76,488	£227,701	£9,016,454	£9,108,859	-1.01%
Haringey	4.30%	£9,580,599	0.13%	£5,361	4.55%	£3,445,201	0.52%	£26,935	2.56%	£121,909	6.63%	£144,145	0.71%	£18,439	0.87%	£10,156	£13,352,745	1.29%	£267,298	4.31%	£121,373	£388,670	£13,741,415	£13,861,162	-0.86%
Harrow	2.73%	£6,093,429	0.11%	£4,563	4.36%	£3,302,828	0.37%	£19,123	5.18%	£247,102	0.36%	£7,859	0.36%	£9,463	0.97%	£11,328	£9,695,695	0.54%	£110,972	2.71%	£76,262	£187,234	£9,882,929	£9,982,246	-0.96%
Havering	2.29%	£5,103,611	0.05%	£2,159	1.67%	£1,261,841	2.24%	£115,336	0.56%	£26,747	3.40%	£73,957	32.94%	£856,756	0.37%	£4,279	£7,444,685	1.89%	£391,424	2.50%	£70,457	£461,881	£7,906,566	£7,911,675	-0.06%
Hillingdon	2.37%	£5,282,942	0.10%	£4,406	3.48%	£2,632,982	0.31%	£15,980	0.84%	£40,162	0.31%	£6,763	0.26%	£6,684	20.21%	£236,057	£8,225,956	0.58%	£119,624	2.52%	£70,965	£190,590	£8,416,546	£8,251,667	2.00%
Hounslow	2.99%	£6,665,887	0.18%	£7,693	2.27%	£1,716,510	0.26%	£13,239	0.89%	£42,400	0.18%	£3,880	0.15%	£3,782	3.61%	£42,211	£8,495,601	2.33%	£480,650	2.68%	£75,809	£556,258	£9,051,859	£9,068,442	-0.18%
Islington	3.53%	£7,867,806	0.15%	£6,241	3.75%	£2,839,241	0.73%	£37,556	5.19%	£247,256	1.80%	£39,258	1.18%	£30,818	1.34%	£15,606	£11,083,732	0.99%	£204,215	3.27%	£92,111	£296,326	£11,380,058	£11,427,471	-0.41%
Kensington & Chelsea	2.40%	£5,349,990	0.21%	£9,100	3.92%	£2,965,086	0.29%	£15,103	3.19%	£62,611	0.42%	£9,098	0.28%	£7,279	1.60%	£18,741	£8,437,008	0.65%	£133,679	2.61%	£73,606	£207,285	£8,644,292	£8,755,231	-1.27%
Kingston	1.67%	£3,720,558	1.01%	£43,043	0.90%	£681,303	0.15%	£7,903	0.31%	£15,016	0.10%	£2,206	0.12%	£3,203	0.25%	£2,895	£4,476,127	4.83%	£998,721	1.53%	£43,248	£1,041,969	£5,518,096	£5,439,125	1.45%
Lambeth	4.08%	£9,098,486	2.19%	£93,302	3.66%	£2,772,197	0.42%	£21,525	1.54%	£73,394	0.56%	£12,241	0.48%	£12,378	1.10%	£12,904	£12,096,426	5.09%	£1,051,616	4.26%	£120,070	£1,171,686	£13,268,112	£13,394,635	-0.94%
Lewisham	3.51%	£7,833,078	2.04%	£86,986	1.43%	£1,082,567	7.01%	£361,648	8.21%	£391,532	0.42%	£9,151	0.38%	£9,794	0.70%	£8,164	£9,782,920	5.98%	£1,235,830	3.49%	£96,299	£1,334,129	£11,117,049	£11,242,461	-1.12%
Merton	2.36%	£5,264,655	14.01%	£596,980	2.55%	£1,929,613	0.18%	£9,165	0.49%	£23,237	0.20%	£4,372	0.13%	£3,300	0.47%	£5,508	£7,836,829	5.27%	£1,088,994	2.40%	£67,625	£1,156,619	£8,993,448	£8,939,260	0.61%
Newham	3.43%	£7,650,275	0.20%	£8,423	3.41%	£2,579,934	17.03%	£878,257	3.33%	£158,678	1.53%	£33,200	12.53%	£326,025	0.74%	£8,616	£11,643,407	0.55%	£114,324	3.21%	£90,324	£204,649	£11,848,056	£11,926,884	-0.66%
Redbridge	2.36%	£5,261,416	0.15%	£6,313	3.70%	£2,800,144	2.00%	£102,976	0.86%	£41,149	1.92%	£41,750	24.90%	£647,532	0.50%	£5,817	£8,907,097	0.47%	£97,714	2.61%	£73,549	£171,264	£9,078,361	£9,137,256	-0.64%
Richmond	2.36%	£5,259,347	0.31%	£13,287	2.15%	£1,624,933	0.22%	£11,290	0.93%	£44,121	0.21%	£4,674	0.09%	£2,395	0.45%	£5,239	£6,965,287	6.69%	£1,382,357	2.21%	£62,287	£1,444,644	£8,409,932	£8,357,492	0.63%
Southwark	3.93%	£8,760,747	1.02%	£43,298	2.87%	£2,169,521	1.74%	£89,987	5.91%	£281,680	0.93%	£20,332	0.70%	£18,078	1.27%	£14,827	£11,398,470	3.74%	£772,960	3.80%	£107,221	£880,181	£12,278,651	£12,441,761	-1.31%
Sutton	1.91%	£4,254,832	6.34%	£270,305	1.02%	£773,803	0.18%	£9,527	0.52%	£24,618	0.13%	£2,925	0.11%	£2,963	0.44%	£5,132	£5,344,105	5.16%	£1,066,811	1.77%	£49,957	£1,116,768	£6,460,873	£6,401,333	0.93%
Tower Hamlets	2.04%	£4,538,362	0.10%	£4,118	3.00%	£2,273,871	35.13%	£1,811,763	3.96%	£188,586	2.50%	£54,395	3.42%	£88,852	0.59%	£6,946	£8,966,894	0.67%	£139,440	2.25%	£63,274	£202,714	£9,169,608	£9,095,854	0.81%
Waltham Forest	2.88%	£6,409,998	0.14%	£5,793	3.08%	£2,327,467	2.22%	£114,452	2.47%	£117,611	32.46%	£706,047	3.85%	£100,009	0.55%	£6,390	£9,787,767	0.63%	£129,982	2.66%	£75,064	£205,046	£9,992,813	£9,948,804	0.44%
Wandsworth	4.08%	£9,096,348	2.74%	£116,725	4.02%	£3,044,667	0.39%	£20,199	1.52%	£72,680	0.46%	£9,899	0.28%	£7,368	0.90%	£10,498	£12,378,385	8.36%	£1,726,928	4.23%	£119,161	£1,846,089	£14,224,473	£14,093,376	0.93%
Westminster	3.53%	£7,873,878	0.49%	£20,676	5.25%	£3,976,078	0.68%	£35,312	1.56%	£74,388	0.84%	£18,230	0.51%	£13,347	7.16%	£83,660	£12,095,568	1.65%	£339,957	4.10%	£115,648	£455,605	£12,551,174	£12,662,052	-0.88%
Total	100%	£222,949,000	100%	£4,262,000	100%	£75,683,000	100%	£5,157,000	100%	£4,768,000	100%	£2,175,000	100.00%	£2,601,000	100%	£1,168,000	£318,763,000	100%	£20,664,500	100%	£2,818,000	£23,482,500	£342,245,500	£343,181,000	-0.27%

- NOTE
1. TFL settlement does not include the cost of the am journeys
 2. Bus, Tram, Underground, DLR, TFL rail and NR costs are apportioned by respective usage.
 3. Non TFL buses and reissue elements are apportioned by proportion of the 2013/14 Formula Funding allocated to boroughs (as calculated by Central Government, which is fixed till 2020)
 4. Due to a change on the RDG reimbursement metod from the fixed deal to the journey-based model, a 2 year transition period is agreed on the RDG settlement; 50 % on the 2019/20 settlement and 50% on the 2020/21 settlement
 5. The initial amount of the 2020/21 settlement was £21,886,000 and the revised settlement is £20,664,500

Mode	Settlement
Bus	£222,949,000
London Underground	£75,683,000
DLR	£5,157,000
Tramlink	£4,262,000
London Overground	£4,768,000
Crossrail	£2,601,000
Greater Anglia (LO)	£2,175,000
Crossrail West	£1,168,000
Total Settlement	£318,763,000
National Rail (RDG)	£20,664,500
Other Bus Operators (LSP routes)	£1,300,000
Reissue Costs	£1,518,000
Non TFL total	£23,482,500
TOTAL AMOUNT 2019/20	£342,245,500

Confirmed in Feb 20

Appendix 2: 2020/21 Apportionment by quarter and borough

Authority	First payment 04/06/2020 (£) Paid to TFL	First payment 04/06/2020 (£) Paid to London Councils	Second payment 03/09/2020 (£) Paid to TFL	Second payment 03/09/2020 (£) Paid to London Councils	Third payment 03/12/2020 (£) Paid to TFL	Third payment 03/12/2020 (£) Paid to London Councils	Fourth payment 04/03/2021 (£) Paid to TFL	Fourth payment 04/03/2021 (£) Paid to London Councils	Total per borough (£) Paid to TFL	Total per borough (£) Paid to London Councils	Total per borough (£)
Barking & Dagenham	1,266,947.00	43,484.00	1,266,947.00	43,484.00	1,266,947.00	43,484.00	1,303,689.00	43,484.00	5,104,530.00	173,936.00	5,278,466.00
Barnet	3,731,141.00	111,177.00	3,731,141.00	111,177.00	3,731,141.00	111,177.00	3,839,344.00	111,177.00	15,032,767.00	444,708.00	15,477,475.00
Bexley	1,363,805.00	253,138.00	1,363,805.00	253,138.00	1,363,805.00	253,138.00	1,403,354.00	253,138.00	5,494,769.00	1,012,552.00	6,507,321.00
Brent	3,814,155.00	105,372.00	3,814,155.00	105,372.00	3,814,155.00	105,372.00	3,924,767.00	105,372.00	15,367,232.00	421,488.00	15,788,720.00
Bromley	2,190,462.00	609,137.00	2,190,462.00	609,137.00	2,190,462.00	609,137.00	2,253,987.00	609,137.00	8,825,373.00	2,436,548.00	11,261,921.00
Camden	2,947,653.00	97,988.00	2,947,653.00	97,988.00	2,947,653.00	97,988.00	3,033,134.00	97,988.00	11,876,093.00	391,952.00	12,268,045.00
City of London	115,353.00	6,887.00	115,353.00	6,887.00	115,353.00	6,887.00	118,701.00	6,887.00	464,760.00	27,548.00	492,308.00
Croydon	3,221,386.00	682,201.00	3,221,386.00	682,201.00	3,221,386.00	682,201.00	3,314,805.00	682,201.00	12,978,963.00	2,728,804.00	15,707,767.00
Ealing	3,788,922.00	100,534.00	3,788,922.00	100,534.00	3,788,922.00	100,534.00	3,898,801.00	100,534.00	15,265,567.00	402,136.00	15,667,703.00
Enfield	2,731,073.00	116,103.00	2,731,073.00	116,103.00	2,731,073.00	116,103.00	2,810,273.00	116,103.00	11,003,492.00	464,412.00	11,467,904.00
Greenwich	2,146,627.00	245,102.00	2,146,627.00	245,102.00	2,146,627.00	245,102.00	2,208,878.00	245,102.00	8,648,759.00	980,408.00	9,629,167.00
Hackney	2,853,621.00	62,676.00	2,853,621.00	62,676.00	2,853,621.00	62,676.00	2,936,375.00	62,676.00	11,497,238.00	250,704.00	11,747,942.00
Hammersmith & Fulham	2,181,373.00	56,925.00	2,181,373.00	56,925.00	2,181,373.00	56,925.00	2,244,634.00	56,925.00	8,788,753.00	227,700.00	9,016,453.00
Haringey	3,314,159.00	97,168.00	3,314,159.00	97,168.00	3,314,159.00	97,168.00	3,410,268.00	97,168.00	13,352,745.00	388,672.00	13,741,417.00
Harrow	2,406,477.00	46,808.00	2,406,477.00	46,808.00	2,406,477.00	46,808.00	2,476,264.00	46,808.00	9,695,695.00	187,232.00	9,882,927.00
Havering	1,847,775.00	115,470.00	1,847,775.00	115,470.00	1,847,775.00	115,470.00	1,901,360.00	115,470.00	7,444,685.00	461,880.00	7,906,565.00
Hillingdon	2,041,687.00	47,647.00	2,041,687.00	47,647.00	2,041,687.00	47,647.00	2,100,895.00	47,647.00	8,225,956.00	190,588.00	8,416,544.00
Hounslow	2,108,613.00	139,065.00	2,108,613.00	139,065.00	2,108,613.00	139,065.00	2,169,762.00	139,065.00	8,495,601.00	556,260.00	9,051,861.00
Islington	2,750,988.00	74,082.00	2,750,988.00	74,082.00	2,750,988.00	74,082.00	2,830,768.00	74,082.00	11,083,732.00	296,328.00	11,380,060.00
Kensington & Chelsea	2,094,070.00	51,821.00	2,094,070.00	51,821.00	2,094,070.00	51,821.00	2,154,798.00	51,821.00	8,437,008.00	207,284.00	8,644,292.00
Kingston	1,110,977.00	260,492.00	1,110,977.00	260,492.00	1,110,977.00	260,492.00	1,143,196.00	260,492.00	4,476,127.00	1,041,968.00	5,518,095.00
Lambeth	3,002,340.00	292,921.00	3,002,340.00	292,921.00	3,002,340.00	292,921.00	3,089,406.00	292,921.00	12,096,426.00	1,171,684.00	13,268,110.00
Lewisham	2,428,126.00	333,532.00	2,428,126.00	333,532.00	2,428,126.00	333,532.00	2,498,542.00	333,532.00	9,782,920.00	1,334,128.00	11,117,048.00
Merton	1,945,105.00	289,155.00	1,945,105.00	289,155.00	1,945,105.00	289,155.00	2,001,514.00	289,155.00	7,836,829.00	1,156,620.00	8,993,449.00
Newham	2,889,900.00	51,162.00	2,889,900.00	51,162.00	2,889,900.00	51,162.00	2,973,707.00	51,162.00	11,643,407.00	204,648.00	11,848,055.00
Redbridge	2,210,746.00	42,816.00	2,210,746.00	42,816.00	2,210,746.00	42,816.00	2,274,859.00	42,816.00	8,907,097.00	171,264.00	9,078,361.00
Richmond	1,728,788.00	361,161.00	1,728,788.00	361,161.00	1,728,788.00	361,161.00	1,778,923.00	361,161.00	6,965,287.00	1,444,644.00	8,409,931.00
Southwark	2,829,106.00	220,045.00	2,829,106.00	220,045.00	2,829,106.00	220,045.00	2,911,152.00	220,045.00	11,398,470.00	880,180.00	12,278,650.00
Sutton	1,326,410.00	279,192.00	1,326,410.00	279,192.00	1,326,410.00	279,192.00	1,364,875.00	279,192.00	5,344,105.00	1,116,768.00	6,460,873.00
Tower Hamlets	2,225,588.00	50,679.00	2,225,588.00	50,679.00	2,225,588.00	50,679.00	2,290,130.00	50,679.00	8,966,894.00	202,716.00	9,169,610.00
Waltham Forest	2,429,329.00	51,262.00	2,429,329.00	51,262.00	2,429,329.00	51,262.00	2,499,780.00	51,262.00	9,787,767.00	205,048.00	9,992,815.00
Wandsworth	3,072,322.00	461,522.00	3,072,322.00	461,522.00	3,072,322.00	461,522.00	3,161,419.00	461,522.00	12,378,385.00	1,846,088.00	14,224,473.00
Westminster	3,002,127.00	113,901.00	3,002,127.00	113,901.00	3,002,127.00	113,901.00	3,089,187.00	113,901.00	12,095,568.00	455,604.00	12,551,172.00
Overall Total	79,117,151.00	5,870,625.00	79,117,151.00	5,870,625.00	79,117,151.00	5,870,625.00	81,411,547.00	5,870,625.00	318,763,000.00	23,482,500.00	342,245,500.00

TFL Instalments	Dates	Value mil
First	04/06/2020	£79,117,151
Second	03/09/2020	£79,117,151
Third	03/12/2020	£79,117,151
Fourth	04/03/2021	£81,411,547
Total for 2020/21 Scheme		£318,763,000

24.82%
24.82%
24.82%
25.54%
2.90%

London Councils Instalments		
First	04/06/2020	£5,870,625
Second	03/09/2020	£5,870,625
Third	03/12/2020	£5,870,625
Fourth	04/03/2021	£5,870,625
Total for 2020/21 Scheme		£23,482,500

London Councils' Transport and Environment Committee

Taxicard Update

Item No: 13

Report by: Stephen Boon **Job title:** Chief Contracts Officer
Date: 19 March 2020
Contact Officer: Stephen Boon
Telephone: 020 7934 9951 **Email:** stephen.boon@londoncouncils.gov.uk

Summary: This report provides members with a progress update on the implementation of the new Taxicard contract. It highlights savings made to date, some issues with performance and analyses the reasons, setting out the mitigating steps that are being taken to improve the situation.

Recommendations: 1. Members are asked to note the contents of this report.

Background

1. The Taxicard scheme provides subsidised taxi and private hire vehicle (PHV) journeys to approximately 57,000 London residents with serious mobility impairments, or who are severely sight impaired.
2. During 2016 and 2017, London Councils consulted with Taxicard members and the taxi and PHV market before developing a specification of requirements for the Taxicard supply contract. Members of the Taxicard scheme indicated a preference for greater price certainty when using the scheme. The market indicated that it could meet this requirement and London Councils gave bidders the option to submit tenders that included both a fixed price per mile rate and/or a discount against metered rates.
3. Procurement activity took place in 2017/18, and in March 2018 this committee agreed to award a new Taxicard supply contract to CityFleet Networks Ltd., the incumbent supplier. This report describes the progress of the new contract.

Introduction

4. There have been several positive improvements in service as a result of the new contract. These include:
 - Taxicard members can now choose whether to receive a door-to-door or kerb-to-kerb service;
 - Improvements in customer service and complaint handling, including an expanded supplier customer service operation;
 - Drivers undertake more rigorous training – a specialist on-line course has been developed to supplement existing passenger assistance training;
 - Better links with TfL's Taxi and Private Hire Directorate (TPH) to enable swifter action against drivers who do not comply with their licensing conditions; and
 - A maximum price guarantee that reduces the cost for Taxicard members and removes price uncertainty.
5. However, there have been some initial problems with some aspects of the service. These were outlined in a paper submitted to this committee in June 2019.

Recent Improvements

6. Overall, performance has continued to improve since the last report to this committee in October 2019 and has been maintained at mid- to high 80 percentages, rising to the low 90 percentages throughout January and February. Therefore, CityFleet are making progress towards meeting their targets of 95% fulfilment within their Service Level Agreement (SLA). However, it must be recognised that this is against a reduced level of bookings, which is the usual trend for these months.
7. As reported in the last report to this committee the development and launch of a driver app was an important part of CityFleet's improvement plan. The app was launched on 15 November 2019 on both Android and iOS platforms. The app allows non CityFleet drivers the opportunity to accept Taxicard bookings.
8. CityFleet continue to develop the app and are only releasing it slowly to allow them to test and make enhancements to it. Enhancements include improving the verification and registration process, so that when the product is rolled-out more widely, new drivers can be added quickly and efficiently.
9. To date (27 February), there have been 211 downloads of the app, with 27 drivers completing the registration process and they have undertaken 90 jobs. CityFleet will promote the app through social media platforms (WhatsApp, Twitter, Facebook), Knowledge School assessors and Taxi reps in order to get more drivers to sign up. They have recently recruited a marketing manager, who has this as an area of focus, and they will be working on a strategy to market this product. Progress will be reported in future reports to this committee.
10. CityFleet have made further developments to their interactive voice response (IVR) system and started a pilot on 17 February with a small group of regular users (six). This development allows them to make bookings through the IVR system rather than speaking to a contact centre agent. It is intended to speed up the booking process for customers who can use the IVR and free up operator time for better customer service to those who cannot.
11. The selected users' telephone or Taxicard number is recognised by the system and routed to the booking option. So long as they are making an ASAP booking to an address that is saved against their profile, they will be able to complete the booking through the IVR. If this is not the case, they will be redirected to an agent. The pilot will last for a period of 6 weeks, after which

time user feedback and issues will be analysed to determine whether this should be launched as an option for all customers.

Performance

12. The contractual Service Level Agreements (SLAs) for vehicle performance are as follows:

- For Advance bookings (AB), 95% of bookings to arrive within 15 minutes of the agreed time;
- For As Soon As Possible (ASAP) bookings, 95% of bookings to arrive within 30 minutes of the time the booking is made.

13. Performance against these service level agreements (SLAs) is detailed below:

Table 1. Taxicard Performance

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb (to 27th)
Target	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
AB	84%	84%	80%	84%	87%	87%	87%	89%	86%	92%	90%
ASAP	85%	85%	83%	86%	87%	86%	87%	89%	86%	92%	91%
Total	85%	84%	81%	85%	87%	87%	87%	89%	86%	92%	90%

14. London Councils will continue to closely monitor performance and communicate the measures it is taking to borough officers and ultimately, should it be necessary, we will consider alternative ways in which to contract for the scheme given wider changes in the taxi and PHV industry. In the meantime, officers are satisfied that the contractor is taking problems with the service seriously and is cooperating in taking appropriate steps to improve performance.

Financial Implications for London Councils

The Director of Corporate Resources notes the continued improvement in performance by the contractor. This trend will continue to be closely monitored and there are currently no financial implications arising.

Legal Implications for London Councils

The approach described in the report takes into account the legal implications.

Equalities Implications for London Councils

None

Recommendations

1. Committee members are asked to note the contents of this report.

Background Papers

TEC – Taxicard Update - 10 October 2019 (item 12)
TEC – Taxicard Update – 21 March 2019 (E3)
TEC – Taxicard Update – 6 December 2018 (Item 10)
TEC – Taxicard Update – 14 June 2018 (Item 17)
TEC – Retendering of Taxicard Supply Contract (Taxi and Private Hire Vehicle Services Framework – 22 March 2018 (Item E1 (Restricted))
TEC – Taxicard Procurement – 15 June 2017 (Item 17)
TEC – Taxicard Progress Report – 23 March 2017 (Item 9)
TEC – Taxicard Update – 8 December 2016 (Item 10)
TEC – Taxicard Budget Update – 14 November 2013 (Item 4)

London Councils' Transport and Environment Committee

Additional Parking Charges for the London Boroughs of Ealing and Hounslow

Item No: 14

Report by: Mital Patel **Job title:** Transport Officer
Date: 10 March 2020
Contact Officer: Mital Patel
Telephone: 020 7934 9647 **Email:** mital.patel@londoncouncils.gov.uk

Summary: This report details the proposal by the London Borough of Ealing (LB Ealing) and the London Borough of Hounslow (LB Hounslow) to amend the penalty charge banding from Band B to Band A across both boroughs.

Recommendations: The Committee is asked to:

- Approve the proposal to change the penalty banding in the LB Ealing and LB Hounslow

Introduction:

1. Under the provisions set out in the Traffic Management Act 2004 (Schedule 9), which repealed similar provisions in the Road Traffic Act 1991, London Councils' Transport and Environment Committee is responsible, subject to agreement by the Mayor of London and possible veto of the Secretary of State, for setting additional parking charges on borough roads. These additional parking charges include:
 - penalties for contraventions of parking regulations including any surcharges or discounts;
 - release from wheel clamps;
 - removals from the street;
 - storage charges and disposal fees
2. The discount payment rate for early payment has been set at 50%. The amount of any surcharge has not changed since this was set at 50% by Schedule 6(6)(1) of the Road Traffic Act 1991.

3. The Committee has reviewed the level of additional parking charges regularly since 1992, when they were first set. The Committee undertook a major review of the charges during 2006 which led to the introduction of differential penalty levels, and again in 2010 where there was an increase in the penalty levels for the more serious contraventions. The current on- and off- street parking penalty charges are as follows:

	Higher Level	Lower Level
Band A	£130	£80
Band B	£110	£60

4. The current London banding map can be seen in *Appendix 1*. Band A areas have traditionally been focussed in Central London and urban centres where the pressures on parking and congestion are often greatest. Band B areas have historically concentrated in outer London where pressures on parking are not as significant. However, due to issues with non-compliance, some outer London authorities with higher density parking and significant controlled parking zones have become Band A areas. Higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on a pay and display bay.
5. London Councils has no current plans for a London-wide review of the additional parking charges and are not aware of any Government plans for a review of the penalty levels for the rest of the United Kingdom.

Guidance on Additional Parking Charges:

6. Under the Traffic Management Act 2004 the Secretary of State produced guidance, to which all authorities must have regard. This document is called the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions ("the Statutory Guidance") and states that; "The primary purpose of penalty charges is to encourage compliance with parking restrictions. In pursuit of this, enforcement authorities should adopt the lowest charge level consistent with a high level of public acceptability and compliance." (Para. 4.1).
7. It is also the Committee's policy that additional parking charges should be set in such a way as to produce a coherent pattern of policy across London.

LB Ealing Proposals for Change:

8. LB Ealing is proposing to change from being Band B to being Band A across the whole borough (please see *Appendix 2* of this report).
9. The borough comprises of Band B charging levels, of which approximately 33% is covered by Controlled Parking Zones (CPZs) with further loading and waiting restrictions strategically placed at various locations.
10. Figure 3 contained within LB Ealing's application (please see *Appendix 2* of this report) indicates that between 2016/17 and 2018/19 the total number of on-street parking Penalty

Charge Notices (PCNs) issued each year has increased from 70,608 to 100,134 which equates to a 41.8% increase.

11. LB Ealing has stated that it is investing millions in regeneration projects to build on the strengths of the borough's existing economy to help development, employment and business opportunities. This has meant a substantial increase in parking demands both on and off street due to an increase in population, development and economic vibrancy over the years and this has had a negative impact on compliance with its parking regulations despite the fact that very few parking places have been lost as a result.
12. LB Ealing carried out a public consultation as part of this proposal and the results can be found in Appendix 2 of LB Ealing's application (please see *Appendix 2* of this report).
13. It is TEC's policy that the boundaries between areas of different penalty bands are clearly demarcated; this is to avoid the possibility of having different bands on opposing sides of the same road or in the same street. Those roads that have signs clearly identifying that the driver has entered LB Ealing, where the boundary crosses the road, are not affected and can be enforced as Band A. Those without borough identifiers will need to remain Band B.
14. LB Ealing has boundaries with LB Brent, LB Hammersmith & Fulham, LB Harrow, LB Hillingdon and LB Hounslow. There are a number of boundary locations in all named boroughs above where LB Ealing will need to continue enforcing Band B excluding LB Hammersmith & Fulham. LB Hammersmith & Fulham is already Band A, so any shared boundaries with LB Ealing will not impact the ability for LB Ealing to enforce Band A.
15. Any boundary roads in LB Hammersmith & Fulham that are currently being enforced as a Band B due to a boundary with LB Ealing will be enforceable as a Band A once final approval has been received and the new banding regime commences.
16. LB Ealing have provided a list of boundary roads to London Councils officers, who will assess what the banding should be at each location and respond accordingly.
17. Boundary roads with LB Hounslow will also be assessed however, if both authorities receive TEC approval and the applications proceed within the same timeframe, this will not be an issue as the banding between the two boroughs will be the same.

LB Hounslow Proposals for Change:

18. LB Hounslow is proposing to change from being Band B to being Band A across the whole borough (please see *Appendix 3* of this report).
19. The borough comprises of Band B charging levels, of which approximately 33% is covered by Controlled Parking Zones (CPZs), with additional waiting and loading restrictions on primary and secondary roads and smaller 'Stop and Shop' schemes.
20. Table 2 contained within LB Hounslow's application (please see *Appendix 3* of this report) indicates that between 2016/17 and 2018/19 the total number of on-street parking Penalty Charge Notices (PCNs) issued each year has increased from 81,281 to 100,916 which equates to a 24% increase compared to a 7% increase for the rest of London.
21. Table 3 contained in LB Hounslow's application (please see *Appendix 3* of this report) identifies four contravention groups that are of particular concern within the borough due to the disproportionate impact they have on commerce, public transport and the vulnerable.

22. LB Hounslow has already experienced significant residential and commercial development and a reduction in parking places, and it will see further growth in population as these projects continue to take place, with no planned increase in parking provisions. This has meant a substantial increase in parking demands both on and off street and has had a negative impact on compliance with its parking regulations.
23. LB Hounslow carried out a public consultation as part of this proposal and the results can be found in Appendix 2 of LB Ealing's application (please see *Appendix 3* of this report)
24. As previously stated, it is TEC's policy that the boundaries between areas of different penalty bands are clearly demarcated; this is to avoid the possibility of having different bands on opposing sides of the same road or in the same street. Those roads that have signs clearly identifying that the driver has entered LB Hounslow, where the boundary crosses the road, are not affected and can be enforced as Band A. Those without borough identifiers will need to remain Band B.
25. LB Hounslow has boundaries with LB Ealing, LB Hammersmith & Fulham, LB Hillingdon and LB Richmond. There are a number of boundary locations in all named boroughs above where LB Hounslow will need to continue enforcing Band B excluding LB Hammersmith & Fulham. LB Hammersmith & Fulham is already Band A, so any shared boundaries with LB Hounslow will not impact the ability for LB Hounslow to enforce Band A.
26. Any boundary roads in LB Hammersmith & Fulham that are currently being enforced as a Band B due to a boundary with LB Hounslow will be enforceable as a Band A once final approval has been received and the new banding regime commences.
27. LB Hounslow have provided a list of boundary roads to London Councils officers, who will assess what the banding should be at each location and respond accordingly.
28. Boundary roads with LB Ealing will also be assessed however, if both authorities receive TEC approval and the applications proceed within the same timeframe, this will not be an issue as the banding between the two boroughs will be the same.

Timetable for Implementation:

29. Any changes to penalty levels agreed by the Committee need the approval of the Mayor. If the Mayor agrees the changes, the Secretary of State has 28 days to exercise a veto over any changes. The committees' decisions will be formulated into a set of proposals to be presented to the Mayor of London for approval. If approved, they will be presented to the Secretary of State for Transport for their consideration. The boroughs involved would then need to advertise their proposed changes for at least three weeks prior to implementation.

Financial Implications:

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

Legal Implications:

31. There are no legal implications for London Councils or the boroughs arising from this report. However, members may wish to note the decision on penalties is taken by London Councils' TEC on behalf of boroughs for borough roads, and by TfL for GLA roads.

The TfL member of London Councils' TEC may not take part in the proceedings of the borough decision (see Reg. 24 of the Civil Enforcement Parking Contravention Regulations 2007).

Equalities Implications:

32. There are no equality implications for the boroughs or London Councils arising from this report.

Recommendations: The Committee is asked to:

- Approve the proposal to change the penalty banding in the LB Ealing and LB Hounslow

Appendices:

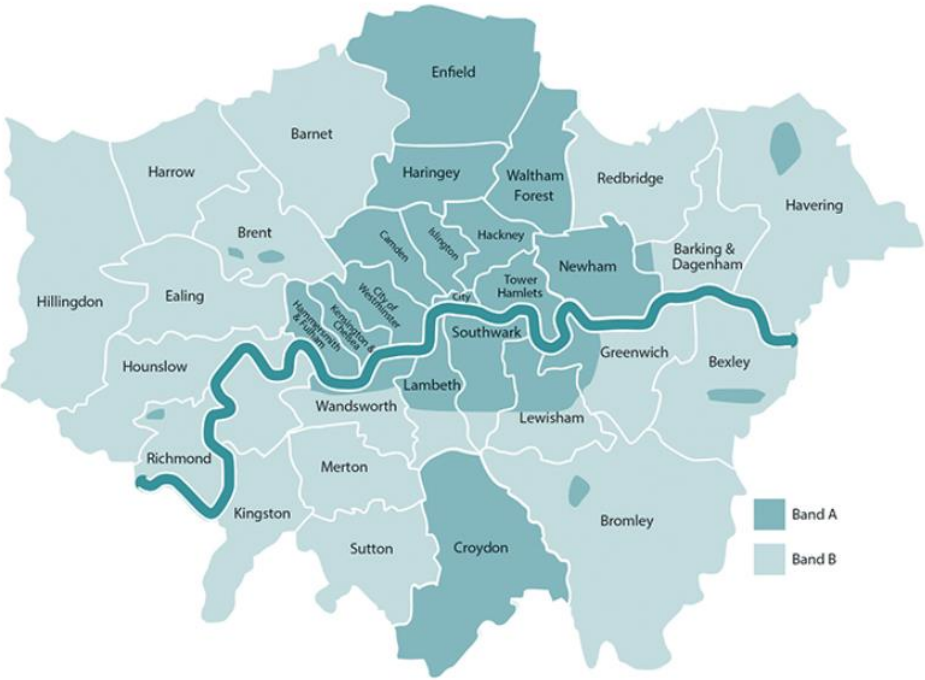
Appendix 1: Existing on and off-street penalty charge bands

Appendix 2: LB Ealing application to change the banding level from Band B to Band A.

Appendix 3: LB Hounslow application to change the banding level from Band B to Band A.

Appendix 2 – Existing Bandings in London

Existing on-street penalty charge bands



Existing off-street penalty charge bands



Transport and Environment Committee

London Councils

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London

SE1 0AL

Ealing Council
 Perceval House
 14-16 Uxbridge Road
 London W5 2HL

Tel 020 8825 5000

6th March 2020

To the Members of the Transport and Environment Committee

RE: Application to amend the Penalty Charge Notice Banding in Ealing

The London Borough of Ealing is seeking an agreement from the Transport and Environment Committee to amend the borough's Penalty Charge Notice (PCN) banding from the current Band B to Band A.

This letter is a formal application for the Transport and Environment Committee to consider this proposal.

Fig 1 – Map of current Band A / Band B London Boroughs

Existing on-street penalty charge bands



Current Banding

The London Borough of Ealing is a Band B borough for Parking offences meaning that the lower set of charges apply as shown in Fig 2 below, with the higher Band A charges also shown for comparison.

In all instances, a 14-day 50 % discount rule applies, and the discounted amounts are also shown below.

This change would see Ealing move to Band A and the higher level of charges, in effect increasing the payment for a PCN at discount amount by £10 to £65 & £40 (the rate that the majority are settled at).

Fig 2 – Parking PCN Banding Amounts

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

Background:

In recent years Ealing has experienced a substantial increase in the demand placed on its parking stock both on and off-street. Increasing population, development and economic vibrancy all contribute to add pressure to a finite resource. In parallel to this increased demand, we have also experienced an increase in non-compliance with parking restrictions. This has manifested itself in an ever-increasing number of Parking Penalty Charge Notices (PCNs) being issued each year for the past few years.

In the three years between 2016/17 and 2018/19 Parking PCN levels have risen by 41.8% (Fig 3 below).

Across the rest of London, the increase for the same period was 6.8%. A full breakdown of all Parking PCNs issued across London for the same period is included as Appendix 1.

Fig 3: LBE Parking PCNs issued in the last three financial years

2018/19	2018/17	2016/17	Percentage Variance
100,134	92,102	70,608	41.8%

During this period while the number of PCNs issued has been steadily increasing, the Council's statistics for formal appeals to the adjudication service has improved.

In 2018/19, 0.53% of PCNs issued were formally appealed, compared to 0.76% of PCNs in 2016/17.

The average appeal rate across London for Parking PCNs in 2018/19 was 0.58%.

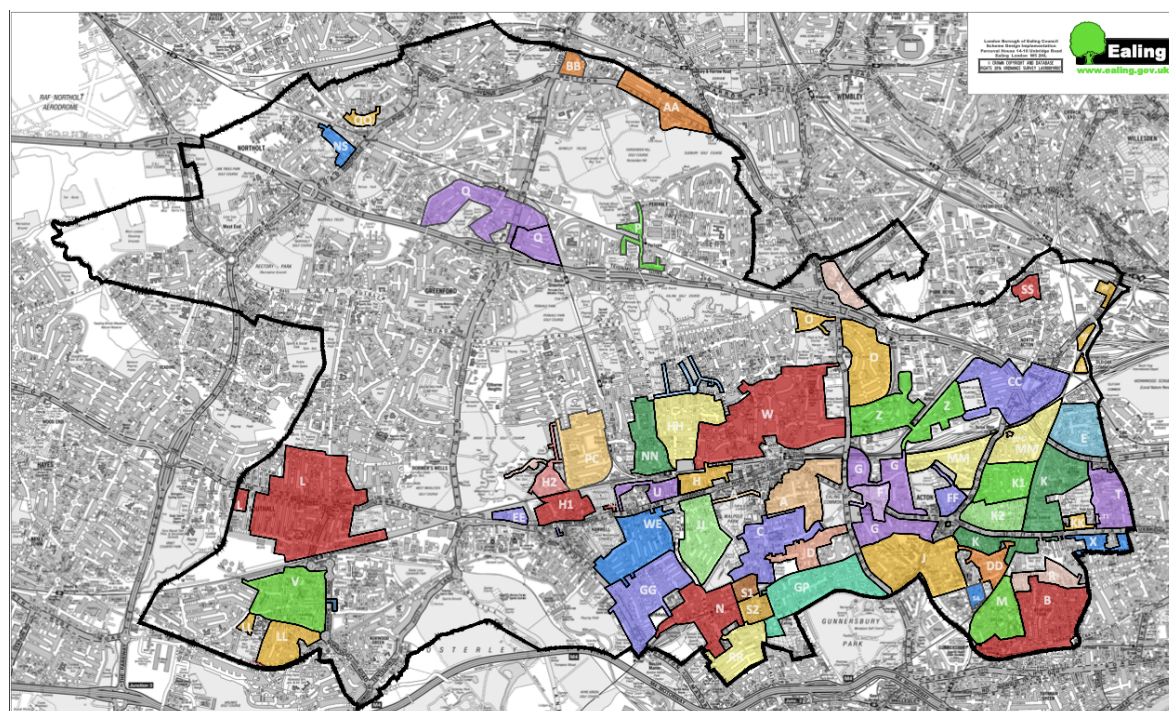
Enforcement Context:

Approximately a third of the borough is controlled by either Controlled Parking Zones or yellow lines and stop and shop restrictions. These are located in and around residential areas, transport hubs and shopping areas and for the most part, are mature schemes that have been in place since the 1990's. More recent schemes typically have been smaller, addressing very localised issues and often only in force for an hour or two per day.

The Council also operates 17 off-street car parks which include two multi-story car park in the main town centre of Ealing and Southall.

A contractor manages enforcement on behalf of the Council, primarily through the use of Civil Enforcement Officers who are deployed either on foot or mobile fleet vehicles. Additional CCTV assets are used, mainly for Moving Traffic and Bus Lane enforcement. Fig 4 gives an overview of the CPZ network in Ealing.

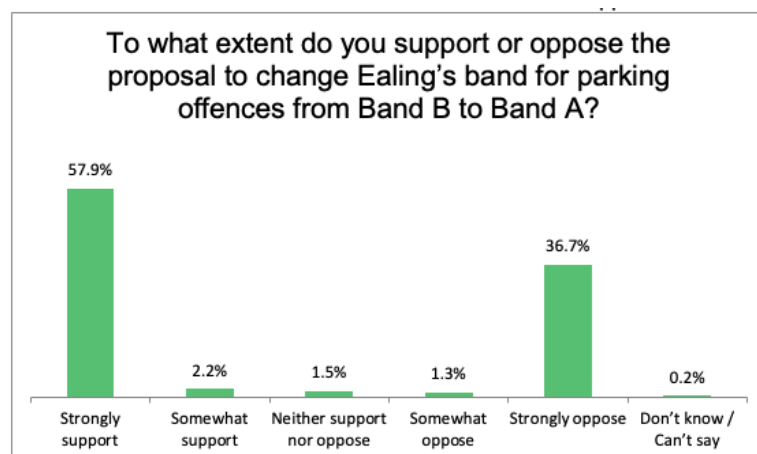
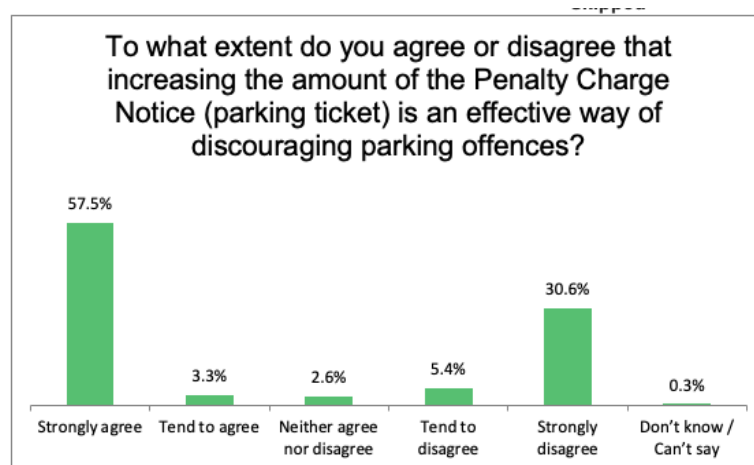
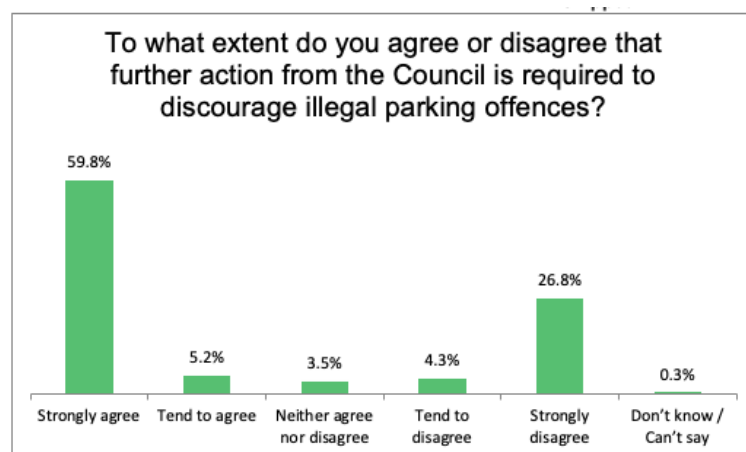
Fig 4



Consultation:

As part of the Council's consideration in making this application, we carried out an online consultation. That consultation ran during December 2019 and January 2020. A total of 960 responses were received.

The consultation gathered standard background information on the respondents and asked three specific questions related to parking and the value of the Penalty Charge amount.



Across all three questions, there was strong support for action from the Council, including a move from Band B to Band A.

As a combined single score, the results average as:

- 62% In favour
- 35% Opposed
- 3% Neutral / Don't Know / Can't Say

The full consultation questionnaire and supporting information is attached as Appendix 2

Impact of Redevelopment and Regeneration

With excellent transport links, Ealing is already a great place to live, work and visit. The Council is investing millions to further improve its town centres, housing estates and local neighbourhoods looking to build on the strengths of the borough's economy to help develop employment and business opportunities.

Acton, Southall and Ealing town centres have all seen and will continue to see significant modernisation and regeneration; however, for the larger part, this activity has not had a detrimental effect on the parking stock. Very few parking places have been lost to redevelopment, and the impact of development is routinely considered against transport and traffic issues.

The Council does not believe that its regeneration activity had led to the increased levels of non-compliance that are being observed. However, equally, the Council does not see any significant opportunity to provide additional parking capacity in the foreseeable future.

Details of regeneration activities in Ealing can be found at:

<https://www.ealing.gov.uk/info/201163/regeneration>

Equalities

The Council has considered the impact that this change may have across different groups with the community and in particular concerning its duties arising in the Equalities Act 2010.

A relevance test has been carried out by officers, and it is considered that there will be no disproportionate impacts on those population groups with protected characteristics arising as a result of these proposals.

The Council noted that Band A arrangements are already in place in several other London boroughs and have been for some time without any apparent adverse impact in respect to their obligations under the Equalities Act 2010.

It is further noted that forty-six survey respondents identified themselves as Disabled with 95% (of this group) of those also identifying as residents.

Of this group, 67.4% felt that the Council need to take further action to discourage illegal parking, and 63% Strongly Supported the Council's application to move from Band B to Band A. A move to Band A would increase the Penalty Amount applicable to Disabled Bays from £110 / £55 to £130 / £65, increasing the deterrent effect and improving compliance.

Council considers that there is no need for a full Equalities Impact Assessment to be carried out.

Boundary Roads

Ealing had boundaries with five other London Boroughs:

- Brent (Band B)
- Hammersmith & Fulham (Band A)
- Hillingdon (Band B)
- Hounslow Band B – applying for Band A)
- Harrow (Band B)

Hammersmith & Fulham is already a Band A borough, and as such, this change simplifies existing boundary issues.

Brent, Hillingdon, Hounslow and Harrow are Band B Boroughs and as such this change may have an impact on shared boundary roads.

Ealing understands that Hounslow is also making a Band A application and should both applications be approved, this would greatly simplify the Ealing / Hounslow boundary issue, giving a common Ealing, Hounslow and Hammersmith & Fulham Zone Band A area.

In respect to the remaining Band B neighbouring boroughs, there is a longstanding treatment for such roads (where banding differs from one authority to the next) including installing boundary signage or operating those roads as the lower band.

Ealing had already carried out an initial survey of the affected streets and has not observed anything that would cause difficulty in complying with the traditional treatments for such roads.

A schedule of boundary roads has been supplied to London Council officers for review and is attached as Appendix 3.

Should our application be approved by the Transport and Environment Committee, Ealing will provide additional resource to work with London Councils officers to produce a detailed schedule of treatment for approval by The Mayor's Office.

Neighbouring Boroughs

The Council is aware that at least one of its neighbours (Hounslow) is considering similar applications to re- band.

The London Borough of Hounslow to our south already has as mixed Band A / B enforcement environment with the Band A activity centring around Twickenham Stadium event days. In common with Ealing, Hounslow has also experienced above-average growth in the number of instances of non-compliance observed, and corresponding PCNs issued.

While their application is entirely a matter for themselves, it supports a picture of increasing pressure on parking across the West London area that is manifesting as increased non-compliance and issuance of increasing numbers of PCNs.

We further note that the Borough of Brent to our north has also experienced above-average growth in PCN numbers in the past three years, placing Ealing at the geographical centre of a compliance hotspot in West London.

Conclusion:

In locations with greater demand and higher levels of parking pressure, an increased level of penalty can act as a deterrent to stem the ever-increasing number of parking contraventions in the borough - the reasoning behind the two banding levels in London in the first instance.

With Ealing experiencing significant parking pressure across the borough that in turn is resulting in increasing levels on Non-Compliance, banding needs addressing.

Moving from Band B to Band A will increase the deterrent effect of the PCN and in turn increase compliance with the restrictions, an outcome that is core to the reasons for restrictions in the first place.

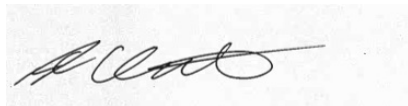
The Council's proposal for the change has the support of the community who have indicated a strong link between the value of the PCN and the deterrent effect in the form of the consultation results.

Request:

It is requested that London Council's Transport and Environment Committee agree in permitting a change to the London Borough of Ealing's PCN bands from Band B to Band A, to achieve the outlined compliance goals above.

With the Transport and Environment Committee approval, London Councils and Ealing officers will agree on timescales for advancing this request to the Greater London Authority and onwards, to the Secretary of State.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Clements', is written over a light grey rectangular background.

Tony Clements
Executive Director Place
London Borough of Ealing

E: tony.clements@ealing.gov.uk

Appendix 1 – London Parking PCNs

Ealing	2018/19	2016/17	Variance	Percentage Variance
	100,134	70,608	29,526	41.82%
Rest of London	2018/19	2016/17	Variance	Percentage Variance
Barking & Dagenham	54,042	47,908	6,134	12.80%
Barnet	129,667	148,843	-19,176	-12.88%
Bexley	45,755	51,406	-5,651	-10.99%
Brent	118,352	105,584	12,768	12.09%
Bromley	56,460	71,117	-14,657	-20.61%
Camden	183,924	200,053	-16,129	-8.06%
City of London	53,098	52,919	179	0.34%
Croydon	105,243	90,638	14,605	16.11%
Enfield	68,195	59,335	8,860	14.93%
Greenwich	42,400	38,885	3,515	9.04%
Hackney	86,784	76,768	10,016	13.05%
Hammersmith & Fulham	148,806	131,881	16,925	12.83%
Haringey	153,320	128,577	24,743	19.24%
Harrow	104,547	98,226	6,321	6.44%
Havering	62,553	57,979	4,574	7.89%
Hillingdon	55,025	67,465	-12,440	-18.44%
Hounslow	100,916	81,281	19,635	24.16%
Islington	163,004	147,306	15,698	10.66%
Kensington & Chelsea	200,004	204,822	-4,818	-2.35%
Kingston	69,271	62,417	6,854	10.98%
Lambeth	123,544	107,067	16,477	15.39%
Lewisham	54,664	47,313	7,351	15.54%
Merton	68,525	66,489	2,036	3.06%
Newham	145,910	120,252	25,658	21.34%
Redbridge	118,388	92,661	25,727	27.76%
Richmond	67,343	66,718	625	0.94%
Southwark	88,306	77,828	10,478	13.46%
Sutton	29,230	25,866	3,364	13.01%
Tower Hamlets	93,547	98,393	-4,846	-4.93%
Transport for London	425,803	371,969	53,834	14.47%
Waltham Forest	100,273	66,147	34,126	51.59%
Wandsworth	128,330	133,178	-4,848	-3.64%
Westminster	258,980	271,533	-12,553	-4.62%
Total	3,704,209	3,468,824	235,385	6.79%

Appendix 2 - Ealing PCN Rebanding Consultation

Supplied as a separate document

Appendix 3 – Schedule of Band B Boundary Roads

Road	Boundary	Current Status
Windmill Lane	Hounslow	Band B
Boston Road	Hounslow	Band B
Windmill Road	Hounslow	Band B
Little Ealing Lane	Hounslow	Band B
Ealing Road	Hounslow	Band B
Occupation Lane	Hounslow	Band B
Popes Lane	Hounslow	Band B
Gunnersbury Lane	Hounslow	Band B
Bollo Lane	Hounslow	Band B
St Albans	Hounslow	Band B
The Avenue	Hounslow	Band B
Western Road	Hounslow	Band B
Regina Road	Hounslow	Band B
Thorncliffe Road	Hounslow	Band B
Norwood Road	Hounslow	Band B
Station Road	Brent	Band B
Harley Road	Brent	Band B
Acton Lane	Brent	Band B
North Acton Road	Brent	Band B
Abbey Road	Brent	Band B
Coronation Road	Brent	Band B
Twyford Abbey Road	Brent	Band B
Brentmead Gardens	Brent	Band B
Ealing Road	Brent	Band B
Alperton Lane	Brent	Band B
Manor Farm Road	Brent	Band B
Whitton Avenue East	Brent	Band B
Allendale Road	Brent	Band B
The Rise	Brent	Band B
Greenford Road	Harrow	Band B
Wood End Gardens	Harrow	Band B
Russell Road	Harrow	Band B
Whitton Avenue West	Harrow	Band B
Dabbs Hill Lane	Harrow	Band B
Doncaster Drive	Harrow	Band B
Field End Road	Hillingdon	Band B
Kingshill Avenue	Hillingdon	Band B
Ayles Road	Hillingdon	Band B
Bryant Road	Hillingdon	Band B
Yeading Lane	Hillingdon	Band B
Canberra Drive	Hillingdon	Band B
Broadmead Road	Hillingdon	Band B
Ballinger Way	Hillingdon	Band B
Bulls Bridge Road	Hillingdon	Band B

Consultation on Penalty Charge Notice (PCN) Re-Banding in Ealing

Background

Currently, two levels of charging operate within London for parking Penalty Charge Notices (PCN), which are more commonly known as parking tickets. The two-levels are Band A (the higher level of charge) and Band B (the lower level of charge).

The London Borough of Ealing is a Band B borough for parking offences meaning that the lower set of charges apply, as shown in Table 1 below.

Within each band, there is a further higher / lower split for offences that are perceived to be more or less serious. In general terms, less serious offences tend to be things like overstaying in a car park or Pay & Display Bay, while more serious offences tend to be things like parking in a Bus Stop or Disabled Bay. In all instances, a 14-day 50% discount rule applies for early payments.

The higher and lower charges for both Bands are shown in Table 1 below alongside the discounted charges:

Table 1: Comparison of Band A and Band B PCN charges

PCN Band Level	Higher charge	Discount higher charge	Lower charge	Discount lower charge
B (Current level)	£110	£55	£60	£30
A (Proposed level)	£130	£65	£80	£40

The charging bands were last reviewed in 2011 and have not changed since then. The bands apply only to Parking contraventions, as all Bus Lane and Traffic offences are already at the Band A level across all London Boroughs.

In real terms, this means that a PCN issued for overstaying in a Car Park could be settled at £30 or for parking in a Disabled Bay for £55 within a Band B borough.

Figure 1: Existing on-street penalty charge-bands in London



Figure 1 shows the split of Band A / B councils across London. When considering the banding map of London Boroughs, it should be noted that the London Boroughs of Barnet and Hounslow are currently conducting public consultations on Re-Banding to Band A.

The objective of any well-functioning parking operation should be to gain and maintain compliance with the restrictions. In simple terms, compliance is achieved through a combination of clear, well-maintained and appropriate restrictions supported by a robust and fair enforcement regime. As time passes and compliance increases, the number of parking tickets issued should reduce, as the majority of motorists follow the regulations.

The London Borough of Ealing has instead experienced considerable growth in the number of parking tickets (PCNs) issued each year for the past few years, with a raise of 41.8% observed between 2016 and 2018 (see Table 2 below). Across the rest of London, the increase for the same period was 6.8%.

Table 2: Total number of PCNs issued in the last three financial years

2018/19	2018/17	2016/17	Percentage Variance
100,134	92,102	70,608	41.8%

While some of this increase may be due to improved detection by the enforcement team, the more substantial part is likely due to the decreased deterrent effect of the value of the PCN which has not increased since 2011.

The council believes that an increase in the penalty amount is likely to restore the deterrent effect of the PCN. This will, in turn, result in higher levels of compliance and an overall reduction in the number of PCNs issued. In practice, this means moving from the current Band B to the higher value Band A.

The council is, therefore, proposing to apply to the relevant authorities to re-band the borough of Ealing from Band B to Band A for parking contraventions.

Your views

This consultation is designed to gather opinions on the proposed change to the Penalty Charge amount and to inform any application to change bands to TEC, The Mayor of London's Office and The Secretary of State.

You can submit your views on the proposed change to the Penalty Charge amount by completing the short survey below.

This consultation will be open until 30 January 2020.

What happens next

The results of this consultation will be fed back to ward councillors who will then make the decision on whether or not to apply to the Secretary of State to change the PCN bands in Ealing. Any application to the Secretary of State is also subject to the prior approval of the Mayor of London. If an application is progressed and successful, it is unlikely that any change would take effect before the start of Quarter 2 2020/21

Further information

If you would like further information on the consultation, please contact Parking Services via email – parkingservices@ealing.gov.uk. Please mark the subject of the email as 'Parking Consultation'.

<p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure </p>	<p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure </p>
--	--

3. To what extent do you agree or disagree that increasing the amount of the Penalty Charge Notice (parking ticket) is an effective way of discouraging parking offences?

- ☐ Strongly agree
- ☐ Tend to agree
- ☐ Neither agree nor disagree
- ☐ Tend to disagree
- ☐ Strongly disagree
- ☐ Don't know / Can't say

Please let us know the reasons for your answer below:

4. To what extent do you support or oppose the proposal to change Ealing's band for parking offences from Band B to Band A?

- ☐ Strongly support
- ☐ Somewhat support
- ☐ Neither support nor oppose
- ☐ Somewhat oppose
- ☐ Strongly oppose
- ☐ Don't know / Can't say

5. In your opinion, what other measures could be useful in discouraging parking offences?

6. If you have any other comments about the proposed increase to the cost of the Penalty Charge Notice in Ealing, please let us know below:

About you

Please tell us a little about yourself. This information helps us to ensure we can make research and consultation more accessible and inclusive. All personal information is kept entirely confidential and is used for research purposes only. It will not be transferred to any third party.

7. Please let us know what your postcode is:

(We ask for this information so we can analyse responses by area)

8. What is your age group?

- ☐ Under 18
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65+
- ☐ Prefer not to say

8. Are you:

- ☐ Male
- ☐ Female
- ☐ Prefer not to say
- ☐ Prefer to self-describe

Disability

The Equality Act 2010 defines a person as having a disability if s/he 'has a long term physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities'.

9. Do you consider yourself to have a disability?

- ☐ Yes
- ☐ No
- ☐ Don't know/ can't say
- ☐ Prefer not to say

10. Which ethnic group do you consider you belong to?

- ☐ White - English, Welsh, Scottish, Northern Irish, British
 - ☐ White - Irish
 - ☐ White - Gypsy/Irish Traveller
 - ☐ White - Other
 - ☐ Any other White background
-
- ☐ Mixed/ multiple ethnic groups - White and Black Caribbean
 - ☐ Mixed/ multiple ethnic groups - White and Black African
 - ☐ Mixed/ multiple ethnic groups - White and Asian
 - ☐ Any other Mixed/ multiple ethnic background

-
- ☐ Asian/ Asian British - Indian
 - ☐ Asian/ Asian British - Pakistani
 - ☐ Asian/ Asian British - Bangladeshi
 - ☐ Asian/ Asian British - Chinese
 - ☐ Any other Asian background

-
- ☐ Black/ African/ Caribbean/ Black British - African
 - ☐ Black/ African/ Caribbean/ Black British - Caribbean
 - ☐ Any other Black/ African/ Caribbean background

-
- ☐ Other ethnic group – Arab
 - ☐ Any other ethnic group



Transport and Environment

Committee

London Councils

59½ Southwark Street

London

SE1 0AL

Victoria Lawson – Executive Director
Environment, Culture & Customer Services

Hounslow House

7 Bath Road

Hounslow TW3 3EB

Your contact: Mark Frost

Direct Line: 020 8583 5037

Fax:

E-Mail: Mark.Frost@hounslow.gov.uk

Our ref: TEC/BandA

Date: 06 March 2020

To the Members of the Transport and Environment Committee

RE: Application to amend the Penalty Charge Notice Banding in Hounslow

The London Borough of Hounslow is seeking an agreement from the Transport and Environment Committee to amend the borough's Penalty Charge Notice (PCN) banding from the current Band B to Band A. This letter is a formal application for Transport and Environment Committee to consider this proposal.

Fig 1 – Map of current Band A / Band B London Boroughs

Existing on-street penalty charge bands



Current Banding

The London Borough of Hounslow is a Band B borough for parking offences meaning that the lower set of charges apply, as shown in Table 1, below.

In all instances, a 14-day 50 % discount rule applies, and the discounted amounts are shown in brackets in the table below.

Table 1

Band	Higher (Discount)	Lower (Discount)
A	£ 130 (£ 65)	£ 80 (£ 40)
B	£ 110 (£ 55)	£ 60 (£ 30)

There is a limited exception in the Twickenham Stadium Event Zone (Zone R) which when in operation operates at Band A level. The event zone operates when crowds of more than 30,000 are expected at Twickenham Stadium, which is typically ten to twelve times per year. The stadium itself is located in the borough of Richmond close to the Hounslow / Richmond boundary. The Twickenham Events Zone operates as a single controlled area across both boroughs (in the area around the stadium).

Background:

Hounslow has experienced a substantial increase in the instances of parking specific non-compliance detected and PCNs issued over the past three years. This increase is driven by increasing pressure on limited parking availability which in turn is driving higher levels of non-compliance. The net gain in PCNs issued from 2016/17 to 2018/19 is 24%.

This increase is against a background increase across London of 7% for the same period. These figures are illustrated further in Table 2 below and a full breakdown of all parking PCNs issued across London for the same period is included as Appendix 1.

Table 2

	2018/19	2016/17	Variance	Percentage Variance
Hounslow	100,916	81,281	19,635	24%
Rest of London	3,703,427	3,458,151	245,276	7%

During this period formal appeals to the adjudication service remained relatively stable improving from 0.6% of PCNs issued in 2016/17 being appealed to 0.5% of PCNs issued in 2018/19 being appealed.

In the most recent set of statistics issued by London Councils, Hounslow was scored as a Category 4 borough (Low Appeal Rate / Low Allow Rate).

Figure 2 provides details of the scoring mechanism.

Figure 2

		Appeal rate	
		High	Low
Allowed rate	High	1	3
	Low	2	4

Within the overall increase in PCN issued , there are some notable increases in individual contraventions, as shown in Table 3 below:

Table 3

	18/19	16/17	Percentage Change
Disabled Bays	1,181	404	192%
Bus Stops	361	255	42%
Loading Bays	3,359	546	515%
Footway	11,541	5,737	101%

These contravention groups (Table 3) are of particular concern because of the disproportionate impact they have on commerce, public transport and the disabled community, as well as the obstruction of footways which can impede passage by mobility-impaired users and parents/carers with pushchairs.

The Council believes that an increase in the penalty amount is likely to help restore the deterrent effect of the Penalty Charge Notice. This will, in turn, result in higher levels of compliance and an overall reduction in the number of Penalty Charge Notices issued.

In practice, this means moving from the current Band B to the higher value Band A.

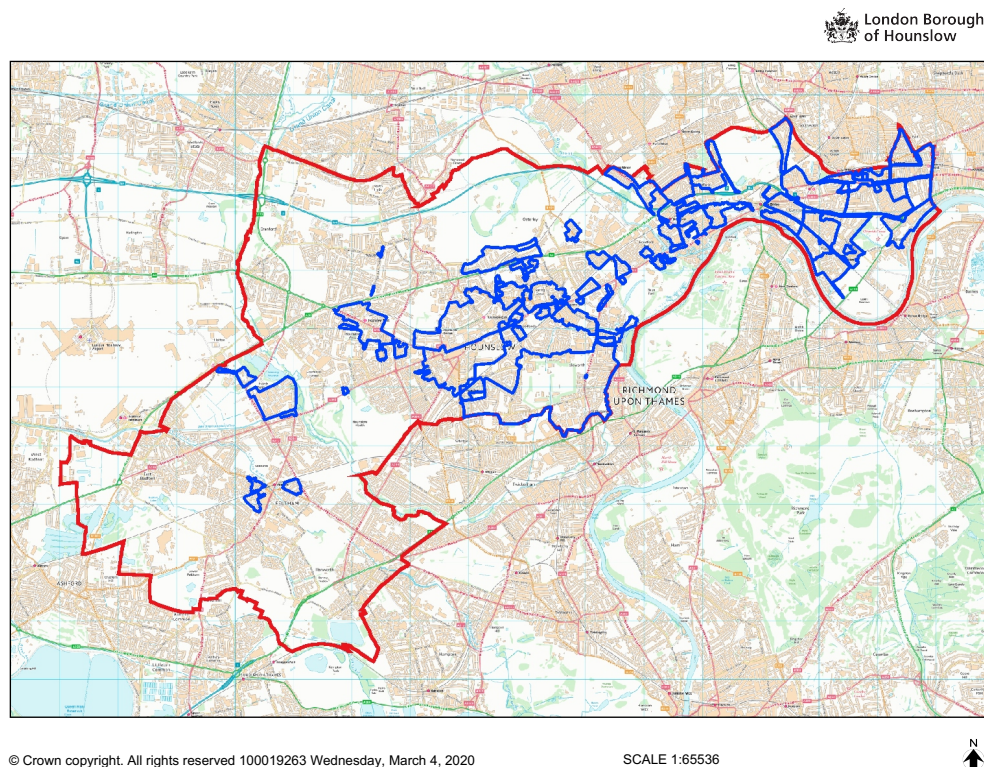
Provision of Parking within Hounslow

Approximately one-third of the borough is covered by Controlled Parking Zones (CPZs).

The majority of zones are located either centrally around Hounslow Town Centre or towards the east of the borough around Chiswick Town Centre. These CPZs for the greater part are well established being in existence for at least ten years, and in some instances, twenty years. Recent schemes have tended to be much smaller and often operating for minimal hours in response to localised issues, such as school drop off in some cases for twenty years or more

Additional Waiting & Loading restrictions on primary and secondary roads and smaller Stop & Shop schemes outside of the CPZ network. Figure 3 gives an overview of the CPZ network.

Fig 3



Note - Additional primary routes dissect the borough that are under the control of Transport for London (such as the A4 and A316). These routes are out of the scope of this application as the application relates to the London Borough of Hounslow issued PCNs only.

Impact of Redevelopment

LB Hounslow has recently experienced significant residential and commercial development.

To date, this has been concentrated in Brentford and Hounslow Town Centres, part of the Great West Corridor and Heathrow opportunity areas respectively. In Brentford over 1000 new residential units have been delivered in the last five years, and these have all had restrictions placed on car parking levels in line with the London Plan.

In Hounslow Town Centre, over 1000 off-street parking spaces have been removed to make way for a new council office (the existing Civic Centre site now in the process of being converted to c1000 new homes), expanded schools, and town centre redevelopment including a new cinema, café's, bars and housing.

New development of this nature which brings more trips to an area with no increase in parking provision may have served to place more pressure on existing stock and hence lead to further issues with compliance.

Looking to the future, the latest iteration of the Council's local plan sets out proposals for further development across the borough and particularly in these opportunity areas.

- At least 7,500 new homes and 17,600 new jobs in Great West Corridor (Brentford)
- At least 10,300 new homes and 13,000 new jobs in West of Borough including in the vicinity of Heathrow.
- Additional incremental development across the rest of the borough

This additional development, the majority of which will also come forward with low or limited parking in line with the London Plan, could be expected to exacerbate compliance levels further. This regeneration is part of a broader strategy that is designed to improve the borough by growing business, improving connectivity, place-making and enhancing the environment as summarised in Figure 4.

Fig 4

Strategy	Growing business	Improving connectivity	Place-making	Enhancing the environment
Joint Prevention Strategy for Adult Services in Hounslow 2014 - 18			✓	✓
Joint Children and Young People's Strategy 2015 - 2019	✓		✓	
Leisure and Culture Strategy 2016 - 2020	✓	✓	✓	✓
Thriving Communities and Voluntary, Community and Social Enterprise (VCSE) Sector Strategy 2015 - 2019	✓		✓	✓
Community Safety Strategy 2014 - 2017	✓	✓	✓	✓
Housing Strategy 2014 - 2018			✓	✓
Climate Change Strategy (to be completed)				✓
Hounslow Skills and Employment Strategy 2014 - 2016	✓		✓	
Heritage Strategy (to be completed)			✓	
Corporate Property Strategy 2014 - 2019	✓		✓	
Hounslow Local Implementation Plan for Transport (2011-2031)	✓	✓	✓	✓

Full details of Hounslows regeneration plans can be found at:

<https://www.hounslow.gov.uk/info/20061/regeneration>

Consultation

A consultation on these proposals was held in December 2019 / January 2020. The consultation was advertised on the Council's website and also promoted in HM magazine which is delivered to all households within the borough and on social media by the councils Communications Team.

There were 89 respondents to the consultation, a relatively low response rate for a borough-wide consultation although not totally unexpected as Hounslow has often had a low response rate to parking consultations.

Appendix 2 shows additional consultation details.

Overall the feedback received indicated that there was a lack of majority support for the proposals. Table 4 below provides summary results.

Table 4

Option	Result
Yes	20 (22%)
No	62 (70%)
Not sure	7 (8%)

Example comments of respondents in support of increasing the charge included:

- Parking is at a premium, and there are constant examples of people parking selfishly and unlawfully across the whole borough. An increase in the amount of the fine I think is a good thing as it isn't much of a deterrent when it is so little. Lots of people will risk non-compliance, and they may think twice if the fine is higher. I am fed up of everyone thinking that they deserve special treatment and that they can park wherever they like including disabled bays. Too many drivers are parking illegally and ignoring existing rules of the roads so a higher deterrent must be used. Badly parked vehicles cause danger to pedestrians, cyclists and others.*

Example comments from respondents against the charge:

- *Instead of increasing the charge, the Council should educate drivers about parking restrictions. This would be much more effective way of tackling the issue.*
- *I pay enough taxes and don't support your agenda of taxing drivers in other ways.*

The Council also received a letter in support of the proposals from the Hounslow Cycling campaign. It has also been noted that a wide range of organisations have been campaigning for action against anti-social parking practices in recent years. This includes charities that represent those population groups with protected characteristics, including those with visibility impairments, learning disabilities and older people more generally.

As with other authorities, Hounslow often receives a low level of support for parking-related controls and charges, with many comments highlighting concerns that the proposals are motivated by a desire to raise revenue rather than manage parking and traffic flow.

Notwithstanding the results of the consultation, officers remain of the view that the proposal to change the bands to Band A, will assist in the better management of the kerb space within the borough, help ensure that the highway network can operate effectively and also support independent travel by members of the public – particularly those with mobility impairments.

This has also been endorsed by the lead member via a single member decision approved on 20/02/2020. This can be found at <https://democraticservices.hounslow.gov.uk/ieListDocuments.aspx?CId=578&MId=11562>

Equalities

The Council has had due regard to its Equalities Duties and in particular concerning its duties arising in the Equalities Act 2010.

A relevance test has been carried out by officers, and it is considered that there will be no disproportionate impacts on those population groups with protected characteristics arising as a result of these proposals.

It is further noted that the changes detailed in this report are aimed at ensuring the highest level of compliance is maintained across the Council's parking network. Compliance with parking restrictions is a critical part of ensuring that the borough's transport network works effectively, that public transport services can maintain

schedules and service levels, and that vulnerable groups such as those with mobility impairments are not unduly hindered in their daily activities.

While some concerns were expressed by those with disabilities about the proposals in the consultation, these concerns often centred around the circumstances of individual PCN incidents and ignored the broader benefits to those with mobility impairments arising from a greater deterrent against footway parking and disabled bay abuse etc. These benefits have been raised by umbrella groups representing those with disabilities in campaigns about anti-social parking – notably around footway parking etc.

As such, the Council believes that there is no need for a full Equalities Impact Assessment to be carried out and that in approving this report, the Council will be acting in compliance with its duties.

Boundaries

Hounslow has boundaries with four other London Boroughs:

- Ealing Band B (considering a Band A application)
- Hammersmith & Fulham Band A
- Hillingdon Band B
- Richmond upon Thames Band B

Hammersmith & Fulham is already a Band A borough, and as such, this change presents a simplification of boundary issues. Ealing is also progressing a Band A application and should that application be successful; this would simplify the boundary issues with Ealing, which is our most complex boundary.

The remaining boundaries have been surveyed and assessed against the historical treatment applied to differing band boundaries. The border with Hillingdon comprises mainly of open space and with Richmond primary routes that already contain boundary signs.

Hounslow officers see no difficulty in complying with that historical treatment and upon approval of this application by the Transport and Environment Committee, they would work quickly with London Councils officers to agree on a detailed treatment schedule for submission to the Mayor's office.

A schedule of boundary roads is attached as appendix 3

Conclusion:

In locations with greater demand and higher levels of parking pressure, an increased level of penalty can act as a deterrent to stem the ever-increasing number of parking contraventions in the borough - the reasoning behind the two banding levels in London in the first instance.

With Hounslow experiencing significant parking pressure across the borough, that in turn is resulting in increasing levels of non-compliance, the issue of PCN banding needs addressing.

A move from Band B to Band A will increase the deterrent effect of the PCN and in turn increase compliance with the restrictions, an outcome that is core to the reasons for restrictions in the first place.

Request:

It is requested that the London Council's Transport and Environment Committee agree in permitting a change to the London Borough of Hounslow's PCN band from Band B to Band A, to achieve the outlined compliance goals above.

With Transport and Environment Committee's approval, London Councils and Hounslow officers will agree on timescales for advancing this request to the Greater London Authority and onwards, to the Secretary of State.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Mark Frost', written over a faint rectangular box.

Mark Frost
Assistant Director
Transport, Parking & Environmental Strategy
London Borough of Hounslow

Appendix 1 – All London Parking PCNs for three year period 2016/17 – 2018/19

	2018/19	2016/17	Variance	Percentage Variance
Hounslow	100,916	81,281	19,635	24.16%
Rest of London	2018/19	2016/17	Variance	Percentage Variance
Barking & Dagenham	54,042	47,908	6,134	12.80%
Barnet	129,667	148,843	-19,176	-12.88%
Bexley	45,755	51,406	-5,651	-10.99%
Brent	118,352	105,584	12,768	12.09%
Bromley	56,460	71,117	-14,657	-20.61%
Camden	183,924	200,053	-16,129	-8.06%
City of London	53,098	52,919	179	0.34%
Croydon	105,243	90,638	14,605	16.11%
Ealing	100,134	70,608	29,526	41.82%
Enfield	68,195	59,335	8,860	14.93%
Greenwich	42,400	38,885	3,515	9.04%
Hackney	86,784	76,768	10,016	13.05%
Hammersmith & Fulham	148,806	131,881	16,925	12.83%
Haringey	153,320	128,577	24,743	19.24%
Harrow	104,547	98,226	6,321	6.44%
Havering	62,553	57,979	4,574	7.89%
Hillingdon	55,025	67,465	-12,440	-18.44%
Islington	163,004	147,306	15,698	10.66%
Kensington & Chelsea	200,004	204,822	-4,818	-2.35%
Kingston	69,271	62,417	6,854	10.98%
Lambeth	123,544	107,067	16,477	15.39%
Lewisham	54,664	47,313	7,351	15.54%
Merton	68,525	66,489	2,036	3.06%
Newham	145,910	120,252	25,658	21.34%
Redbridge	118,388	92,661	25,727	27.76%
Richmond	67,343	66,718	625	0.94%
Southwark	88,306	77,828	10,478	13.46%
Sutton	29,230	25,866	3,364	13.01%
Tower Hamlets	93,547	98,393	-4,846	-4.93%
Transport for London	425,803	371,969	53,834	14.47%
Waltham Forest	100,273	66,147	34,126	51.59%
Wandsworth	128,330	133,178	-4,848	-3.64%
Westminster	258,980	271,533	-12,553	-4.62%
Total	3,703,427	3,458,151	245,276	7.09%

Appendix 2 – Hounslow Consultation Document

Parking Ticket Charges - Proposed Increase

Overview

London has two charging levels for Parking Penalty Charge Notices (PCNs), often known as parking tickets. Hounslow is a Band B borough except for the Twickenham Stadium Event scheme, which already operates at the higher Band A level. We now propose applying to become a Band A borough to help improve the level of compliance with parking restrictions.

Within each band, there is a further Higher / Lower charging split according to the severity of offence, as shown in the table below. A 50% discount applies for early (i.e. within 14 days) payments. These amounts are as shown in brackets.

Band	Higher (Discounted)	Lower (Discounted)
A	£130 (£65)	£80 (£40)
B	£110 (£55)	£60 (£30)

In real terms, this means a PCN issued for overstaying in a car park in our borough can be settled at £30, while one issued for parking in a disabled bay can be settled at £55. Our proposal would see a £10 increase in both cases.

Why We Are Consulting

The number of PCNs issued in our borough has grown by 39% since 2015. This includes large increases in categories of particular concern to the council (see table in the "Related" section below), such as footway parking contraventions, which greatly impact those with wheelchairs and pushchairs. While part of this increase may be attributed to new restrictions (e.g. more disabled bays) and improved detection by the enforcement team, that does not account for such significant growth. The decreased deterrent of the charges, which have not been reviewed since 2011, is believed by the council to be a major factor.

The aim of a well-functioning parking operation is high compliance, achieved with clear and appropriate restrictions, supported by robust and fair enforcement. The council believes an increase in the penalty amount will improve PCNs' deterrent effect, resulting in higher compliance and reducing the number of PCNs issued.

Other boroughs such as Barnet, Brent, and Ealing are also considering re-banding. A map in the "Related" section shows the current council bands.

This consultation is to gather your views to inform any application we make to The Secretary of State to become a Band A borough for parking offences.

Closed 28 Jan 2020

Opened 13 Dec 2019

Contact

Gareth James

(Senior Transport Project Officer)

0208 583 3322

traffic@hounslow.gov.uk

Contents

Question 1: What is your name?

Name

Question 2: What is your email address?

Email

Question 3: What is your postcode?

Postcode

Question 4: Please select the statement(s) which apply to you regarding your relationship to the borough.

Relationship to borough

Other

Question 5: Do you support the council applying to become a Band A borough, so Penalty Charge Notices (parking tickets) are charged at a higher amount?

Support

Question 6: Please use this space to say why you support / don't support the proposal, and to add any other comments you would like to share.

Comments

Question 7: What is your gender?

What is your gender

Question 8: What is your age?

what is your age

Question 9: What is your ethnicity?

ethnicity

Question 10: Do you consider yourself to have a disability?

Disability

Question 11: If your answer to the previous question was yes, please indicate the type of disability which applies to you. People may experience more than one type of disability, in which case tick all types that apply. If your disability does not fit any of these types, please specify 'other'.

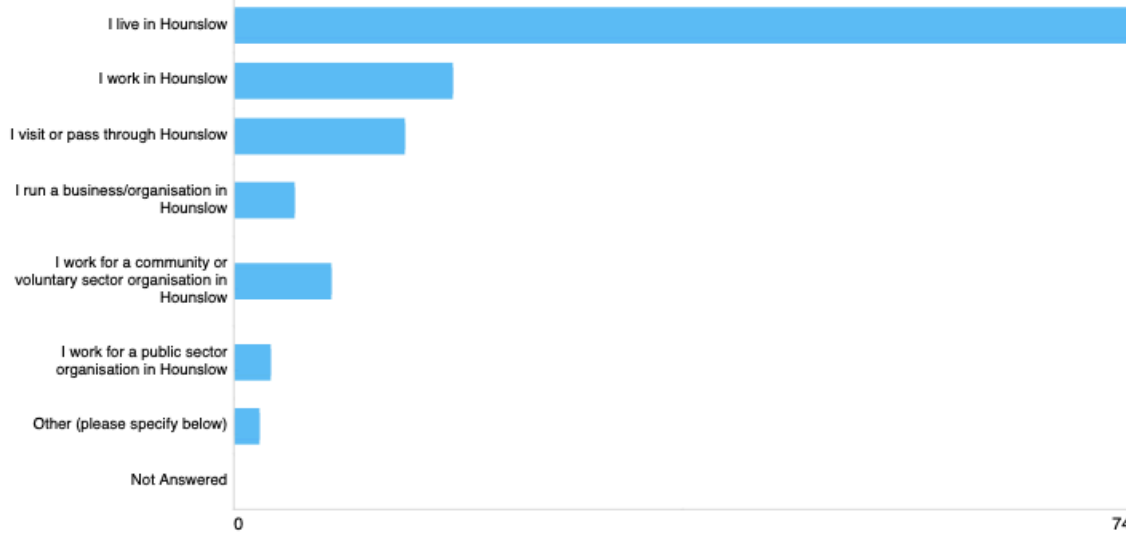
type of disability

Other

Please note – for data protection reasons the responses to Questions 1,2 & 3 are not distributed

Question 4: Please select the statement(s) which apply to you regarding your relationship to the borough.

Relationship to borough



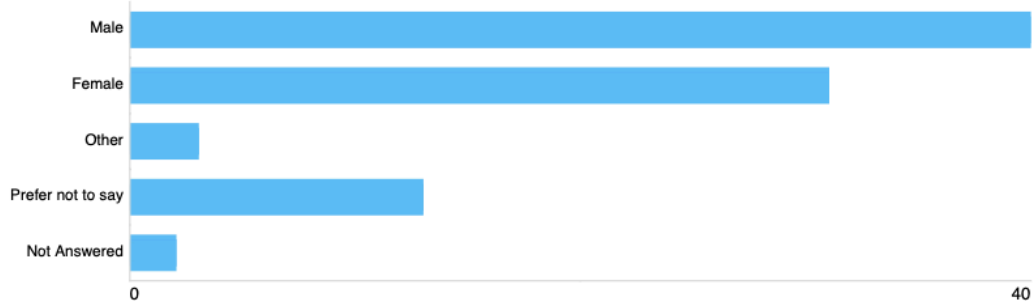
Question 5: Do you support the council applying to become a Band A borough, so Penalty Charge Notices (parking tickets) are charged at a higher amount?

Support



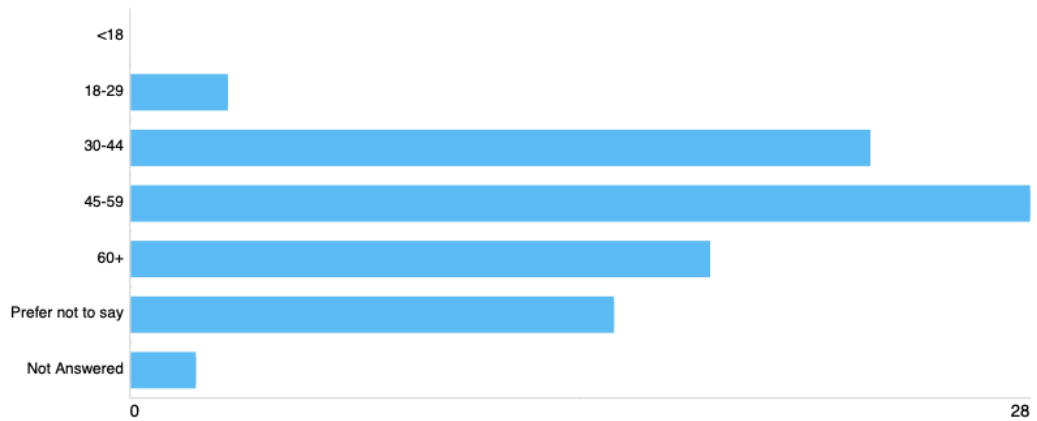
Question 7: What is your gender?

What is your gender



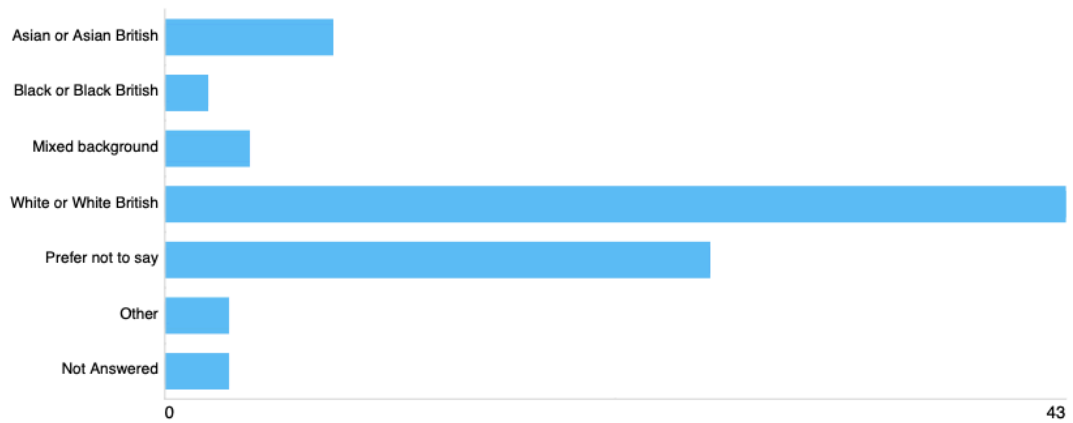
Question 8: What is your age?

what is your age



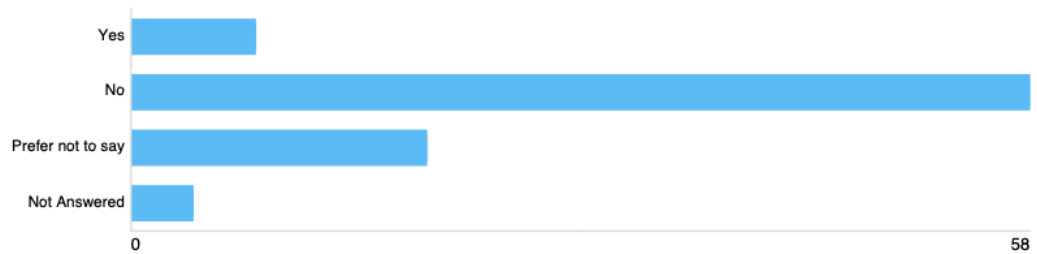
Question 9: What is your ethnicity?

ethnicity



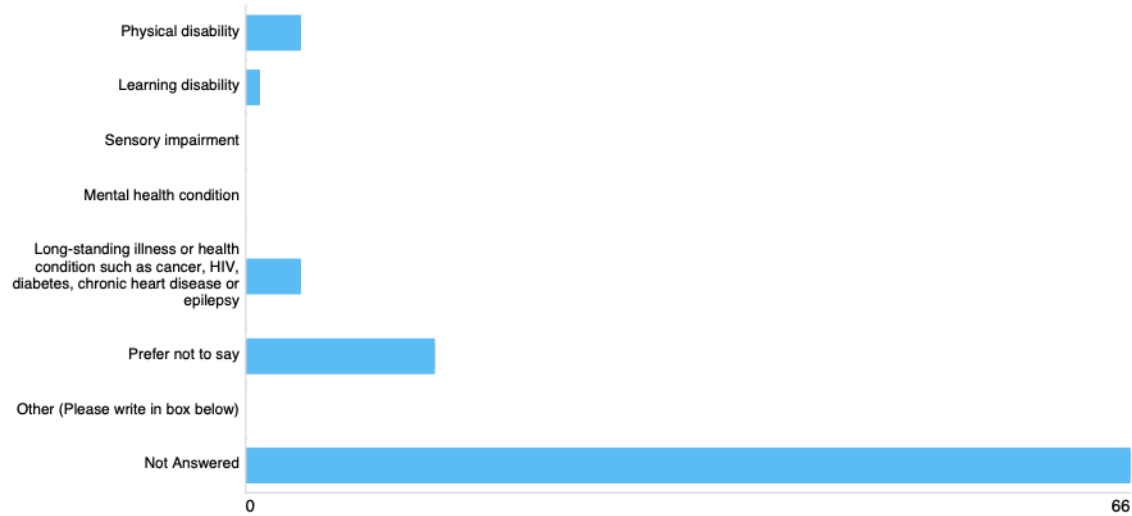
Question 10: Do you consider yourself to have a disability?

Disability



Question 11: If your answer to the previous question was yes, please indicate the type of disability which applies to you. People may experience more than one type of disability, in which case tick all types that apply. If your disability does not fit any of these types, please specify 'other'.

type of disability



Appendix 3 - London Borough of Hounslow Boundary Roads

Count	Street	Nearest post-code	Borough
1	North Hyde Lane	UB2 5FA	London Borough of Ealing
2	Thorncliffe Road	UB2 5RJ	London Borough of Ealing
3	Craneswater Park	UB2 5RR	London Borough of Ealing
4	Green Walk	UB2 5QY	London Borough of Ealing
5	Crosslands Avenue	UB2 5QY	London Borough of Ealing
6	Norwood Road	TW5 0HH	London Borough of Ealing
7	Heston Road	TW5 0HQ	London Borough of Ealing
8	Osterley Lane	UB2 4LB	London Borough of Ealing
9	Windmill Lane	TW7 5PR	London Borough of Ealing
10	Boston Manor Road	TW8 9LQ	London Borough of Ealing
11	Swyncombe Avenue	W5 4DS	London Borough of Ealing
12	The Ride	TW8 9LA	London Borough of Ealing
13	Windmill Road	W5 4BT	London Borough of Ealing
14	Windmill Road	TW8 9NQ	London Borough of Ealing
15	Junction Road	TW8 9NN	London Borough of Ealing
16	Ealing Road	W5 4BB	London Borough of Ealing
17	Darwin Road	W5 4BB	London Borough of Ealing
18	Carlyle Road	W5 4BP	London Borough of Ealing
19	South Ealing Road	W5 4RH	London Borough of Ealing
20	South Ealing Road	W5 4RH	London Borough of Ealing
21	Clayponds Avenue	W5 4RF	London Borough of Ealing
22	Sterling Place	TW8 9QE	London Borough of Ealing
23	Lionel Road North	TW8 9QU	London Borough of Ealing
24	Pope's Lane	W5 4NG	London Borough of Ealing
25	Lionel Road North	W5 4NG	London Borough of Ealing
26	Hayes road	UB2 5NS	London Borough of Ealing
27	Gunnersbury Avenue (North Circular Road)	W3 8LJ	London Borough of Ealing
28	Princes Avenue	W3 8LJ	London Borough of Ealing
29	Gunnersbury Lane	W3 8HP	London Borough of Ealing
30	Acton Lane	W4 5DX	London Borough of Ealing
31	Belmont Terrace	W4 5UN	London Borough of Ealing
32	Fishers Lane	W4 1RZ	London Borough of Ealing
33	The Avenue	W4 1LS	London Borough of Ealing
34	Priory Avenue	W4 1UE	London Borough of Ealing
35	Rupert Road	W4 1UF	London Borough of Ealing
36	Blenheim Road	W4 1UF	London Borough of Ealing
37	Abinger Road	W4 1EG	London Borough of Ealing
38	Bath Road	W4 1LJ	Hammersmith and Fulham
39	Welstead Way	W4 1LH	Hammersmith and Fulham
40	Prebend Gardens	W6 0XT	Hammersmith and Fulham
41	Stamford Brook Avenue	W6 0YD	Hammersmith and Fulham
42	Goldhawk Road	W6 0SB	Hammersmith and Fulham
43	Chiswick High Road	W4 1TH	Hammersmith and Fulham
44	British Road	W4 2NL	Hammersmith and Fulham
45	Berestede Road	W4 2NL	Hammersmith and Fulham
46	Great West Road	W4 2PU	Hammersmith and Fulham
47	Chiswick Mall	W4 2PS	Hammersmith and Fulham
48	Great Chertsey Road	W4 3UL	Richmond-Upon-Thames
49	Kew Road	TW8 0FD	Richmond-Upon-Thames
50	Richmond Road	TW7 7JA	Richmond-Upon-Thames
51	Talbot Road	TW7 7HG	Richmond-Upon-Thames
52	Twickenham Road	TW7 7QR	Richmond-Upon-Thames
53	Varsity Drive	TW1 1AG	Richmond-Upon-Thames
54	Rugby Road/Whitton Dene	TW7 7LW	Richmond-Upon-Thames
55	Whitton Dene	TW7 7NE	Richmond-Upon-Thames
56	Old Manor Drive	TW7 7NE	Richmond-Upon-Thames
57	Whitton Road	TW3 2EN	Richmond-Upon-Thames
58	Wills Crescent	TW3 2LG	Richmond-Upon-Thames
59	Argyle Avenue	TW3 2LL	Richmond-Upon-Thames
60	Hanworth Road	TW4 5LE	Richmond-Upon-Thames
61	Wellington Road South	TW4 5JX	Richmond-Upon-Thames
62	A312	UB2 5NB	Hillingdon
63	North Hyde Road	UB2 5NB	Hillingdon
64	M4	TW5 9RY	Hillingdon
65	Park Lane	TW5 9RW	Hillingdon
66	Great South West Road	TW14 0PH	Hillingdon
67	Girling Way	TW14 0PH	Hillingdon
68	Turpin way	TW14 0PS	Hillingdon
69	Faggs Road	TW14 0PS	Hillingdon
70	Cains Lane (Dead-end road)	TW14 9RH	Spelthorne
71	Beacons road	TW19 7NL	Spelthorne
72	Staines Road	TW14 8RU	Spelthorne
73	Clockhouse Lane	TW14 8QA	Spelthorne
74	Chertsey Road	TW13 4RL	Spelthorne
75	Cadbury Road	TW14 4RL	Spelthorne
76	Groveley Road	TW13 4PJ	Spelthorne
77	A316	TW13 6XH	Spelthorne
78	Green Lane	TW13 6TL	Richmond Upon-Thames
79	Hampton Lane	TW13 6NT	Richmond Upon-Thames
80	Hameton Road East	TW13 6JB	Richmond Upon-Thames
81	Twickenham Road	TW13 6JB	Richmond Upon-Thames
82	Great Chertsey Road	TW13 5QY	Spelthorne
83	Hounslow Road	TW13 6QH	Richmond Upon-Thames
84	A4	TW5 9WA	Spelthorne
85	Godfrey Way	TW4 5SY	Richmond Upon-Thames
86	Sanctuary Road	TW19 7NL	Spelthorne
87	Stanwell Road	TW19 7NL	Spelthorne
88	Feltham Road	TW15 1AT	Spelthorne
89	Bedfront Road	TW19 7LE	Spelthorne
90	Country way	TW13 6XH	Spelthorne

London Councils' Transport & Environment Committee

TEC & TEC Executive Sub Committee Dates 2020/21

Item
No: 15

Report by: Alan Edwards **Job title:** Governance Manager

Date: 19 March 2020

Contact Officer: Alan Edwards

Telephone: 0207 934 9911 **Email:** Alan.e@londoncouncils.gov.uk

Summary: This report notifies members of the proposed TEC and TEC Executive Sub Committee dates for the year 2020/21

Recommendations: It is recommended that Members:

- To agree the dates for TEC and TEC Executive Sub Committee meetings for the year 2020/21

TEC (Main) Committee Proposed Dates

- Thursday 11 June 2020
- Thursday 15 October 2020
- Thursday 10 December 2020
- Thursday 25 March 2021

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 16 July 2020
- Thursday 10 September 2020
- Thursday 19 November 2020
- Thursday 11 February 2021

TEC Executive Sub Committee meetings start at 10:00am are held at the offices of the London Councils, 59½ Southwark Street, London, SE1 0AL

Recommendations

It is recommended that Members:

- To agree the dates for the TEC and TEC Executive Sub Committee meetings for the year 2020/21.

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 EXECUTIVE SUB COMMITTEE

Minutes of a meeting of the London Councils' Transport and Environment Executive Sub Committee held on **6 February 2020** at 10:00am, at London Councils, Meeting Room 1, 1st Floor, 59½ Southwark Street, London, SE1 0AL.

Present:

Councillor Julian Bell (Chair)	LB Ealing
Councillor William Huntington-Thresher	LB Bromley
Councillor Stuart King	LB Croydon
Councillor Wesley Harcourt	LB Hammersmith & Fulham
Councillor Phil Graham	LB Islington
Councillor Claire Holland	LB Lambeth
Councillor Richard Livingstone	LB Southwark
Councillor Manuel Abellan	LB Sutton
Councillor Richard Field	LB Wandsworth
Councillor Tim Mitchell	City of Westminster

Others Present:

Alex Williams	Transport for London
Elliot Treharne	Greater London Authority
Esther Kurland	Urban Design London
Daniel Moylan	Urban Design London
Councillor Nigel Haselden	Urban Design London

1. Apologies for Absence & Announcement & Deputies

An apology of absence was received from Councillor Scott-McDonald (RB Greenwich) and from Spencer Palmer, Director of Transport & Mobility (London Councils). Councillor Phil Graham attended as a substitute for LB Islington.

2. Declarations of Interest

There were no other declarations of interest other than those provided on the sheet.

3. Update on the Expansion of the Ultra-Low Emission Zone (ULEZ) – Talk by Alex Williams, Director of Borough Planning, Transport for London

Alex Williams, Director of Borough Planning, Transport for London, introduced the item and made the following comments:

- Action was being taken to reduce the illegal and life-threatening levels of NO₂ in London. Road transport contributed a major part of the NO₂ emissions in London.
- In April 2019, the ULEZ replaced the T-Charge. In October 2020, the Low Emission Zone (LEZ) standards would be strengthened, and in October 2021, the ULEZ would be expanded to the North and South Circular.
- Compliance with standards had doubled since the ULEZ had been introduced from 39% in 2017 to 77 to 78% in 2019 for all vehicles.

- The introduction of the ULEZ has also had a big impact on reducing NO₂ concentrations outside central London, resulting in roads on the ULEZ boundary becoming cleaner.
- Traffic flows into central London had also been reduced, along with a decreased level of vehicles “idling” in traffic.
- London currently had 235 electric buses in its fleet, which was the largest number in Europe. There were also over 3,000 electric taxis on the road and an increasing number of rapid charging points.
- Over 4,500 people had now applied to the scrappage schemes. A scrappage scheme was currently in the process of being introduced for heavier vehicles.
- Take-up of the scrappage scheme was being encouraged for all of London, as money was available for this. Take-up in certain areas was higher than others (eg upper Lee Valley).
- The expansion of the ULEZ represented a major change to the current scheme. The scheme had now been approved and the boundary set and will come into operation on 25 October 2021.
- Traffic modelling had been carried out and boroughs had been briefed on the roads that were affected.
- The impacts on the boundary were different to the Congestion Charge Zone (CCZ) as it was more about cleaning-up London’s air.
- Three junctions were identified where signal timing changes were required, including the A205 in the borough of Richmond. Local knowledge from borough officers would be needed to help implement these changes.
- Modelling indicates that there would be a very small reduction in all vehicles entering the boundary by October 2021, owing to a higher rate of compliance with the new standards by then.
- The contractors, Capita, will be ready to go live in October 2021, and they will be ready to amend signal times if necessary.
- TfL will talk to borough officers about boundary signage prior to any Section 8s being submitted for approval.
- More work on cameras and the density of cameras in the zone would be carried out. Section 8 approval would also be required to ensure that the scheme was enforceable.
- TfL had met with borough communication teams and was keen to use borough knowledge in order to tailor the ULEZ extension message and provide bespoke communication plans for each borough.
- TfL would go through the details on cameras and signage with the boroughs in order to encourage people to move towards more compliant vehicles.

Q and As

The Chair asked about the capital costs for the cameras and what the levels of compliance were within the ULEZ. He asked whether there was any net surplus with regards to the income received from non-compliance charges. Alex Williams said the compliance rate currently stood at 78%. He confirmed that any income that TfL received was not spent on any specific projects, but helped towards paying for the electrification of buses, for example. Elliot Treharne, Head of Air Quality, GLA, said that there was not a ULEZ net profit. Alex Williams said that TfL would be working through the exact number of cameras that would be needed. There would be an optimum level of camera density in the zone. The Chair asked for further updates to be brought back to TEC.

Councillor Mitchell said that he welcomed the expansion of the ULEZ from a central London perspective, and that there would be more compliant vehicles (the impact to

the Marylebone Road was especially welcomed). However, he felt that the public were more aware of the Congestion Charge Zone than they were of the ULEZ. Councillor Mitchell said that take-up of the scrappage scheme was slow and needed to be promoted more, especially in the west of London.

Councillor Livingstone said that he was confused why air quality appeared to be getting worse inside and outside of the boundaries in some cases. He also voiced concern that a large number of car owners would not be aware of the scrappage scheme until the last minute, resulting in a large number of cars needing to be scrapped at the same time. Councillor Livingstone said that the scrappage scheme needed to be promoted on a Londonwide basis.

Councillor Huntington-Thresher asked whether the scrappage scheme was just for vehicles not meeting the ULEZ requirements. Alex Williams said that the scrappage scheme was for all vehicles that did not meet the air quality requirements. Councillor Huntington-Thresher asked whether any research had been carried out regarding residents that enter the ULEZ on an occasional basis only. He felt that the user interface could be improved for infrequent users.

Councillor Holland voiced concern that the scrappage scheme was not working for small businesses. She felt that more information on the scheme needed to be given to small businesses. Councillor Field said that the ULEZ rollout had gone smoothly. He asked what would happen to commercial vehicles, like waste fleets, that needed to go in and out of the ULEZ frequently. Alex Williams said that a great deal of work was being carried out to raise awareness of the scrappage scheme. He said that a major campaign would be taking place in June 2020, after the Mayoral elections.

Alex Williams said that there were some issues with the take-up of the scrappage scheme among small and medium sized businesses. He said that the scrappage scheme had now been increased from £3,500 to £7,000 per van, and a slight increase in take-up should occur as a result of this. The process in taking-up the scrappage scheme had now been made less complicated and bureaucratic, with less forms to fill out. Alex Williams said that borough help would still be needed with this. He said that TfL would be speaking to boroughs that had issues with any particular roads in their areas.

Alex Williams said people that entered the ULEZ occasionally were sometimes caught out. He said that the ULEZ was in operation 24/7 and TfL would continue to raise people's awareness. Alex Williams said that there was also a "vehicle checker" on the website that would let people know how polluting their vehicle was, once they entered in their number plate. He said that users were also being encouraged to "autopay", which was a smarter way of paying the ULEZ, as long as their vehicle was registered.

Alex Williams said that waste vehicle fleets needed to be compliant or they will be charged. He informed members that all vehicles would be expected to meet the Euro 6 standard. The next stage of planning was to make all buses electrified. Councillor Huntington-Thresher said that it would be beneficial if the autopay could be linked in with paying to use the Dartford Tunnel.

Alex Williams said that the first 6-month evaluation report on the ULEZ could be found on the GLA website. The Chair said that this should be sent round electronically to TEC Executive Sub Committee members, along with the TfL presentation. The Chair thanked Alex Williams for his very informative presentation.

Decision: The TEC Executive Sub Committee:

- Noted that local knowledge from borough officers would be needed to look into the impacts on specific roads (eg A205 in Richmond);
- Noted that TfL would talk to borough officers regarding signage before Section 8s were submitted;
- Noted that Section 8 approval would also be needed for the introduction of intra-zone cameras to ensure the Scheme was enforceable; and
- Agreed to send TEC Executive members an electronic version of the presentation and the first 6-month ULEZ Evaluation report.

4. Urban Design London (UDL) Update by Daniel Moylan & Councillor Nigel Haselden

Daniel Moylan, co-chair, Urban Design London, introduced the item and made the following comments:

- UDL was set-up in 2003 and had expanded considerably since then.
- UDL was a not for profit organisation and was run by the UDL Board and hosted by TfL.
- UDL made a modest yearly surplus which was put back into the running of the organisation.
- UDL sponsored a wide range of events
- Support was given from member organisations – London boroughs paid £4,000 to be a member of UDL. This gave members access to a large number of training programmes.
- When austerity began ten years ago, all boroughs had joined UDL, as they found that UDL was more cost effective than what any private sector organisation had to offer.
- TfL paid UDL a grant of £30,000 per annum, along with cost of administering the service.
- The UDL Board was made up of two representatives from the founding members, namely, London Councils, TfL and the GLA.
- UDL had undertaken a Governance review in 2019. This led to five new non-voting independent members. UDL would now like to amend this so there could be six independent members. There was a very good spread of expertise among the Non-Executive members.
- UDL had a strong influencing role and contributed at a policy level to the Mayor's London Plan. UDL had also been approached by HMCLG and received £300k to carry out projects. This doubled the UDL budget.
- The Governance Review looked at how UDL could expand its work and make itself less dependent on grant income. UDL needed to carry out at least 80% of its activities for its controlling members (GLA, TfL and London Councils) or it would be treated as an external party for procurement purposes. This meant UDL did not have to go out to procurement under the "Teckal exemption". It was recommended, therefore, that UDL's work would not venture out of London/UK and would keep operating under the current arrangements.
- UDL had an extensive training programme. This included carrying out a design review for Streetscape. UDL could visit boroughs and discuss the details on this.
- UDL was there for the boroughs, and boroughs should let UDL know what they wanted to work on (eg, housing, planning, Streetscape etc).

- The new and extended UDL Board would ensure a robust form of Governance.

Councillor Haselden said that he had been a co-chair of UDL for over 12 years now. He said that he had seen the value of selling these services over the years. Councillor Haselden said that uptake should be across all workstreams. He said that this was a two-way process. There were 5,000 training sessions and members should take these details back to their boroughs. Councillor Haselden said that councillors were also welcome to attend the sessions. Esther Kurland, Head of Urban Design London, said that boroughs should put forward to UDL, anything they felt was missing or they wanted addressing.

The Chair thanked Daniel Moylan, Councillor Haselden and Ester Kurland for the informative UDL presentation.

5. Future Mobility Agenda: Task & Finish Group on Smart Mobility & Mobility as a Service (MaaS) Update

The TEC Executive Sub Committee received a report that provided members with an update on the final report of the Task and Finish Group on Smart Mobility and Mobility as a Service (MaaS). The report discussed the role of London local government within this policy area and the potential models for an integrated multi-modal journey planning and payment solutions. The report is the output from intensive discussions over the past four months.

Paulius Mackela, Principal Policy and Project Officer, London Councils, introduced the report and made the following comments:

- At the moment, a single multi modal journey in London (i.e. dockless bicycle, bus, shared car and then a train) requires different apps to plan, book and pay for the trip. MaaS is an opportunity to combine different modes of travel into one interface by letting users to book, plan, manage and pay in one go. MaaS also provides the tools to incentivise certain journeys (i.e. most environmentally friendly or quickest).
- Other cities in Europe have developed plans at both city and national levels.
- The Task and Finish Group had not been asked to deliver MaaS – only to focus on the high-level picture and to analyse the current state of MaaS in London.
- Paragraph 15 (page 4) gave the recommendation that TfL should be the lead organisation to manage a pan-London MaaS solution, with support from London Councils and the boroughs.
- Not one single MaaS model could be used across different cities and countries, and any format developed would have to align with the London's transport and sustainability goals.
- In theory, a private, rather than public platform, could incentivise certain modes of transport over others that may not necessarily align with public sector goals.
- A regulatory review of MaaS by DfT had been delayed but is likely to be published shortly. We agreed to coordinate our responses with the boroughs, the GLA and TfL.
- The Task and Finish Group agreed that public transport and active travel should be the backbone of any future MaaS service in London.

- It was recommended that the next Task and Finish Group should be the “Demand-Response Schemes”. TfL had launched trials for demand-response bus services in Sutton in May 2019 and Ealing in November 2019 (due to end in November 2020).

Q and As

Councillor Mitchell said that the findings were very helpful, although there did not appear to be any sharing of data by public authorities mentioned in the report. He said that the boroughs had a great deal of data available that could be shared. Councillor Mitchell said that the City of Westminster had tried to develop its own app, but it was not part of the borough’s core business, and there were already better apps available. He said that conversations needed to continue with regards to public and private sector data sharing. Councillor Mitchell said that he agreed that TfL should be the lead organisation responsible for developing a pan-London MaaS, with London Councils and the boroughs feeding into this.

Councillor Huntington-Thresher said that he could also see the benefit of TfL coordinating the MaaS, but this should not be to the detriment of private businesses. He also voiced concern that the TfL app would not cover residents that went out of the boundary of London (the borough of Bromley had very few buses). Councillor Abellan suggested looking at other apps that were available. He said that Citymapper allowed the planning, booking and paying for journeys, as did a number of apps around the world. Councillor Abellan felt that the sharing of data would also be beneficial. He said that London Councils should play a more important role in the trials for the new Task and Finish Group on Demand Responsive Transport.

Councillor Abellan informed members that the trial in the borough of Sutton had been very positive and should be rolled-out, especially in the outer London boroughs. The Chair said that the trial was now progressing well in the borough of Ealing. He said that he would be happy to have the Demand-Response Schemes as the next Task and Finish Group category. Councillor Livingstone said that it would be beneficial to have TfL responsible for overseeing a pan-London MaaS solution. He said that there were concerns over data sharing and it might be safer for TfL to deal with this.

Paulius Mackela said that separate conversations would be taking place on the issue of data sharing in spring 2020, and London Councils would also be working with the London Office of Technology and Innovation (LOTI) and other partners on this. He said that more discussions were also needed to ascertain how MaaS would work in London, as this was not in the report. Paulius Mackela said that MaaS integrated several transport modes, and the MaaS project would most likely be a combination of public and private sector working together. He said that it was important though that London’s goals were reflected in any MaaS programme.

Paulius Mackela said that there were a number of MaaS platforms in Helsinki, Berlin, Madrid and North America, and Switzerland was developing a national platform. He said that he could send members a list of these platforms if they so required. Paulius Mackela confirmed that he would come back to the next TEC Executive in July 2020 with a report on the new Task and Finish Group on Demand Responsive Transport. Councillor Huntington-Thresher said that it was important that MaaS did not exclude other options.

Decision: The TEC Executive Sub Committee:

- Agreed that TfL should be recognised as the lead organisation for the development and management of a pan-London MaaS solution which had the public good at its heart, with collaboration and support from London boroughs and London Councils;
- Agreed that Demand-Response Schemes be the third focus area of the Future Mobility Agenda; and
- Noted that a report on the new Task & Finish Group would be brought to the next TEC Executive in July 2020.

6. Transport and Mobility Services Performance Information

The TEC Executive Sub Committee considered a report that detailed the London Councils' Transport and Mobility Services performance information for Quarter 3 2019/20.

Stephen Boon, Chief Contracts Officer, London Councils introduced the report and made the following comments:

- The *"hearing dates to be issued to appellants within 5 working days of receipt"* target had only narrowly been missed ("amber" rating under "Overall Service").
- The *"percentage of calls answered within 45 seconds (BAU)"* had not quite made the target of 85% ("red" rating – 83%) but had reached 86% in January 2020.
- There had been a marked improvement in performance for the *"percentage of calls abandoned"* ("red" rating), and it is expected to see performance continue to improve into Quarter 4.
- The targets for the two "red" ratings for Taxicard *"percentage of vehicles arriving within 15 (advance booking) and 30 minutes (on demand)"* had improved, and further improvements were expected in Quarter 4.
- The target for the *"number of vehicle observations made"* for the London Lorry Control Scheme ("red" rating) had not been met due to staff resourcing issues and unexpected absences during the period This was currently being addressed.
- The *"percentage of appeals allowed"* ("red" rating) was 66%, and not the target of less than 40%. This was a perennial issue and was due to the low number of appeals received, and the because some appellants did not provide evidence that vehicles were not in contravention until at the appeal stage.
- The *"number of boroughs participating in EU transport funding projects"* ("red" rating for LEPT) target had been missed because only five boroughs were participating in the projects, rather than seven.

Councillor Livingstone asked why the target for the *"percentage of appeals allowed"* for the London Lorry Control Scheme (LLCS) had got worse in Quarter 3, than it was in Quarter 2. He queried whether the target for allowing appeals (less than 40%) should be revised, as the target never appeared to get met. Stephen Boon said that the target was there to incentivise officers, and only cases that were deemed winnable went to the appeal stage. He said that there was a problem with hauliers not providing evidence until it went to the appeal stage, and this was outside London

Councils' control. Stephen Boon said that this target could be looked into at the next Services' business planning meeting.

Councillor Livingstone asked whether there would be an improvement in the number of observations made in the LLCS. Stephen Boon said that it was unlikely that there would be any improvements to the figures in the next Quarter. He said that it was difficult to find agency staff that were willing to work overnight. Stephen Boon said that it also took new members of staff a long time to get to know the area they were working in.

Councillor Huntington-Thresher asked whether allowing 66% of appeals in the LLCS had any financial implications to London Councils. Frank Smith, Director of Corporate Resources, London Councils, said that the higher number of appeals allowed had no financial effect. Stephen Boon also confirmed that this had no material impact on running the Scheme.

Decision: The TEC Executive Sub Committee:

- Noted that the less than 40% for the "percentage of appeals allowed" target for the London Lorry Control Scheme would be looked into at the next Services Business Planning meeting; and
- Noted the report and the explanations given for the "amber" and "red" ratings for the performance information in Quarter 3.

7. Royal Borough of Kensington & Chelsea CCTV Enforcement Approval

The TEC Executive Sub Committee received a report that sought member approval for the Royal Borough of Kensington and Chelsea to commence CCTV enforcement of parking contraventions under the Traffic Management Act 2004, bus lane contraventions under the London Local Authorities Act 19996 and moving traffic contraventions under the London Local Authorities and Transport for London Act 2003.

Decision: The TEC Executive Sub Committee agreed that permission be given to the Royal Borough of Kensington and Chelsea to enforce parking, bus lane and moving traffic contraventions using CCTV.

8. Month 9 Revenue Forecast 2019/20

The TEC Executive Sub Committee received a report that outlined actual income and expenditure against the approved budget to the end of December 2019 for TEC and provided a forecast of the outturn position for 2019/20.

Frank Smith introduced the report and said that the current outturn position for month 9 revenue forecast was a surplus of £743,000. The Chair said that replacement Freedom passes continued to generate revenue for London Councils.

Decision: The TEC Executive Sub Committee:

- Noted the projected surplus of £743,000 for the year, plus the forecast net underspend of £2.590 million for overall Taxicard trips, as detailed in this report; and
- Noted the projected level of Committee reserves, as detailed in paragraph 5 of this report and the commentary on the financial position of the Committee included in paragraphs 6-8.

9. Minutes of the TEC Main Meeting held on 5 December 2019 (for noting)

The minutes of the TEC Main meeting held on 5 December 2019 were noted.

10. Minutes of the TEC Executive Sub Committee held on 14 November 2019 (for agreeing)

The minutes of the TEC Executive Sub Committee held on 14 November 2019 were agreed as an accurate record.

Post meeting notes:

It was noted that a report would be going to the TEC Main meeting on 19 March 2020 on enforcing safer speeds on borough roads.

It was also noted that clarification would be given as to who was responsible for speed enforcement on borough roads - ie traffic police or neighbourhood police (or both)

The meeting finished at 11:35pm

London Councils' Transport and Environment Committee – 5 December 2019

Minutes of a meeting of London Councils' Transport and Environment Committee held on Thursday 5 December 2019 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL

Present:

Council	Councillor
Barking and Dagenham	Cllr Syed Ghani
Barnet	Cllr Dean Cohen
Bexley	Cllr Peter Craske
Brent	Cllr Krupa Sheth
Bromley	Cllr William Huntington-Thresher
Camden	
Croydon	Cllr Stuart King
Ealing	Cllr Julian Bell (Chair)
Enfield	
Greenwich	Cllr Denise Scott-McDonald
Hackney	Apologies
Hammersmith and Fulham	Cllr Wesley Harcourt
Haringey	Cllr Kirsten Hearn
Harrow	Cllr Jerry Miles (Deputy)
Havering	
Hillingdon	
Hounslow	Apologies
Islington	Cllr Phil Graham (Deputy)
Kensington and Chelsea	Apologies
Kingston Upon Thames	Apologies
Lambeth	Cllr Jackie Meldrum (Deputy)
Lewisham	
Merton	Cllr Nick Draper (Deputy)
Newham	Cllr James Asser
Redbridge	Apologies
Richmond Upon Thames	Cllr Julia Neden-Watts (Deputy)
Southwark	Cllr Richard Livingstone
Sutton	Cllr Manuel Abellan
Tower Hamlets	Cllr David Edgar
Waltham Forest	Apologies
Wandsworth	Cllr Richard Field
City of Westminster	Cllr Tim Mitchell
City of London	Apologies
Transport for London	Alex Williams

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr John Burke (LB Hackney)
Cllr Varsha Parmar (LB Harrow)
Cllr Hanif Khan (LB Hounslow)
Cllr Claudia Webbe (LB Islington)
Cllr Johnny Thalassites (RB Kensington & Chelsea)
Cllr Hilary Gander (RB Kingston)
Cllr Claire Holland (LB Lambeth)
Cllr Martin Whelton (LB Merton)
Cllr John Howard (LB Redbridge)
Cllr Alex Ehmann (LB Richmond)
Cllr Clyde Loakes (LB Waltham Forest)
Alastair Moss (City of London)

Deputies:

Cllr Jerry Miles (LB Harrow)
Cllr Phil Graham (LB Islington)
Cllr Jackie Meldrum (LB Lambeth)
Cllr Nick Draper (LB Merton)
Cllr Julia Neden-Watts (LB Richmond)

2. Declaration of Interests (additional to those not on the supplied sheet)

Freedom Pass & Taxicard

Cllr Jackie Meldrum (LB Lambeth)
Cllr Kirsten Hearn (LB Haringey)

West London Waste Authority

Cllr Jackie Meldrum (LB Lambeth)
Cllr Julia Neden-Watts (LB Richmond)

Car Club

Cllr Jackie Meldrum (LB Lambeth)

3. Re-appointment of Environment and Traffic Adjudicators

The Committee received a report that informed members of the proposed re-appointment of six environment and traffic adjudicators under the terms of the Traffic Management Act 2004. The report also extended the thanks to the Committee from adjudicator Ms. Jennifer Shepherd, who was not seeking a renewal of her appointment.

Caroline Hamilton, Chief Adjudicator, Environment and Traffic Adjudicators, introduced the report, which sought Committee agreement to renew the environment and traffic adjudicator appointments for a period of up to five years. The Chair asked Caroline Hamilton to pass on the Committee's thanks to Jennifer Shepherd for her dedication and long-term commitment to the tribunal.

Decision: The Committee:

- Agreed that the following adjudicators were re-appointed for a period of five years from 10 December 2019: Sean Stanton-Dunne and Paul Wright;
- Agreed that adjudicator Michael Greenslade was re-appointed until 25 September 2023;
- Agreed that adjudicator Edward Houghton was re-appointed until 17 April 2021;
- Agreed that adjudicator Caroline Sheppard was re-appointed to 14 August 2021;
- Agreed that adjudicator Gerald Styles was re-appointed until 7 May 2022; and
- Noted adjudicator Ms. Jennifer Shepherd's thanks and long-term commitment to the tribunal.

4. Discussion on ULEZ/ULEX, Climate Change and Waste Policy Update – by Shirley Rodrigues, Deputy Mayor for Environment & Energy, GLA

Shirley Rodrigues, Deputy Mayor for Environment and Energy, GLA, made the following comments:

- Two thirds of London boroughs had now declared a climate change emergency. The Mayor of London had also declared a climate and ecological emergency, and the GLA was looking at ways of how to deal with the impact of this.
- A report by the Conference of the Parties (COP) said that temperatures were rising and unpredictable weather events, like flash flooding, were becoming more common.
- The key message was that action now needed to be taken at an accelerated rate.
- Climate change had now risen-up the agenda. At the GLA, policies had been put in place to take action to focus on this through the London Environment Strategy. This linked in with the London Plan.
- The target was to reduce emissions by 60% in 2030 and 80% by 2040. The cost of this action was around £300 billion in London alone. The cost of not taking any action on climate change would be far greater.
- Boroughs needed to be given funding and powers from the Government to help them tackle the climate emergency. There were carbon budgets available for each borough.
- The Mayor and the boroughs currently had insufficient powers to reach the target of a 1.5 degree cap rise in temperature. They could currently only do about half of the work needed to limit climate change.
- There were a number of European programmes that boroughs could take advantage of to help fund climate change prevention. £0.5 billion was currently available for SMEs etc, along with a scrappage scheme for older polluting vehicles, especially for low income Londoners.
- A number of guidance documents were available – the GLA had issued a “Carbon Offset” guidance. A significant amount of funding was available to boroughs from this, but it was not currently taken up across all of London.
- The GLA was also launching a toolkit in the new year for local authorities to divest their pension funding.
- The next steps for the GLA was to issue further guidance to the boroughs on air quality, carbon reduction and greening. This would also be linked up in with tools and resources so boroughs did not have to pay for this.
- The GLA was planning a workshop for officers, which would discuss key aspects like offsetting and transport issues in February 2020.

- The GLA had been carrying out a lot of work around climate change, and there was a need to ensure that this work was not being duplicated.
- 77% of vehicles were now meeting the emissions standard since the introduction of the ULEZ and NO^x emissions had fallen by a third.
- A further discussion on the expansion of the ULEZ would be given to the TEC Executive Sub Committee on 6 February 2020.
- Boroughs should let Shirley Rodrigues know if they were interested in finding out more details regarding “London Power”, the new energy supply company.
- Boroughs were thanked for their participation in compiling 20 Recycling and Reduction Plans so far.
- 225 rapid charging points for EVs had been rolled out in London so far and boroughs were installing many more fast and slow chargers in residential areas. The “Green Spaces” awards were taking place in the next few weeks.

Q and As

Councillor Field said that his borough was separated in two by the ULEZ. He asked whether there would be any exemptions to the ULEZ charge for travelling to the crematorium in the borough of Wandsworth. Shirley Rodrigues said that there were some exemptions to the ULEZ but travelling to the crematorium was not one of them. Alex Williams said that inside and outside of the ULEZ zones now benefitted from cleaner air. Shirley Rodrigues said that TfL officers were liaising with the boroughs about the ULEZ boundary. She said that people had up to two years to scrap any older polluting vehicles.

Councillor Field asked whether there was going to be a communications campaign about the ULEZ and the vehicle scrappage scheme. Shirley Rodrigues confirmed that there would be a detailed and robust communications campaign. She asked for borough officers to let her know if they had any particular views when it came to the communication campaigns. Councillor Meldrum said that this needed to tie in with green businesses. She said that there was a problem at the moment with getting organisations to buy recycled plastics.

Councillor Abellan asked what the ULEZ compliance rates were with regards to the emergency services vehicles like ambulances and fire engines. Shirley Rodrigues said that she did not have this to hand but could get this information. Councillor Abellan felt that not enough work was being carried out to encourage modal shift. Councillor King asked what advice was being given to boroughs with regards to disinvesting in fossil fuels.

Shirley Rodrigues said that the London Waste and Recycling Board (LWARB) was looking into setting up new businesses to use recycled materials, along with reducing waste and increasing recycling. The GLA was in talks with the Government to help with funding and infrastructure. Commercial waste was also included in recycling in London. Shirley Rodrigues said that she would get LWARB to send out more information on recycling and waste.

Shirley Rodrigues informed members that the compliance rate of the ULEZ was now at 77%. She said that there was currently a Memorandum of Understanding with the emergency services to plan to get their vehicles to zero emissions. Details of this could be sent to members if they so required. Modal shift was being encouraged by events like car free days and the bus hopper fare. Also, the scrappage scheme did not require people to buy a new car but participants could choose to get money towards a London travel card or bike or similar. Alex Williams said modelling information would be released to officers in January 2020. Shirley Rodrigues said that information on divestment would also be issued in January 2020. Another workshop in February 2020 might also be held.

Decision: The Committee:

- Noted that Shirley Rodrigues would attend the TEC Executive Sub Committee on 6 February 2020 to discuss the expansion of ULEZ; and
- Noted that modelling information would be released to borough officers in January 2020

It was agreed to take item 7 “TEC/LEDNet: Outcomes from the Joint Meeting” next on the agenda.

7. TEC/LEDNet: Outcomes from the Joint Meeting

The Committee considered a report that outlined the outcomes of the latest joint meeting between the Transport and Environment Committee and the London Environment Directors’ Network held on 13 November 2019, on the topic of climate change. It sought agreement from the Committee to the Joint Statement.

Katharina Winbeck, Strategic Lead, Environment, Transport and Infrastructure, London Councils, introduced the report. She said that six key programmes had been outlined and could be found on pages 2 and 3 of the report. Katharina Winbeck said that help would be needed in order to deliver this ambitious work programme, and it was important that there was no duplication of the work being undertaken.

Councillor Abellan said that the meeting on the 13 November 2019 was very positive, and he would like to see progress reported on the joint statement. Councillor Huntington-Thresher asked how the ratings (Very High, High, Medium etc) for the six key programmes came about. He also asked what the level of indicative costs were for key programme number 3 (“halve petrol and diesel road journeys”). Councillor Huntington-Thresher said that the car manufacturers did not have the capability to produce the amount of electric vehicles (EVs) that were required.

Councillor Scott-McDonald also felt that the Joint meeting held on 13 November 2019 was very beneficial. Councillor Livingstone said that the Joint meeting was a good event. He said that, going forward, local authorities would be looking at low carbon development. Councillor Livingstone emphasised the need for all the boroughs of London and the GLA to work in partnership. Councillor Meldrum said that boroughs needed to get to work on the practical issues reflected in the “additional outcomes”, as outlined in paragraph 7 (page 3) of the report.

Councillor Draper said that the report did not mention the issue of “denial” that climate change existed. Shirley Rodrigues said that officers could have these discussions outside of the meeting, and this could be fed into the guidance. Katharina Winbeck said that update reports on the joint statement should be reported back to TEC regularly. She said that more work was needed on the cost levels and investing in renewables.

Katharina Winbeck said that it was important for boroughs and other organisations to work together. She said that there was a ten-year time frame in which to create adequate EV infrastructure, and to look at different kinds of technologies and fuels. The Chair said that TEC would pick-up on the issue of climate change denial. Katharina Winbeck said that TEC would also partner with universities as well.

Decision: The Committee agreed the Joint TEC/LEDNet Statement as found in Appendix 3 of the report.

5. The State of the City 2019

The London Technical Advisers Group (LoTAG) together with London Councils launched its third annual State of the City report highlighting the deteriorating state of London's highway assets due to the reduction of funding available for this area of spend. This TEC report and presentation showcased the key findings from the latest annual State of the City report and outlined the plans for the upcoming 2020 report.

Garry Sterritt, from TfL, Co-Chair of LoTAG, introduced the report and made the following comments:

- London's State of our Highways, commissioned by LoTAG, started six-years ago.
- A report was released that would compare on an annual basis, the state of our roads and footways etc.
- There were three key headlines, namely: (i) declining asset condition, (ii) growing maintenance, and (iii) backlog was now £100 million below what the spend should be (£450 million).
- The conclusion was that conditions would only get worse, and the backlog would continue to get worse.
- Declining conditions included potholes, flooding, trees falling down and lighting columns falling apart.
- Key messages were: (i) London did not receive sufficient funding for road maintenance, (ii) when roads and bridges were taken out of service, this caused major problems, (iii) thought needed to be given to how road maintenance in London was going to be funded in the future.

Q and As

Councillor Mitchell felt that the map showing the backlog distribution in all London boroughs did not reflect the true position in local authorities. He said that highway maintenance in the boroughs should be funded through vehicle taxation like car tax. Theo Stylianides, Atkins, said that every borough, apart from Hounslow, had a funding backlog.

Councillor Huntington-Thresher asked whether future reports could highlight the actual amount of backlog in each borough and whether the backlog was increasing or decreasing. He said that it would also be useful to state what types of roads were most affected. Alex Williams informed members that the Vehicle Excise Duty funded maintenance on the national road network, but not roads in London. Councillor Draper said that this was not always the case and asked when this change to London funding had taken place. Alex Williams said that four years ago London received a revenue grant of £800 million for road maintenance. This had now been reduced to zero.

Garry Sterritt said the Department for Transport and local transport groups said that it was the responsibility of TfL to give boroughs funding for highway maintenance. The Chair said that boroughs had jointly with TfL bid into the Major Road Network funding pot. Alex Williams informed members that although the bids were successful, no money had been received from the DfT so far. Spencer Palmer said that boroughs did receive some additional government funding towards road maintenance, after successful lobbying referring to the state of the city report data in early 2019.

Decision: The Committee noted that it would be beneficial if future reports could highlight the extent of borough backlogs with regards to highway maintenance, and what types of roads were being most affected.

6. Chair's Report

The Committee received a report that updated members on transport and environment policy since the last TEC meeting on 10 October 2019 and provided a forward look until the next TEC meeting on 19 March 2020.

The Chair introduced the report. He informed members that lobbying had been successful and TEC would now have a borough representative on the TfL Board. Internal discussions were now taking place regarding who would be the representative on the Board.

The Chair reminded members to complete and return their signed delegated powers forms for the Go Ultra Low City Scheme (GULCS). He said that Hackney and Islington had now signed-up to the dockless bikes byelaw and the draft byelaw could now be circulated to the dockless bike operators. The Chair said that Traffic Management Orders (TMOs) were key for the specific location of dockless bike parking areas and could limit who had access to these areas. Also, any pending disabled Freedom Pass renewals needed to be actioned.

Councillor Huntington-Thresher asked whether the wording in the dockless bike byelaw had been revised. The Chair said that the byelaw contained the original wording, which had not changed. Councillor Field asked whether TEC would be nominating a deputy on the TfL Board. Alex Williams confirmed that the TfL Board did not have deputies.

Councillor Field said that he hoped that the momentum was being accelerated when it came to safer speeds in London. It was hoped that PCSOs would soon be given speed enforcement powers. The Chair said that he had raised the issue of safer speeds with Heidi Alexander, Deputy Mayor for Transport. He said that the police should be invited to the full TEC meeting on 19 March 2020 to discuss the enforcement of safer speeds with the boroughs.

Decision: The Committee:

- Noted that the protocols regarding the newly agreed TEC appointment to the TfL Board were currently under discussion. The TfL Board did not appoint any deputies;
- Agreed to invite TfL and the Police to the next Main TEC Meeting on 19 March 2020 to discuss the enforcement of speed limits on borough roads; and
- Noted that all boroughs had confirmed that they were happy for the draft dockless bikes byelaw to be shared with dockless bike operators.

8. Concessionary Fares Settlement & Apportionment 2020/21

The Committee received a report that informed the Committee of the outcome of negotiations with transport operators (Transport for London, the Rail Delivery Group and independent bus operators), regarding compensation for carrying concessionary passengers in 2020/21. It also sought member approval to the proposed settlement and apportionment.

Stephen Boon, Chief Contracts Officer, London Councils, introduced the report. He asked members to note that the overall settlement figure was 0.08% up on the previous year and that the distribution of this increase was not evenly spread among boroughs.

The single biggest driver of the increase was the increase in the RDG settlement for rail services and this would disproportionately affect boroughs who were more heavily served by rail. However, it was noted that the final settlement figure was subject to negotiation and would be reported to the next Committee meeting.

The Chair said that it would be useful if members could be sent a borough apportionment comparison from the previous year's concessionary fares settlement, so members could see whether their borough's apportionment had increased or decreased. Stephen Boon said that he would be happy to provide this.

Decision: The Committee:

- Agreed the TfL settlement of £318.763 million for 2020/21;
- Agreed to the RDG settlement of £21.883 million for 2020/21;
- Agreed a budget for non-TfL bus services of £1.3 million;
- Agreed the reissue budget for 2020/21 of £1.518 million;
- Agreed the borough payments for 2020/21 of £343.467 million;
- Agreed the payment profile and dates on which boroughs' contributions were paid as 4 June 2020, 3 September 2020, 3 December 2020 and 4 March 2021 and;
- Agreed the 2020/2021 London Service Permit (LSP) bus operators (non-TfL buses) Concessionary Scheme.

9. Funding of the Electric Vehicle and Car Club Coordination Function & Climate Change Policy Coordination & Research Function

The Committee considered a report that requested TEC approval to allocate funds from the TEC Special Projects specific reserve for the provision of an electric vehicle (EV) and car club policy coordination function and climate change policy coordination and research function, for a fixed term of two years.

Katharina Winbeck introduced the report, which was asking TEC for funding from the TEC Special Projects specific reserve for the EV and car club coordination function, and the climate change policy coordination and research function positions. She said that the boroughs that had still not yet signed the TEC delegated authority letters needed to do so.

The Chair asked whether the car clubs would be making a contribution to pay for half a post. Katharina Winbeck confirmed that TfL would be funding 50 percent of the EV and car club coordination function. She said that she would look into car clubs financing the posts once the two-year period was up.

Katharina Winbeck said that 22 boroughs had now signed delegated authority letters. The Chair said he would write to the remaining boroughs that had not sent in their letters in the new year.

Decision: The Committee:

- Approved the request to allocate a maximum sum of £217,923 from the TEC Special Projects specific reserve for the delivery of the proposed EV and car club coordination policy function in London Councils from April 2020 for a period

- of two years;
- Approved the request to allocate a maximum sum of £289,369 from the TEC Special Projects specific reserve for the delivery of climate change policy coordination and research function for a period of two years; and
- Agreed that a letter would be sent to the boroughs, in the new year, that had still not signed the London Councils' TEC delegated authority letters for the funding of the EV coordination policy function.

10. Proposed TEC Revenue Budget & Charges 2020/21

The Committee received a report that detailed the outline revenue budget proposals and the proposed indicative borough subscription and charges for 2020/21. These proposals were considered by the Executive Sub-Committee at its meeting on 14 November 2019. The Executive Sub-Committee agreed to recommend that the Main TEC Committee approved these proposals.

Frank Smith, Director of Corporate Resources, London Councils, introduced the report, which had also been to the London Councils' Executive November meeting and Leaders' Committee on 3 December 2019. He said that the budget proposals were now being presented to this meeting for final approval. Frank Smith said that there were no increases to any of the charges to boroughs. He said that he was pleased to inform members that there were decreases in the unit cost charges to boroughs for Environmental and Traffic appeals.

Frank Smith said that paragraphs 52 to 57 in the report outlined the current level of Committee reserves. He said that paragraph 56 of the report mentioned some additional risks that might come to fruition, like enhancements to the London Tribunals systems and modernization of the Health Emergency Badge service.

Frank Smith asked whether members wanted to replenish the TEC special project reserve back to £750,000. The Chair said that the steer was for the first bullet point in paragraph 57 – "No action recommended pending clarification of the issues outlined in paragraph 56" be recommended. However, the Chair said that a transfer of £507,000 from TEC uncommitted general reserves should be made to bring the TEC specific project reserve back to £750,000 (the £507,000 figure being the estimated cost to fund the climate change, EV and car club posts as agreed in item 9). The Committee agreed with this proposal from the Chair.

Decision: The Committee was asked to approve the proposed individual levies and charges for 2020/21 as follows:

- The Parking Core Administration Charge of £1,500 per borough and for TfL (2019/20 - £1,500; paragraph 38);
- The Parking Enforcement Service Charge of £0.3708 per PCN which will be distributed to boroughs and TfL in accordance with PCNs issued in 2018/19 (2019/20 - £0.3760 per PCN; paragraphs 36-37);
- No charge to boroughs in respect of the Freedom Pass Administration Charge, which is covered by replacement Freedom Pass income (2019/20 – nil charge; paragraph 15);
- The Taxicard Administration Charge to boroughs of £338,182 in total (2019/20 - £338,182; paragraphs 17-18).
- No charge to boroughs in respect of the Lorry Control Administration Charge, which is fully covered by estimated PCN income (2020/21 – nil charge; paragraphs 19-20);

- Environment and Traffic Adjudicators (ETA) - charge of £27.35 per appeal or £23.63 per appeal where electronic evidence is provided by the enforcing authority (2019/20 - £28.75/£25.08 per appeal). For hearing Statutory Declarations, a charge of £21.78 for hard copy submissions and £21.04 for electronic submissions (2019/20 - £23.23/£22.50 per SD) (paragraphs 26-27);
- Road User Charging Adjudicators (RUCA) – to be recovered on a full cost recovery basis under the contract arrangements with the GLA (paragraph 28);
- A unit charge of £12 for the replacement of a lost or damaged Freedom Pass (2019/20 - £12; paragraph 10);
- The TRACE (Electronic) Charge of £7.53 per transaction (2019/20 - £7.53; paragraphs 29-35);
- The TRACE (Fax/Email) Charge of £7.70 per transaction, which is levied in addition to the electronic charge of £7.53 per transaction, making a total of £15.23 (2019/20 - £15.23; paragraphs 29-35);
- The TEC¹ Charge of £0.175 per transaction (2019/20 - £0.175; paragraphs 29-35).
- The provisional gross revenue expenditure of £367.433 million for 2020/21, as detailed in Appendix A;
- On the basis of the agreement of all the above proposed charges as outlined in this report, the provisional gross revenue income budget of £366.854 million for 2020/21, with a recommended transfer of £579,000 from uncommitted Committee reserves to produce a balanced budget, as shown in Appendix B;
- Endorsed the current position on reserves, as set out in paragraphs 52-56 and Table 8 of this report and agreed the steer that no action was recommended pending clarification of the issues outlined in paragraph 56; and
- Agreed that a transfer of £507,000 from TEC uncommitted general reserves should be made to bring the TEC specific project reserve back to £750,000 (the £507,000 figure being the estimated cost to fund the climate change, EV and car club posts as agreed in item 9).

The Committee was also asked to note the indicative total charges to individual boroughs for 2020/21, dependent upon volumes generated through the various parking systems, as set out in Appendix C.1.

11. Health Emergency Badge Scheme Review

The Committee received a report that updated members on the Health Emergency Badge review and made recommendations to progress changes to provide a more efficient and effective service for London Councils, boroughs and health professionals.

Spencer Palmer, Director of Transport and Mobility, London Councils, introduced the report. He said that an extensive review of the Health Emergency Badge (HEB) scheme had been completed and the report set out the findings and recommendations. Spencer Palmer said that most of the recommendations needed costings before going back to TEC. Paragraph 31 gave a summary of the HEB recommendations to be progressed.

Councillor Huntington-Thresher said that there were a number of parallels that the HEB had with the disabled badges. He asked whether the HEB scheme could look into ways of making it easier to find out if they were lost or stolen by comparing this with how the disabled badges worked. Councillor Huntington-Thresher asked what the validity period was for HEBs. Spencer Palmer confirmed that the validity period for HEBs was two-

¹ The system that allows boroughs to register any unpaid parking tickets with the Traffic Enforcement Centre and apply for bailiff's warrants.

years. He said that the security features of HEBs were currently being looked at to see if lessons could be learnt from the disabled Blue Badge scheme.

Spencer Palmer said that medical professionals with HEBs could park in designated areas, including double yellow lines, in emergency situations. Councillor Cohen said that the borough of Barnet had a similar process for volunteer ambulances. He asked whether the two-hour time limit period might be too short. Spencer Palmer said that the medical professionals had confirmed that the two-hour time limit was sufficient. Councillor Draper asked whether the £27 cost for the badge was subsidised or self-financing. Frank Smith confirmed that it was self-funded at the moment.

Decision: The Committee:

- Agreed to progress the recommendations put forward in this report;
- Noted that Blue Badge technology was being looked at to improve the security features of Health Emergency Badge Scheme; and
- Noted that a further report outlining costings of the HEB would be presented to a future TEC meeting (the HEB Scheme was currently self-funded).

12. Additional Parking Charges for Royal Borough of Greenwich

The Committee considered a report that detailed the proposal by the Royal Borough of Greenwich (RB Greenwich) to amend the penalty charge banding from Band B to Band A across the borough.

Decision: The Committee:

- Approved the proposal to change the penalty banding in the RB Greenwich; and
- Noted the proposed implementation date for the change of 1 April 2020

13. Taxicard Update

The Committee received a report that provided members with a progress update on the implementation of the new Taxicard contract. It highlighted the savings made to date, some issues with performance and analysed the reasons, setting out the mitigating steps that were being taken to improve the situation.

Decision: The Committee noted the Taxicard Update report.

14. Flooding Partnerships Update

As part of the TEC and Thames Regional Flood and Coastal Committee (Thames RFCC) Joint Working Arrangements, TEC received an annual update on the work of the seven London sub-regional flood partnerships, the Thames RFCC and the Environment Agency.

Councillor Meldrum asked how TEC would receive feedback from Thames Water. Claire Bell, Area Flood and Coastal Manager, Environment Agency, said that this report from the Thames RFCC could be used to include an update from Thames Water.

Councillor Huntington Thresher said that there was no mention of any flooding events in the report. He said that the borough of Bromley recently had a flooding problem at the Kyd Brook, in Petts Wood.

Councillor Field said that it was difficult to get funding for sustainable drainage. He said that there was also a problem with surface water on roads caused by events like flash flooding. Katharina Winbeck said that she would follow up the issue of flooding at Petts Wood. Claire Bell said that they were looking at changes to how money was allocated to the schemes. She said that this issue would be addressed after the next capital funding programme in 2021.

Decision: The Committee:

- Noted that future Flood Partnership reports that went to TEC should include an update on any feedback from Thames Water; and
- Noted that the issue of flooding at Petts Wood (Kyd Brook) in the borough of Bromley would be looked into.

15. Minutes of the TEC Executive Sub Committee Meeting held on 14 November 2019 (for noting)

The minutes of the TEC Executive Sub Committee meeting held on 14 November 2019 were noted.

16. Minutes of the TEC Main meeting held on 10 October 2019 (for agreeing)

The minutes of the TEC Main meeting held on 10 October 2019 were agreed as an accurate record.

The meeting finished at 16:09pm