

London Councils' Transport and Environment Committee

Annual General Meeting

Thursday 8 June 2023

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

Party Group Meetings

Labour Group: 1.30pm in Meeting Room 3

Conservative Group: 1.45pm in Meeting Room 5

Liberal Democrat Group: 1.30pm in Meeting Room 8

Contact Officer: Alan Edwards **Telephone:** 020 7934 9911
Email: alan.e@londoncouncils.gov.uk

| Part One: AGM Items | | |
|---------------------|--|--|
| 1 | Apologies for Absence and Announcement of Deputies | |
| 2 | Declarations of Interests* | |
| 3 | Election of TEC Chair | |
| 4 | Election of Vice Chairs | |
| 5 | Membership of London Councils' Transport & Environment Committee 2023/24 | |
| 6 | Appointment of the TEC Executive Sub Committee for 2023/24 | |
| 7 | TEC Nominations to Outside Bodies for 2023/24 | |
| 8 | TEC AGM Minutes of 9 June 2022 (for noting – previously agreed) | |

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| 9 | Constitutional Matters | |
| 10 | Financial Regulations | |
| Part Two: Items of Business | | |
| 11 | Adjudicator Appointments | |
| 12 | Flooding Investment in London | |
| 13 | Chair's report | |
| 14 | Direct Vision Standards (DVS) Update Report | |
| 15 | TEC Achievements 2022/23 | |
| 16 | Parking and Traffic Enforcement Charges Consultation Proposal | |
| 17 | Dates of TEC & TEC Executive Sub Committee Meetings for 2023/24 | |
| 18 | Minutes of the TEC Main Meeting held on 23 March 2023 | |
| | <p>Part Three: Exclusion of the Press & Public (Exempt)</p> <p>TEC will be invited by the Chair to agree to the removal of the press and public since the following items of business are closed to the public pursuant to Part 5 and Schedule 12A of the Local Government Act 1972 (as amended):</p> <p>Paragraph 3 – Information relating to the financial and business affairs of any particular person (including the authority holding that information), it being considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it.</p> | |
| E1 | Working in partnership to deliver buses for Londoners. A safe, green and modern bus network, serving communities with fast and reliable journey times (Geoff Hobbs and Tom Cunnington (TfL)) | |
| E2 | Micromobility (A de Canson and Becky Upfold TfL) | |
| E3 | Freedom Pass Procurement (Kalpini Davé) | |
| E4 | Exempt Minutes from the TEC Main Meeting held on 23 March 2023 | |

Declarations of Interest

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

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

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

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

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

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

Alan Edwards

Governance Manager

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Email: alan.e@londoncouncils.gov.uk

TEC Declarations of Interest as at 8 June 2023

Freedom Pass Holders/60+ Oyster Cards/Taxicard/Blue Badge Scheme

Cllr Geof Cooke (LB Barnet)
Cllr Nicholas Bennett (LB Bromley)
Cllr Sharon Holder (LB Hammersmith & Fulham)
Cllr Anjana Patel (LB Harrow)
Cllr Jonathon Bianco (LB Hillingdon)
Cllr Rowena Champion (LB Islington)
Cllr Ian Manders (RB Kingston)
Cllr Barry Lewis (LB Sutton)
Cllr Paul Dimoldenberg (City of Westminster)

North London Waste Authority

Cllr Geof Cooke (L Barnet), Cllr Adam Harrison (LB Camden), Cllr Mike Hakata (LB Haringey), Cllr Rowena Champion (LB Islington), and Cllr Clyde Loakes (LB Waltham Forest).

East London Waste Authority

Cllr Syed Ghani (LB Barking & Dagenham), Cllr Barry Mugglestone (LB Havering), Cllr James Asser (LB Newham), and Cllr Jo Blackman (LB Redbridge)

West London Waste Authority

Cllr Krupa Sheth (LB Brent), Cllr Deidre Costigan (LB Ealing), and Cllr Anjana Patel (LB Harrow)

Western Riverside Waste Authority

Cllr Sharon Holder (LB Hammersmith & Fulham), Cllr Rezina Choudhury (LB Lambeth) and Cllr Judi Gasser (LB Wandsworth)

South London Waste Partnership

Cllr Scott Roche (LB Croydon), Cllr Katherine Dunne (LB Hounslow), Cllr Ian Manders (RB Kingston), Cllr Natasha Irons (LB Merton), and Cllr Barry Lewis (LB Sutton)

Non-Executive Director of London Energy Ltd

Cllr Rowena Champion (LB Islington), and Cllr Clyde Loakes (LB Waltham Forest)

ReLondon (formerly London Waste & Recycling Board)

Cllr Krupa Sheth (LB Brent), and Cllr Nicholas Bennett (LB Bromley)

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Syed Ghani (LB Barking & Dagenham), Cllr Averil Lekau (RB Greenwich), Cllr Sharon Holder (LB Hammersmith & Fulham), Cllr Mike Hakata (LB Haringey), Cllr Barry Mugglestone (LB Havering), Cllr Anjana Patel (LB Harrow), and Cllr Catherine Rose (LB Southwark).

London Cycling Campaign

Cllr Katherine Dunne (LB Hounslow), Cllr Rowena Champion (LB Islington), Cllr Ian Manders (RB Kingston) and Cllr Barry Lewis (LB Sutton).

London Road Safety Council (LRSC)

Cllr Krupa Sheth (LB Brent), Cllr Nicholas Bennett (LB Bromley), Cllr Mike Hakata (LB Haringey), Cllr Barry Mugglestone (LB Havering), Cllr Katherine Dunne (LB Hounslow), and Cllr Rowena Champion (LB Islington).

LGA Board Member of Environment, Economy, Housing and Transport Board

Mayor Philip Glanville (LB Hackney)

Friend of the London Transport Museum

Cllr Nicholas Bennett (LB Bromley)

London Underground Railway Society

Cllr Nicholas Bennett (LB Bromley)

Member of SERA

Cllr Deidre Costigan (LB Ealing)
Mayor Philip Glanville (LB Hackney)
Cllr Rezina Choudhury (LB Lambeth)
Cllr James Asser (LB Newham)
Cllr Jo Blackman (LB Redbridge)

Labour Cycles

Mayor Philip Glanville (LB Hackney) and Councillor Katherine Dunne (LB Hounslow)

London Sustainable Development Commission

Cllr Jo Blackman (LB Redbridge)

London Councils' Transport and Environment Committee

Election of TEC Vice Chairs for 2023/24

Item
No: 04

Report by: Alan Edwards **Job title:** Governance Manager
Date: 8 June 2023
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

Summary: This report sets out the process for electing three Vice Chairs for the 2023/24 municipal year.

Recommendation: Members are asked to discuss and agree the following recommendation.:

- To elect three Vice Chairs for London Councils' Transport & Environment Committee for 2023/24.

Election of Vice-Chairs on TEC

1. The Standing Orders of London Councils state that the Committee will, at its AGM, elect the Chair, the Deputy Chair and up to three Vice Chairs of TEC. The elections should take into account the political balance on the Committee.
2. The make-up of the TEC for 2023/24 is as follows: 22 Labour members, 6 Conservative members, 3 Liberal Democrat members, one Aspire member, the City of London and Transport for London.
3. It was agreed in 2010/11 that a Deputy Chair would no longer be elected to TEC. In line with that decision, therefore it is proposed that three Vice Chairs would be nominated – one Vice Chair from the Labour Group, one Vice Chair from the Conservative Group and one Vice Chair from the Liberal Democrat Group with one of the Vice Chairs acting as Deputy Chair on the Committee.

Recommendation:

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

Legal Implications for London Councils

5. There are no legal implications for London Councils.

Equalities Implications for London Councils

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

Financial Implications for London Councils

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

Background Papers

London Councils Standing Orders, June 2022

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

London Councils' Transport and Environment Committee

Membership of London Councils' TEC 2023/24

Item
No:05

| | | | |
|-------------------------|---------------|-------------------|------------------------------|
| Report by: | Alan Edwards | Job title: | Governance Manager |
| Date: | 8 June 2023 | | |
| Contact Officer: | Alan Edwards | | |
| Telephone: | 020 7934 9911 | Email: | Alan.e@londoncouncils.gov.uk |

Summary: This report sets out the latest details of the Committee's Membership for 2023/24. It was agreed that the TEC membership would be reported at the AGM.

Recommendation: The Committee is recommended:

- to note the membership as, of London Councils' TEC for 2023/24.

Borough Representation for the Municipal Year 2023/24

| | |
|-----------------------------------|--|
| Barking & Dagenham | Main Rep: Cllr Syed Ghani <i>Deputy: Cllr Cameron Geddes</i> |
| Barnet | Main Rep: Cllr. Geoff Cooke <i>Deputies: Cllr. Alan Schneiderman</i> |
| Bexley | Main Rep: Cllr Richard Diment <i>Deputies: Cllr Cafer Munur</i> |
| Brent | Main Rep: Cllr Krupa Sheth <i>Deputies: Cllr Fleur Donnelly Jackson Cllr Harbi Farah</i> |
| Bromley | Main Rep: Cllr Nicholas Bennett <i>Deputies: Cllr Will Rowlands Cllr Colin Hitchins</i> |
| Camden | Main Rep: Cllr Adam Harrison <i>Deputies: Cllr Danny Beales Cllr Meric Apak Cllr Richard Olszewski</i> |
| City of London Corporation | Main Rep: TBC <i>Deputies:</i> |
| Croydon | Main Rep: Cllr Scott Roche <i>Deputy: Cllr Robert Ward</i> |
| Ealing | Main Rep: Cllr Deidre Costigan <i>Deputies: None Given</i> |
| Enfield | Main Rep: Cllr Rick Jewell <i>Deputies: Cllr Ergin Erbil</i> |
| Greenwich | Main Rep: Cllr Sarah Merrill <i>Deputies: Cllr Denise Scott-McDonald</i> |
| Hackney | Main Rep: Mayor Phil Glanville (Chair) |

| | |
|---------------------------------|--|
| | <i>Deputies: Cllr Guy Nicholson</i> |
| Hammersmith & Fulham | Main Rep: Cllr Sharon Holder Deputy: Cllr Wesley Harcourt |
| Haringey | Main Rep: Cllr Mike Hakata <i>Deputies: Cllr Ruth Gordon Cllr Sara Williams</i> |
| Harrow | Main Rep: Cllr Anjana Patel Deputy: Cllr Paul Osborn Cllr David Ashton Cllr Manilyn Ashton |
| Havering | Main Rep: Cllr Barry Mugglestone <i>Deputies: Graham Williamson Paul McGreary</i> |
| Hillingdon | Main Rep: Cllr Jonathan Bianco Deputy: Eddie Lavery |
| Hounslow | Main Rep: TBC Deputy: |
| Islington | Main Rep: Cllr Rowena Champion <i>Deputies: Cllr Tricia Clarke</i> |
| Kensington & Chelsea | Main Rep: Cllr Cem Kemahli Deputies: Cllr Tom Bennett Cllr Roberto Weeden-Sanz Cllr Arrien Areti Cllr Hamish Adourian |
| Kingston | Main Rep: Cllr Ian Manders Deputies: TBC |
| Lambeth | Main Rep: Cllr Rezina Chowdhury <i>Deputy: Cllr Isla Wrathnell</i> |
| Lewisham | Main Rep: Cllr Louise Krupski |

| | |
|-----------------------------|--|
| | <i>Deputies: Cllr Brenda Dacres</i> |
| Merton | Main Rep: Cllr Natasha Irons |
| Newham | Main Rep: Cllr James Asser <i>Deputies: Cllr John Morris</i> |
| Redbridge | Main Rep: TBC Deputies: |
| Richmond | Main Rep: Cllr Alexander Ehmann <i>Deputies: Cllr Julia Neden-Watts</i> |
| Southwark | Main Rep: Cllr James McAsh <i>Deputies: Helen Dennis</i> |
| Sutton | Main Rep: Cllr Barry Lewis Deputies: Cllr Christopher Woolmer |
| Tower Hamlets | Main Rep: Cllr Dan Tomlinson Deputies: Cllr Asma Islam |
| Waltham Forest | Main Rep: Cllr Clyde Loakes <i>Deputies: Cllr Khevyn Limbajee</i> |
| Wandsworth | Main Rep: Cllr Judi Gasser Deputies: Cllr Clare Fraser Cllr Claire Gilbert |
| Westminster | Main Rep: Cllr Paul Dimoldenberg <i>Deputies: Cllr Max Sullivan</i> Cllr Matt Noble |
| Transport for London | Main Rep: TBC |

Red italics indicates a new lead or deputy TEC representative for 2023/24.
Black italics indicates nomination received, but same TEC representative as in 2023/24

Legal Implications for London Councils

1. There are no legal implications for London Councils.

Equalities Implications for London Councils

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

Financial Implications for London Councils

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

Background Papers

None.

London Councils' Transport and Environment Committee

Appointment of the TEC Executive Sub Committee for 2023/24 Item No: 06

Report by: Alan Edwards **Job title:** Governance Manager
Date: 8 June 2023
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

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

Recommendations: Members are asked to agree the following recommendations.

- To elect eleven members to serve on the TEC Executive Sub Committee for the municipal year for 2023/24 on the basis set out in the report, and the Independent from the City of London Corporation; and
- To note the procedure for taking urgent decisions as set out in paragraphs 7 to 9.

Background

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

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

Composition of the TEC Executive Sub Committee

5. Under statute the composition of the Sub Committee must reflect the political balance of members of the Main Committee. The TEC Executive Sub Committee has hitherto been made up eleven members along with the representative from the City of London specifically invited to attend meetings.
6. On the basis of the London Councils' approach to proportionality (the d'Hondt formula), after the 2022 local elections, this would give the Labour Group 7 members), the Conservative Group 3 members, and 1 Liberal Democrat member. A representative from the City of London Corporation is also invited to attend the TEC Executive Sub Committee meetings, making up a total of 12 members on the TEC Executive Sub Committee.

Procedure for Taking Urgent Decisions

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

Equalities Considerations

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

Legal Implications

11. There are no specific legal implications arising from this report.

Financial Considerations

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

Background Papers

| Short Title of Document | Date | File Location | Contact Officer | Exempt Info Para under Schedule 12A |
|----------------------------------|-------------|--|------------------------|--|
| London Councils' Standing Orders | June 2022 | London Councils' Offices, Southwark St | Alan Edwards | N/A |

London Councils' Transport and Environment Committee

TEC Nominations to Outside Bodies and TEC Funding Sub-Group 2023/24

Item
No: 07

Report by: Alan Edwards

Job title: Governance Manager

Date: 8 June 2023

Contact Officer: Alan Edwards

Telephone: 020 7934 9911

Email: Alan.e@londoncouncils.gov.uk

Summary:

This report seeks the Committee's nominations to various outside bodies which relate to the work of the Committee for 2023/24. All nominations to outside bodies are made by the London Councils' Leaders Committee which has delegated this function to an Appointments Panel comprising of the Executive Officers. The Appointments Panel further delegated the task to the Chief Executive of London Councils, within agreed guidelines including consultation with the chair of the relevant London Councils member body, in this case the Chairman of London Councils' Transport & Environment Committee. The list of approved nominations will then go before London Councils Executive Officers sitting as the Appointments Panel for ratification. The committee also has the power to set up sub-groups to address specific matters of concern.

Recommendations Members are asked:

- To agree names to be passed on to the Chief Executive of London Councils, for appointment to outside bodies.
- To decide whether to re-constitute the TEC funding sub-group in 2023/24
- To agree the membership of the TEC funding sub-group (dependent on the decision above). The group previously comprised of the three vice chairs of TEC (with the Labour Vice Chair chairing the meetings), along with two additional Labour TEC members and a Conservative TEC member.

1. Member Level Appointments to Outside Bodies

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

TEC in agreeing which names are to be passed on to the Chief Executive for appointment to the bodies listed below.

2. Bodies Seeking Nominations

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

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

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

The TEC member for 2022/23 was Councillor Shantanu Rajawat (LB Hounslow). There was no Conservative Deputy nominated for 2022/23.

The HACC have requested that TEC select a representative from a borough that is not in the general vicinity of Heathrow Airport, for 2023/24, as these boroughs are already represented on the HACC in their own right.

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

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

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

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

| | | |
|---------------|--|--|
| | <i>(Labour)</i> | |
| Central South | Lambeth, Southwark <i>(Labour)</i> | Most of the risks within these boroughs are from surface water flooding (or from Thames tidal flooding managed by the Environment Agency). |
| North | Hackney, Tower Hamlets, Haringey, Enfield, Waltham Forest, Newham <i>(Labour)</i> | The River Lee and its tributaries are largely within these boroughs |

The representatives to the Thames RFCC for last year (2022/23) for each of the seven groups are listed below:

- West: Cllr Anjana Patel - LB Harrow (Conservative)
- South West: Cllr Julia Neaden-Watts – LB Richmond (Liberal Democrat)
- South East: Cllr Averil Lekau - RB Greenwich (Labour)
- North East: Cllr Syed Ghani – LB Barking & Dagenham (Labour)
- Central North: Cllr Sharon Holder – LB Hammersmith & Fulham (Labour)
- Central South: Cllr Catherine Rose - LB Southwark (Labour), and
- North: Cllr Mike Hakata – LB Haringey (Labour)

Nominations were now being sought for the Thames RFCC for 2023/24

(c) The London Sustainable Development Commission (LSDC)

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

Councillor Jo Blackman (LB Redbridge) was the TEC representative on the LSDC for 2022/23. A nomination for 2023/24 is now required.

(d) Urban Design London (UDL)

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

Councillor Nigel Haselden (LB Lambeth) and Councillor Johnny Thalassites (RB Kensington & Chelsea) were previously nominated to this body in 2022/23. Nominations are now sought for the UDL for 2023/24.

(e) London City Airport Consultative Committee (LCACC)

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

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

Councillor Jo Blackman (LB Redbridge) was the TEC representative for 2022/23.

The Committee may wish to nominate the TEC member from LB Havering, who's turn it is to represent TEC at the LCACC for 2023/24.

(f) ReLondon (formerly the London Waste & Recycling Board/LWARB)

The Greater London Authority (GLA) Act 2007 provided the legal framework for the establishment of a statutory Board to facilitate waste management across London – ReLondon (formerly the London Waste and Recycling Board (LWARB)). The objective of the Board is to promote and encourage the production of less waste, an increase in the proportion of waste that is re-used or recycled, and the use of methods which are more beneficial to the environment.

Appointments to the Board are for 4 years (renewable once). Current London Councils' appointments are:

Councillor Nesil Caliskan (LB Enfield)
Councillor Claire Holland (LB Lambeth)
Councillor Krupa Sheth (LB Brent)
Councillor Nicholas Bennett (LB Bromley)
Chantelle Nicolson (Independent)
Joe Murphy (Independent)

No nominations are required until August 2024.

(g) London Fuel Poverty Partnership

In May 2018 the Mayor established the London Fuel Poverty Partnership to deliver his Fuel Poverty Action Plan. The partnership brings together stakeholders from sectors including local suppliers and the energy efficiency industry. The group aims to not only assist the Mayor in delivering fuel poverty support but also works across support services to identify households living in fuel poverty, so they can get the support they need. The Partnership encourages all sectors and organisations to play their part and its members act as advocates for improvements in policy and delivery.

Alongside London Councils the Association of Local Energy Officers (ALEO) London and the London Association of Directors of Adult Social Services (London ADASS) are represented. The Partnership meets three times a year.

The Partnership is co-chaired by Shirley Rodrigues, Deputy Mayor for Environment & Energy, and Debbie Weekes-Bernard, Deputy Mayor for Social Integration, Social Mobility and Community Engagement.

Councillor Natasha Irons (LB Merton) was the TEC representative for 2022/23. *A Labour nomination to the London Fuel Poverty Partnership is now sought for 2023/24.*

(h) Surface Water Flooding Strategic Group

London Councils' TEC officers with colleagues from GLA, Thames Water, Environment Agency and others, have been undertaken some work on the development of a pan-London strategic group, which will be set up to oversee the development of a vision, strategy and implementation plan for surface water flood risk management across London. This work started after the terrible flooding that happened in London in 2021 and where the response to these floods showed that London needed to get a lot better at dealing with this type of flood.

The function of the Strategic Group is to lead the development and delivery of the Surface Water Management Vision, Strategy and Implementation Plan for London.

The sub group meets approximately once every two months or as and when required

For 2022/23 the Surface Water Flooding Strategic Group was made up of the following TEC Members:

Mayor Philip Glanville (TEC Chair, LB Hackney, Labour)
Cllr Deidre Costigan (TEC Vice Chair, LB Ealing, Labour)
Cllr Cem Kemahli (TEC Vice Chair, RB Kensington & Chelsea, Conservative)
Cllr Julia Neden-Watts (LB Richmond, Liberal Democrat – Thames RFCC)
Cllr Sharon Holder (LB Hammersmith & Fulham, Labour – Thames RFCC)
Cllr Anjana Patel (LB Harrow, Conservative – Thames RFCC)

TEC may wish to keep this existing sub group membership for 2023/24

(i) Transport Funding Sub Group

The Transport Funding sub group is a sub-committee of TEC, formed to consider a coordinated, pan-London response to transport funding challenges. The aim of the sub group is to consider the issues related to transport funding across the London boroughs and coordinate a joint, strategic approach.

The group is comprised of six members, three drawn from the Labour Party, two from the Conservative Party and one from the Liberal Democrat Party. The TEC vice chairs will form 3 of the six Members of this sub group.

The sub group reports back to TEC and its Executive, having no delegated authority of its own.

The membership of this sub group in 2022/23 was as follows:

Cllr Deidre Costigan (LB Ealing, Labour, Chair)
Cllr Clyde Loakes (LB Waltham Forest, Labour)
Cllr Rezina Choudhury (LB Lambeth, Labour)
Cllr Cem Kemahli (RB Kensington & Chelsea, Conservative)
Cllr Nicholas Bennett (LB Bromley, Conservative)
Cllr Alex Ehmann (LB Richmond, Liberal Democrat)

TEC may wish to keep this existing membership for 2023/24, or while the sub group continues to convene.

4. Financial Implications

There are no financial implications.

5. Legal Implications

There are no legal implications.

6. Equalities Implications

There are no equalities implications from this report.

Background Papers:

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

Item 08

London Councils' Transport and Environment Committee AGM (In-Person) – 9 June 2022

Minutes of a meeting of London Councils' Transport and Environment Committee held on Thursday 9 June 2022 at 2:30pm, in the Conference Suite, 59½ Southwark Street, London, SE1 0AL

Present:

| Council | Councillor |
|----------------------------|------------------------------|
| Barking and Dagenham | Cllr Syed Ghani |
| Barnet | Cllr Arjun Mittra (Deputy) |
| Bexley | Cllr Peter Craske (virtual) |
| Brent | Cllr Krupa Sheth |
| Bromley | Cllr Nicholas Bennett |
| Camden | Apologies |
| Croydon | Cllr Scott Roche (virtual) |
| Ealing | Cllr Deidre Costigan |
| Enfield | Cllr Rick Jewell |
| Greenwich | Cllr Averil Lekau |
| Hackney | Mayor Phil Glanville (Chair) |
| Hammersmith and Fulham | Cllr Sharon Holder |
| Haringey | Cllr Mike Hakata |
| Harrow | Cllr Anjana Patel |
| Havering | Apologies |
| Hillingdon | Apologies |
| Hounslow | Cllr Katherine Dunne |
| Islington | Cllr Rowena Champion |
| Kensington and Chelsea | Cllr Cem Kemahli |
| Kingston Upon Thames | Cllr Ian Manders |
| Lambeth | Cllr Rezina Chowdhury |
| Lewisham | Cllr Louise Krupski |
| Merton | Cllr Natasha Irons |
| Newham | Cllr James Asser |
| Redbridge | Cllr Jo Blackman |
| Richmond Upon Thames | Cllr Alexander Ehmann |
| Southwark | Cllr Catherine Rose |
| Sutton | Cllr Barry Lewis |
| Tower Hamlets | |
| Waltham Forest | Cllr Clyde Loakes |
| Wandsworth | Cllr Claire Gilbert (Deputy) |
| City of Westminster | Apologies |
| City of London Corporation | Apologies |
| Transport for London | Alex Williams |

Stephen Boon, Director of Transport and Mobility, opened up the TEC meeting, which he said the public could access online via the livestream. He said that TEC meetings would now be taking place “in person” and Members would need to be present in the room in order to vote. Stephen Boon reminded Members to keep noise to a minimum as the meeting was being livestreamed and the microphones were very sensitive. Members were also asked if they could state their names and where they were from when addressing the Committee.

Stephen Boon said that he would introduce agenda items 1 to 3, until the Chair of TEC was nominated and confirmed.

Part A: AGM

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Geof Cooke (LB Barnet)
Cllr Adam Harrison (LB Camden)
Cllr Barry Mugglestone (LB Havering)
Cllr Jonathan Bianco (LB Hillingdon)
Cllr Judi Gasser (LB Wandsworth)
Cllr Paul Dimoldenberg (City of Westminster)
Shravan Joshi (City of London Corporation)

Deputies:

Cllr Arjun Mittra (LB Barnet)
Cllr Claire Gilbert (LB Wandsworth)

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

Freedom Pass & 60+ Oyster Card

Cllr Nicholas Bennett (LB Bromley)
Cllr Rowena Champion (LB Islington)

East London Waste Authority

Cllr Jo Blackman (LB Redbridge)

North London Waste Authority

Cllr Arjun Mittra (LB Barnet)

Friend of London Transport Museum

Cllr Nicholas Bennett (LB Bromley)

London Underground Transport Museum

Cllr Nicholas Bennett (LB Bromley)

SERA

Cllr Jo Blackman (LB Redbridge)

Thames RFCC

To Note: Cllr James Asser (LB Newham) was standing down from the Thames RFCC.

Members were asked to let Alan Edwards know, via email, of any further declarations of interests they needed recorded for the minutes.

3. Election of Chair of TEC for 2022/23

Councillor Clyde Loakes nominated Mayor Philip Glanville (LB Hackney) to be the Chair of TEC. This was seconded by Councillor Cem Kemahli. Mayor Philip Glanville was elected as the Chair of TEC for 2022/23.

Mayor Glanville welcomed the new TEC members to the first “in person” TEC meeting that he had chaired. He paid tribute to the colleagues that were no longer on the Committee, including Councillor Zinkin from LB Barnet, and Councillor Holland (LB Lambeth) who had been a previous TEC Chair and a TEC Vice Chair. The Chair also thanked previous TEC Executive Sub Committee, including Councillor Harcourt (LB Hammersmith & Fulham, Councillor Sophie McGeevor (LB Lewisham), and Councillor Huntington-Thresher (LB Bromley).

4. Election of Vice Chairs of TEC for 2022/23

The Committee received a report that set out the process for electing three Vice Chairs for the 2022/23 municipal year.

The Chair nominated Councillor Deidre Costigan to be the Labour Vice Chair. Councillor Cem Kemahli was nominated to be the Conservative Vice Chair and Councillor Alex Ehmann to the Liberal Democrat Vice Chair. Councillor Loakes seconded these nominations.

The Committee appointed the following TEC vice chairs:

Councillor Deidre Costigan (Labour Vice Chair – LB Ealing)
Councillor Cem Kemahli (Conservative Vice Chair – RB Kensington & Chelsea), and
Councillor Alex Ehmann (Liberal Democrat Vice Chair – LB Richmond)

5. Revised Membership of London Councils’ TEC for 2022/23

The Committee considered a revised report that set out the latest details of the Committee’s Membership for 2022/23. It was agreed that the TEC membership would be reported at the AGM.

The Chair said that Councillor Averil Lekau had been listed as the TEC Member for RB Greenwich and LB Tower Hamlets. It was agreed that Councillor Lekau would be removed from LB Tower Hamlets as this was an error. It was also agreed to add Cllr Guy Lambert as a deputy for LB Hounslow and to delete Councillor Jon Burke as a deputy for LB Hackney, and to replace him with Councillors Guy Nicholson and Mete Coban as deputies. It was noted that the City of London Corporation had still not sent in the name of its TEC representative and Alan Edwards would chase the City of London up for their nomination.

The Committee noted the latest revised membership of TEC for 2022/23.

Post meeting note: Shravan Joshi was nominated to be the new City of London Corporation representative on TEC.

6. Appointment of the TEC Executive Sub Committee for 2022/23

The Committee received a report that set out the arrangements for the appointment of the TEC Executive Sub Committee for 2022/23.

The Committee elected the following members to the TEC Executive Sub Committee for 2022/23:

Labour Representatives:

Mayor Phil Glanville (Chair – LB Hackney)
Cllr Deidre Costigan (LB Ealing)
Cllr Krupa Sheth (LB Brent)
Cllr Mike Hakata (LB Haringey)
Cllr James Asser (LB Newham)
Cllr Rezina Chowdhury (LB Lambeth)
Cllr Judi Gasser (LB Wandsworth)

Post meeting note: One Labour vacancy now exists as Councillor Gasser (LB Wandsworth) could not be on the TEC Executive Sub Committee.

Conservative Representatives:

Cllr Cem Kemahli (RB Kensington & Chelsea)
Cllr Peter Craske (LB Bexley)
Cllr Nicholas Bennett (LB Bromley)

Liberal Democrat Representative:

Cllr Alex Ehmann (LB Richmond)

City of London Corporation Representative:

Shravan Joshi

7. TEC Nominations to Outside Bodies 2022/23

The following nominations were made to the TEC Outside Bodies for 2022/23:

(a) Heathrow Airport Consultative Committee

Cllr Shantanu Rajawat (LB Hounslow)

(b) Thames RFCC

West – Conservative Vacancy TBC
South West – Cllr Julia Neden-Watts (LB Richmond, LD)
South East – Cllr Averil Lekau (RB Greenwich)
North East – Cllr Syed Ghani (LB Barking & Dagenham)
Central North – Cllr Sharon Holder (LB Hammersmith & Fulham)
Central South – Cllr Catherine Rose (LB Southwark)
North – Cllr Mike Hakata (LB Haringey)

(c) London Sustainable Development Commission

Cllr Jo Blackman (RB Redbridge)

(d) Urban Design London (UDL)

Cllr Nigel Haselden (LB Lambeth)

Cllr Johnny Thalassites (RB Kensington & Chelsea)

(e) London City Airport Consultative Committee

Cllr Jo Blackman (LB Redbridge) was asked to be the TEC on the LCACC for 2022/23 (and not LB Havering, as stated in the report).

(f) ReLondon (formerly LWARB)

A Conservative replacement was needed for Cllr Guy Senior (LB Wandsworth), who is no longer a serving councillor)

(g) London Fuel Poverty Partnership

Cllr Natasha Irons (LB Merton)

(ii) TEC Funding Sub-Group (Membership)

Cllr Deidre Costigan (LB Ealing, Lab)
Cllr Catherine Rose (LB Southwark, Lab)
Cllr Rick Jewell (LB Enfield, Lab)
Cllr Clyde Loakes (LB Waltham Forest, Lab)
Cllr Cem Kemahli (RB Kensington & Chelsea, Con)
Cllr Alex Ehmann (LB Richmond, Lib Dem)

x One Conservative Vacancy – To be confirmed.

(Post meeting note: Cllr Nicholas Bennett, LB Bromley, was nominated to fill the Conservative vacancy on the Transport Funding Sub-Group).

8. TEC AGM Minutes of 10 June 2021 (already agreed – for noting)

The Committee noted the TEC AGM minutes from 10 June 2021

9. TEC Constitutional Matters

The Committee received a report that proposed an amendment to London Councils' Standing Orders. The report also provided, for information, the most recent version of London Councils' Scheme of Delegations, which encompassed amendments to reflect the current officer structure of London Councils.

The Committee:

- Noted the proposed amendment to London Councils' Standing Orders, as detailed in this report and at **Appendix One**; and
- Noted the proposed amendments to London Councils' Scheme of Delegations to officers at **Appendix Two**, including the relevant amendments to sections 7, 8, 12 and Part A of Appendix A.

Part 2: Items of Business

10. Talk by Seb Dance, Deputy Mayor for Transport

Seb Dance, Deputy Mayor for Transport, congratulated Mayor Phil Glanville on becoming the TEC Chair. He said that he would be discussing the latest situation regarding TfL funding. He thanked Councillor Peter Zinkin for his role and contribution on the TfL Funding sub-group. He also congratulated the newly elected vice chairs of TEC.

Seb Dance made the following comments:

- TfL depended on fares revenue to make up most of their funding. Other countries like Singapore received most of their funding for public transport through taxation.
- TfL was heading for a surplus before the pandemic. However, the pandemic had resulted in a big fall in ridership. Trains were becoming busy again but were not anywhere near what TfL would like (70% in the middle of the week, with ridership at the weekend being higher due to leisure and tourism). More financial support was required from the Government.
- The last short-term funding deal was due to end on 24 June 2022. Capital investment was needed to keep projects on cycle access and road junctions going.
- A number of conditions had been placed on TfL in order to receive funding. The current scheduled rail strikes would also affect TfL. The Government needed to invest in London's transport system. A large number of jobs depended on this (eg trains for the Elizabeth Line were made in Derby).
- TfL had no choice but to implement the 4% cut to the bus service network (21 services would be withdrawn in total under current plans). Attempts were being made to cover the withdrawn bus services with other services, although changes to peoples' journeys might be required. TfL had no choice but to plan for a "managed decline" in services.
- It was important that bus services were protected in outer London as well as inner London, and to ensure that there were no distinctions to this.
- The newly opened Elizabeth Line had been a great success. It was revolutionary and there was nothing like it in the world. The line would be fully open by spring 2023. The line had boosted London's standing and could be used as a model for the future.

The Chair thanked Seb Dance for the update and TfL officers for all their work and for keeping TEC informed about the latest position regarding TfL funding. He said that the opening of the Elizabeth Line was a proud moment for London.

Q and As

Councillor Bennett asked if he could receive more information about what was happening with the 358 bus route in the borough of Bromley. Councillor Asser voiced concern that a number of night bus services had been removed in some areas which presented problems for night workers in the borough of Newham trying to get to work. He said that ways to lessen the impact of this needed to be looked into further. Seb Dance said that he would get more information regarding the 358 bus service in Bromley. He said that a number of night bus services had been removed from 1.30 to 4.30am, but these had been compensated by extending the hours of other bus services. He asked Councillor Asser to let TfL know if the extensions to these services were adequate enough.

Seb Dance said that the levels of ridership formed a key part of TfL planning. He informed Members that the current aim was to be financially sustainable with a reduced pattern of ridership. However, the upcoming transport strikes and inflation increases would have a further dampening effect on ridership. A good service could still be delivered, but it would need to take into account these factors and reduced

ridership.

Councillor Manders asked for more details regarding the situation with capital funding. He said that a number of cycle lanes in his borough of Kingston remained only half finished. Councillor Rose voiced concern that most of the withdrawals of bus routes during the day were in the borough of Southwark. Also, the removal of some bus routes was having a detrimental effect on key growth corridors. Councillor Kemahli asked whether there was any flexibility on this 4% reduction to bus services.

Seb Dance said that TfL was fighting for capital funding in order to improve the network. He said that it was essential that boroughs received funding for key infrastructure projects. Seb Dance said that TfL had wanted to continue from where it had left off and support from the boroughs was very much needed when it came to requesting TfL funding from the Government. Seb Dance said that central Government had differing priorities at the moment and this threatened to complicate the issue (eg TfL want to expand the cycle network). He said that TfL did not want to make any cuts to bus services in London, although it needed to work out what routes were cost effective (the UK had the biggest bus network in Europe).

Seb Dance said that the removal of 21 bus services had only been carried out where there was provision to cover these elsewhere. Changes were only made to a minority of services and the borough of Southwark had not been targeted specifically. Seb Dance said that the consultation was to help ascertain where there were any problems by the removal of certain bus services, like if they provided a central link to hospitals. He said that there was a degree of flexibility in the 4% cuts. Seb Dance said that the issue around housing had been raised with the Deputy Mayor for Housing and was based on transport connections. He said that key growth areas should be well serviced by public transport. Seb Dance said that TfL had introduced a freeze to fare increases, especially in the current squeeze to peoples' cost of living. He said that TfL was loathed to put up fares at the moment. He said that it was capital funding that TfL most needed support for.

Councillor Holder asked whether an Equalities Impact Assessment (EIA) had been carried out when looking into the 4% cuts to bus services. She said that this needed to be shared with the boroughs (for example, the problems the mobility impaired might have in getting off and on of buses). Councillor Holder felt that this needed to be looked at in the wider context as not all disabled people had the ability to access trains. Councillor Hakata said that residents were impacted by these cuts to bus services. He said that it would be very difficult to help reduce car use when bus services were being cut. Councillor Hakata asked whether there were any contingencies in place to save particular bus routes if there was a very strong argument to do so, especially for mobility impaired residents who would be most affected by the cuts. Councillor Lewis said that it was important to add that TfL was keen to protect and enhance bus services in outer London. He said that the borough of Sutton had been starved of funding when it came to public transport provision and it took over 45 minutes just to get from Sutton to London.

Seb Dance said that a full EqIA had been carried out as part of the TfL consultation and this could be found on TfL's website. He said boroughs should let TfL know if there were any clear omissions. Seb Dance said that although it was not TfL's decision to cut bus services, TfL did have control over where the 4% cuts were implemented. He informed Members that once a decision had been made to cut a bus service, this would have a knock-on effect elsewhere. Seb Dance said that TfL needed to look at sophisticated schemes to help enhance services, especially where areas had a less dense transport network. It was also very important that outer London services, like those in Sutton, were adequately funded.

Councillor Ehmann said that the boroughs had to plan years ahead when it came to

drawing-up their transport projects. He asked whether a view on how these funding negotiations with the Government were going could be given. Councillor Loakes voiced concern about the installation of cycle parking in Chingford in the borough of Waltham Forest. He said that it had now been three years and the borough was no nearer to getting them installed. Councillor Loakes said that he also wanted to bring Active Travel back to the people of Waltham Forest and funding for this needed to be unlocked. The Chair said that the “managed decline” of services had become a problem in the borough of Hackney. Boroughs also needed to know how to plan ahead from June 2022. The problem with the withdrawals of services in Southwark would have an impact on regeneration.

Seb Dance informed Members that the Government had missed approximately 22 deadlines, whereas TfL had met them all deadlines set by Government. He said that this had become very frustrating as it had left funding decisions in limbo until the very last minute. Seb Dance confirmed that TfL had written to the Government about this and to call for timely negotiations. With regards to Councillor Loakes issue concerning the installation of cycle parking in Chingford, Seb Dance said that this would be looked into as a matter of urgency and reported back to Councillor Loakes through Alex Williams, who agreed to follow up.

Seb Dance said that Central Government needed to fund the transport system in London as there was no other means to obtain this funding. TfL had written to the Prime Minister to help secure a funding deal and the Government needed to follow-up on this quickly (this week). Seb Dance thanked Members for their time.

The Chair thanked Seb Dance for attending TEC and giving an update on the current situation with TfL funding.

11. Ultra Low Emission Zone (ULEZ) Expansion & Road User Charging Consultation, Discussion by Shirley Rodrigues, Deputy Mayor for Environment & Energy, and Alex William, Transport for London

Shirley Rodrigues, Deputy Mayor for Environment and Energy, GLA, informed Members that Alex Williams (TfL) would be giving a presentation on Road User Charging and the ULEZ expansion consultation that had been launched in May 2022.

Shirley Rodrigues made the following comments:

- Road User Charging was a long way from being introduced, but emissions had to be reduced in order to meet the target in 2030.
- Huge strides had been made by 2016 to reduce air pollution, but London was still not meeting the World Health Organisation (WHO) guidelines (poor health among the young and elderly due to air pollution were a big problem)
- Vehicles were not meeting emission standards and this was causing lung problems in high polluting areas, including around schools.
- The CBI had made tackling air quality a key priority, plus a 27% cut to emissions to tackle the climate emergency by 2030.
- The UK was way behind when it came to reducing transport emissions and needed to move away from these high polluting vehicles.

Alex Williams, Director of Borough Planning, TfL, made the following comments:

- The Mayor had two main priorities for London, (a) to clean-up London's air, and (b) introduce a Road User Charging scheme. (Alan Edwards would send a copy of the presentation to TEC Members).
- TfL had looked at a whole range of initiatives, including the London-wide ULEZ scheme and a Road User Charging scheme. TfL was well aware of the

cost of living crisis people were going through and would help people to transition to any new initiatives.

- The impacts of air pollution resulted in approximately 4,000 premature deaths in 2019 through conditions like asthma. This was a big and serious problem.
- TfL was helping to reduce poor air quality by cleaning up the bus and taxi fleets and increasing the uptake of EVs and encouraging Healthy Streets (walking etc). TfL could not do all this on its own though.
- ULEZ was the most effective scheme in reducing NO_x (a 9% reduction in 2019) and CO₂.
- A ten-week consultation period was taking place, and TfL had met with outer London Chief Executives to discuss the proposed ULEZ extension. The removal of the £10 autopay arrangement and an increase to the PCN level were deemed to be the most effective deterrent.
- It was proposed to extend the ULEZ to cover the majority of London, with the exception of a few areas on the very fringes.
- The London LEZ had been introduced in 2007 and had improved air quality greatly and had helped clean up polluting heavy goods vehicles.
- The majority of drivers in London would not pay the ULEZ charge as their vehicles were already compliant (93%). This would increase to 95% in 2023, where only 1 in 20 drivers would pay the charge. Also, 82% of vehicles in outer London were also ULEZ compliant.
- TfL was urging people to check whether their vehicles were compliant on the “checker” on the TfL website.
- To help with the transition to cleaner vehicles the Mayor was considering a large scale and targeted scrappage scheme to support Londoners. The scrappage scheme would be Londonwide.
- To deliver the ULEZ Londonwide there would need to be a change of signage from LEZ to ULEZ and to introduce new cameras, which were far more discreet now. TfL was in talks with borough officers to discuss these changes. Guidance to boroughs would be issued under the GLA Act 1999.
- Road User Charging schemes were being considered in Central London in the future. Consultation on this was at the very early stages and conversations were taking place with Londoners. Discussions were also taking place on the need to improve public transport in outer London.
- Timeline – TfL would like all boroughs to respond by the end of July 2022, with a decision being made by the end of the calendar year by the Mayor.
- There was still a great deal of work that needed doing to improve air quality in London.

Q and As

Councillor Kemahli said that a great deal of pollution came from tyres, as well as exhausts. He asked what was being done in order to tackle other harmful particulates. Councillor Krupski felt that scrappage schemes should be more nuanced. Car club membership could also be offered to help with this. Councillor Dunne said that this could lead to a spike in electricity demand from EV charging points. She said that there was a need to understand the impacts of increased demand from EVs on the electricity network. Councillor Dunne asked if TfL was working with Heathrow on these issues.

Shirley Rodrigues said that pollution from tyres was a problem, although the main problem was the source of fuel. She said that TfL was unable to help with tyre pollution. With regards to scrappage schemes, Shirley Rodrigues said that the GLA would be updating people in due course, although they were trying to help the most in need through any scrappage schemes. She said that car clubs were also being looked into. Shirley Rodrigues said that London was the first to have a comprehensive EV strategy. She asked for boroughs to let her know if there were any potential issues regarding grid re-enforcement. Alex Williams said that TfL was

monitoring Heathrow and looking into access areas that were not covered by the ULEZ scheme.

With regards to future Road User Charging schemes, Councillor Costigan asked whether any thoughts had been given to charging on distances and whether discussions about this had taken place. She said that it currently took two separate bus journeys to get to Ealing Town Hall. Councillor Ehmann said that the ULEZ extension was being considered more negatively because of future road user charging proposals. He said that timescales also needed to be considered, and that there would not be replacement vehicles available in time for a scrappage scheme, which needed to be “like for like”. Councillor Ehmann said that there needed to be a levelling-up in outer London and more investment in infrastructure was required. Boroughs also voiced concern that there were not enough EV charging points for the number of EVs now. It was felt that future technology for charging EVs needed to be considered.

Shirley Rodrigues informed Members that a Road User Charging scheme would be needed, although this was nowhere near ready to be implemented. She said that discussions were just taking place to look at what needed to be taken into account and to understand what the issues were. She said that Road User Charging was being put out with the ULEZ consultation as it was clear that it would be needed. She said that the ULEZ would have a massive impact on people’s health and this would be reported on in six months’ time. Shirley Rodrigues asked whether the timescale was too premature. She said that almost half the people in London did not own a vehicle and only one in twenty would not be ULEZ compliant. Vehicles could also be exchanged through second-hand vehicles, rather than brand new ones.

Shirley Rodrigues said that there had been delays with regards to scrappage schemes. She said that there was a need to see investment before there was a major switch to EVs. Public transport also needed to be supported. Shirley Rodrigues said that companies were already looking ahead to see what new technologies could be incorporated with EVs. She said that not all vehicles were charged on the street and more information on EV strategies could be circulated should Members want it.

Councillor Irons asked where all the funding would come from for these changes and how the messages to the public could be made clearer. Councillor Bennett said that he was not in favour of extending the ULEZ in the borough of Bromley. He said that the borough had already carried out a lot of its own work to help cut emissions and air pollution. Councillor Bennett said that the ULEZ would have a detrimental impact on small businesses who had diesel vehicles. Residents in Kent and Surrey would also have to pay the ULEZ, along with many of the elderly. Councillor Bennett said that one of the main problems was the lack of radial connectivity. He said that less than 15,000 vehicles had been scrapped and this needed to be greatly increased. Some Members felt that car dependency for school runs needed to be reduced.

Councillor Loakes said that residents understood the issues around air quality and the need for more EVs, but asked if there was a way to overlap these concerns. He said that it was also needed to find ways to reduce PM 2.5 further. Councillor Loakes also voiced concern at the outer “grey” areas of London, like the top of Chingford, that were not covered by the ULEZ. He said that there was a need to think about local residents and the non-compliance of vehicles. The Chair said that the social justice element needed to be looked at when considering road user charging.

Shirley Rodrigues said that the 15,000 vehicles that had been scrapped was not nearly enough and more was being called for, although this was a funding issue. She said that TfL would have to wait to see what the new funding settlement was before making any firm decisions on scrappage. Shirley Rodrigues said that she

welcomed borough efforts to make the case to support Londoners for cleaner air. She said that she recognised the need for cars in order to visit family, for instance. With regards to the dangers of PM 2.5, Shirley Rodrigues said that a way needed to be found to get this message across better. She said that London was doing well when it came to reducing air quality but not so well when it came to pm 2.5 emissions, which were having a terrible impact on health. Alex Williams said that TfL was committed to factor in low-income Londoners into any scheme, including road user charging schemes. Shirley Rodrigues said that no parameters had been set with regards to road user charging and more information needed to be sought on this. She said that TfL/GLA were a long way off from designing a scheme for this.

The Chair thanked Shirley Rodrigues and Alex Williams for the presentation on the ULEZ expansion and a Road User Charging scheme.

12. Flooding Investment in London

Members considered a report that presented a business case on behalf of the Thames Regional Flood and Coastal Committee (RFCC) for an increase in the locally raised levy (1.99%) to invest in flood risk management schemes across the Thames catchment. The increase in levy funding between boroughs was between £390 and £7,000 at 1.99 per cent.

Robert Van de Noort, Chair of Thames RFCC, said that the Thames RFCC had a good relationship with TEC over the past ten years and sought to get the best deal for the boroughs.

Robert Van de Noort and Claire Bell (Environment Agency) made the following comments:

- The Thames RFCC was a partnership organisation that worked with local authorities, flood authorities and Thames Water.
- Thames RFCC received its funding through (a) the levy, and (b) Grants in Aid from the Government. In the current programme, every £1 that the Thames RFCC received was matched by 6% to 7% in Grants in Aid.
- The Thames RFCC was now asking for a steer from TEC for a 1.99% increase to the levy from the boroughs, which was considerably less than the cost of inflation.
- The Thames RFCC understood the major challenges that boroughs were experiencing with their finances. However, the RFCC wanted to deal with flood risk in the whole of the Thames area and wanted to help communities with critical infrastructure.
- The Thames RFCC was currently funding two major schemes, namely (i) tidal flooding (eg the Thames Barrier), which was predominantly funded by Grant in Aid, and (ii) surface water flooding (rainfall). The Thames Barrier would now continue to be functional for another 30 years, but work was starting on preparing for a new one.
- All boroughs with a water frontage (ie along the river) would need to adjust their frontage. Funding for the coming year would help towards flood protection from the River Thames.
- The other big project was helping to deal with surface water flooding. Intense rainfall events were occurring more as a result of climate change. The Thames RFCC role was to help build resilience in London for the impact of flooding. Modelling would take place to help reduce flooding.
- The TEC task and finish group recommends an independent Chair for the Strategic Group to be set up, plus a Secretariat to take this work forward. The Thames RFCC allowed funds to be collected and distributed to where they were most needed and could therefore support this financially.

- The levy would also help to fund a working group that was looking at sustainable urban drainage systems (SUDS). A business case was being developed where pre-approval of funding had already been confirmed. This would enable certainty and minimum disruption to ensure that a great deal more would be delivered on SUDS. Having pre-approval of funds really helped the Thames RFCC to plan ahead.
- It was hoped to use the pilots for SUDS to help influence DEFRA. For every ten trees that were planted, one had a SUDS feature underneath it.

The Chair thanked Robert Van de Noort and Claire Bell for their presentation to TEC. He said that the task and finish group on flooding (currently the Surface Water Transition Group) had been endorsed by the London Councils' Leaders Executive Committee and was working closely with the GLA.

Councillor Manders said that the borough of Richmond already had a Thames scheme from Surrey County Council. Councillor Kemahli said that a large number of residents in the Royal Borough of Kensington and Chelsea were scared to make insurance claims for flood damage.

Robert Van de Noort said that over programming enabled the Thames RFCC to give a high priority to flood schemes in London and outer London areas. He said that the Thames RFCC had been drawing in unused Grant in Aid funding from other regions for a number of years now. The Thames RFCC was one of the best flood committees owing to the help that it received from the boroughs. Robert Van de Noort said that the Thames RFCC was looking at two elements to reduce flood risk: (a) the River Thames Scheme, which had work outside of London and was undertaking a trial to look at the impact of flooding. £40million of the levy would be used on feasibility projects for this, and (b) property protection – better systems were now in place with houses having proper windows and doors to combat flooding. All residents wanted their homes to be flood proof. Robert Van de Noort said that a great deal of London was now tarmacked over and it would be very difficult to stop flooding because of this.

Robert Van de Noort said that the Thames RFCC would work with Katharina Winbeck and her team to look at places where SUDS would have the greatest impact (dialogue on this would continue outside of the meeting). He said that the Thames RFCC were world leaders when it came to SUDS. There would now be a change in approach in order to support drainage systems, and not just in London.

The Committee:

- Noted the report; and
- Noted that a steer was provided to the TEC members who sat on the Thames RFCC to recommend a levy increase of 1.99 per cent for 2023/24.

13. TEC Business Plan & Priorities for 2022/23

The Committee considered a report that provided Members with a look back at what had been achieved in 2021/22 and look forward to the priorities for 2022/23, linking them to London Councils' shared ambitions as agreed by London Councils' Leaders.

Katharina Winbeck, Strategic Lead Environment and Transport, London Councils, welcomed the new TEC Members and said that they were welcome to contact her should they have any comments or concerns.

Katharina Winbeck made the following comments:

- There was a TEC Agreement that would be sent to TEC Members for their information, along with a copy of the TEC Business Plan presentation. This agreement sets out the powers of the Committee and they are generally quite constraint.
- As an example, when TEC wanted to take on the lead role of co-ordinating funding for and implementation of EV infrastructure, this required the TEC Agreement to be amended. This is usually a long process, as every London local authority had to agree the changes.
- TEC has two main functions: (a) Policy work, and (b) Services. The TEC Policy team was made up of seven members of staff, who worked closely with a number of relevant professional networks like the London Technical Advisers Group (LoTAG) and the London Environment Directors Network (LEDNet), but also the GLA, TfL and our own established officer groups which were always regionally and politically represented. Collaborative work also took place regularly with the Thames RFCC, who is here today.
- TEC's key priorities had not changed very much over the years, with climate change being a main focus, along with air quality, transport funding, EVs and e-scooters. The bus network and the Transport Bill were also other key focus areas.

Stephen Boon, Transport and Mobility Director, introduced the Services role of TEC and made the following comments about the services that TEC provided:

- TEC Services employed 21 members of staff and 6 contractors.
- Key services included the Freedom Pass. This was a very important service for older and disabled Londoners
- Taxicard is a highly valued concessionary taxi service, for mobility and sight impaired Londoners. TfL provided the majority of funding for the Taxicard service.
- There were two tribunals which received a volume of parking and traffic and Road User Charging appeals. London Tribunals provided a statutory role. London Councils provided all the facilities to support the independent adjudicators (Environment and Traffic Adjudicators and Road User Charging Adjudicators – RUCA). RUCA was a separate tribunal (based at the same tribunal hearing centre in Fournival Street) and heard appeals against TfL congestion charging and low emission zone schemes.
- The London Lorry Control Scheme (LLCS) restricted the movement of heavy goods vehicles at night and the weekends, in order to limit the noise to residents. He suggested that TEC was looking at working more closely with TfL in order to enforce the scheme more effectively.
- The Health Emergency Badge (HEB) Scheme provided free parking for people involved in delivering emergency primary healthcare in patients' homes.
- The TRACE service allowed people to find out if their vehicle had been towed away and where to collect it (for all boroughs, via a website).
- The London European Partnership for Transport (LEPT) was a joint London initiative that liaised with other EU cities in order to access EU funding for transport and mobility projects. Boroughs were still currently eligible for EU funding.
- Traffic and Parking Policy and Guidance – some were statutory roles, like traffic signal costs, the level of fines for Penalty Charge Notices (PCNs) and contravention codes. Guidance was issued and TEC worked closely with the DfT on this.
- The TEC priorities were now grouped under London Councils' shared ambitions (page 9 in the report)

The Chair thanked Stephen Boon and Katharina Winbeck for their presentation on the TEC priorities for the coming year. He said that there was a lot more information available should Members require it.

The Committee:

- Noted the report;
- Agreed that Alan Edwards would send a copy of the latest TEC Agreement and the TEC Business Plan/Priorities presentation to Members for information;
- Noted that Members should contact Katharina Winbeck if they had any comments/suggestions regarding the TEC Business Plan and Priorities for the coming year; and
- Noted that any further dialogue on the TEC priorities should take place via email after the meeting.

14. Response to DEFRA's Environmental Targets Consultation

The Committee received a report that provided an overview of London Councils' draft submission to the Department for Environment, Food and Rural Affairs' consultation on new environmental targets. The full draft response could be found in Appendix 1 of the report.

Katharina Winbeck introduced the report and said that comments and contributions were now required from TEC before the response to the consultation went to DEFRA. She explained that for London Councils to respond to consultations, the topic needed to be relevant to more than a couple of boroughs and there should be a London-specific angle. Katharina Winbeck said that Zak Bond was present to answer any detailed questions on the response. Feedback had been received from the officer networks and the deadline for responses was 27 June 2022.

Councillor Lewis asked whether a response to the biodiversity element could be included in. Katharina Winbeck said that this would be updated and then circulated to TEC Chair and Vice Chair for final sign off. The Chair said that the consultation response should not be completely signed off by TEC at the moment, given these additions.

The Committee:

- Noted the consultation response for submission to the Department for Environment, Food and Rural Affairs. This would not be completely signed-off at this stage; and
- Noted that the issue of biodiversity would be included and a final version signed off by TEC Chair and Vice Chairs.

15. London E-Scooter Trial Update

The Committee received a report that updated TEC on the London Councils and TfL's activities on the future mobility agenda, including the e-scooter rental trial, the provision of rental e-bikes in London and the Government's announcements regarding private e-scooters, rental e-scooters and rental e-bikes.

Agathe de Canson, Principal Policy and Projects Officer, London Councils, introduced the report which gave an update on the e-scooter trial and e-bike rental market, and

also the legislation on e-scooters. She said that the trial was being coordinated with London Councils and TfL and was one of 32 authorised trials around the UK by the DfT. Agathe de Canson informed Members that it was still currently illegal to use private e-scooters on public land. She said that the trial was taking place until 20 November 2022 and 10 boroughs were currently participating.

Agathe de Canson said that all trial e-scooters have to be parked in dedicated bays. Data that had been received from operators said that over a million trips had now been made. Agathe de Canson said that safety was the number one priority for the trial. There had not been any fatalities but there had been 16 serious injuries.

She said that the e-bike market was currently unregulated, although four operators were renting bikes out in London. She said that the network was “patchy” and not ideal for the boroughs – e-bikes were ending up in different locations for which no agreement is in place and work with the boroughs was taking place to improve the dialogue on this.

Agathe de Canson said that the Government would create a new vehicle class for e-scooters in the Transport Bill with a view to legalise their use on public land in due course. Safety requirements and speeding limits would be set out. There would also be legislation to regulate e-scooter and e-bike rental schemes in cities. She said that all legislation would take approximately 3 years to complete. Councillor Dunne said that she was keen to know TfL’s position on this. She said that e-bikes was the best way forward for the borough of Hounslow, but it was vital that the boroughs worked together and manage the e-bike scheme roll-out.

Councillor Sheth said that the borough of Brent was not part of the e-scooter trial. She voiced concern that the scooters were travelling fast down pavements and knocking pedestrians over. Councillor Ehmann asked whether there was a plan for boroughs to have extra powers for e-bikes in 3-years’ time. He asked whether this would be at a London level rather than a local (authority) level. The Chair said that the borough of Hackney had already gone to an operator with regards to an e-bike contract. He asked whether there was any data on the effect of e-scooters on disabled Londoners and the hard of hearing.

With reference to the question from Councillor Sheth, Agathe de Canson said that e-scooters were all GPS tracked and the parking bays would feature as part of any contract. However, there were issues with private scooters. Elizabeth Gaden said that the police did not have the time to monitor private scooters, although robust action would be taken with operators with rental vehicles. She said that this was why it was important for the boroughs to be part of a rental scheme, especially when it came to the Government giving approval to private scooters.

Elizabeth Gaden said that help with agreed guidance and e-bike rental would be available for the boroughs. Agathe de Canson said that TfL was planning to expand docked Santander network and considers introducing e-bikes as part of that. Agathe de Canson said that good channels had been created with the DfT, but there were uncertainties around the regulations which will be put in place for the management of rental schemes in the Transport Bill. Agathe de Canson said that a number of boroughs had already secured contracts with e-bike operators, and this would need to be addressed for any London-wide scheme. Elizabeth Gaden said that an EQIA had been created to look at the impact on people with disabilities, and a great deal of engagement had taken place on this. She informed Members that an audible warning system was being looked at with the operators and London Councils and TfL were working with “Pearl”. This was new technology that had not been carried out by anyone else yet. Elizabeth Gaden said that more qualitative data would be required.

Councillor Ghani said that the borough of Barking and Dagenham was already in discussions with e-scooter companies now and would like to take part in the trial. Elizabeth Gaden said that she would contact the relevant officers in Barking and Dagenham directly.

The Committee:

- Agreed that Elizabeth Gaden would contact the borough of Barking & Dagenham with regards to the borough becoming part of the e-scooter trial;
- Noted that the e-scooter trial was scheduled to end on 20 November 2022; and
- Noted the report.

16. Items Considered under the TEC Urgency Procedure.

The Committee considered a report that outlined the items that were sent to TEC Elected officers under the TEC Urgency Procedure for the meeting that took place on 24 March 2022. The Urgency Procedure was sent to TEC Elected Officers on 25 March 2022.

The Committee noted the items that were agreed under the TEC Urgency Procedure that arose from the TEC meeting held on 24 March 2022, as detailed in Appendix 1 of the report.

17. Dates of the TEC & TEC Executive Sub Committee Meetings for 2022/23

The Committee received a report that outlined the proposed dates for the TEC and TEC Executive Sub Committee meetings for 2022/23.

The Committee agreed the proposed dates for the TEC and TEC Executive Sub Committee meetings for the year 2022/23.

18. Minutes of the TEC Main Meeting held on 24 March 2022

The Committee agreed that the minutes of the TEC Main meeting held on 24 March 2022 were an accurate record.

The meeting finished at 17:19pm

London Councils Transport and Environment Committee

Constitutional Items (Appendices A-B)

Item 09

Report by: Reuben Segal **Job title:** Head of Governance and Data Protection

Date: 8 June 2023

Contact Officer: David Dent

Telephone: 020 7934 9753 **Email:** david.dent@londoncouncils.gov.uk

Summary: This report proposes amendments to London Councils Scheme of Delegation and Standing Orders and seeks agreement to the discontinuation of London Councils maintaining a register of members' interests and presents the latest Terms of Reference for Leaders' Committee sub-committees/forums for approval.

Recommendation: The Committee is recommended to:

- Agree the proposed amendments to London Councils Scheme of Delegation and Standing Orders and agree to the discontinuation of London Councils maintaining a register of members' interests as detailed in this report and Appendices A and B.

Background

1. London Councils Scheme of Delegations to Officers

2. In accordance with London Councils Standing Orders, London Councils Scheme of Delegations to Officers is approved annually at Transport and Environment Committee AGM. The current Scheme was approved at TEC AGM on 9 June 2022.
3. A number of changes are proposed for this year to recognise the revised officer structure within London Councils. The revised Scheme of Delegation, with track changes, is attached at Appendix A.
 - The main change is to paragraph 13 – to reflect the retirement of the Director of Corporate Governance (Christiane Jenkins) and the recommendation that the Head of the London Regional Employers Organisation (Steve Davies) has delegated authority to sign off contracts of employment, settlement agreements, secondments etc.
 - In Appendix A Part A, it is recommended that authority/responsibility currently delegated to the Director of Corporate Governance is delegated to the Head of Governance and Data Protection Officer regarding “all things committees” and the HR Director and London Regional Employers Secretary for “all HR matters” (see paragraph 24 relating to politically restricted posts). In addition it is also recommended to remove the reference to the delegation to an officer to establish and maintain a register of interests of members and co-opted members, to reflect that Leaders’ Committee is recommended to agree to the discontinuation of London Councils maintaining such a register (please see paragraphs 7-14 below).

4. London Councils Standing Orders

5. The Standing Orders are contained in Schedule 6 of the Leaders' Committee Governing Agreement. In accordance with section 27.2 of the SOs, they can be amended by a decision of London Councils Leaders' Committee. The SOs have been amended a number of times since 2001. The current version was last amended following agreement at TEC on 9 June 2022. The current Standing Orders are attached at Appendix B.
6. Three changes are proposed for 2023: in Section 19.6 it is proposed to change the job title 'Director of Transport and Mobility' to 'Chief Operating Officer'; in Section 19.7 to change the job title 'Planning and Strategy Director' to 'Strategy Director: London's Communities'; and in section 20.6 a reference to 'registering' a declaration of interest has been removed to reflect that Leaders' Committee is recommended to agree to the discontinuation of London Councils maintaining such a register (please see paragraphs 7-14 below).

7. Declaration of Members' Interests

8. The declaration of Members' interests is dealt with in paragraph 20 of Schedule 6 (Standing Orders) of the London Councils Governing Agreement. The document requires that "A member must declare any private interests, both pecuniary and non-pecuniary...and must take steps to resolve any conflicts arising in a way that protects the public interest".
9. Such declarations are currently made in two ways: at the start of each formal meeting, where members are asked to declare any interests in the business of that meeting that might conflict with paragraph 20 of the SOs; and by way of a register of disclosable pecuniary interests for individual members, held by London Councils. In terms of the latter, neither the SOs or the Declaration and

Registration of Interests protocol explicitly state that such a register must be maintained by London Councils.

10. All remunerated members have in the past been asked to complete a Declaration of Interests form. While some have completed it, others have asked that London Councils refer to their Declaration of Interests form which is on their respective borough/City website as they do not wish to complete another one and they have no additional declarations to make.
11. It is proposed going forward that London Councils' practice of collating a members' register of interests is discontinued. While this move represents a departure from the previous practice of London Councils retaining a register of all completed disclosures, the removal of any potential duplication should be viewed as reducing the administrative burden to members.
12. London Councils is not a relevant authority for the purposes of accountability arrangements put in place by the Localism Act 2011. As such, it is not a statutory duty for London Councils to maintain a register of pecuniary interests. The register compiled by London Councils has never been published for scrutiny.
13. London Councils will ensure that it holds appropriate records for its purposes and support members in complying with their duties to act in accordance with the Nolan principles by enhancing the wording in agendas to clarify that the declaration by members of any pecuniary and/or non-pecuniary interests in any item on an agenda relates not just to their home authority but the area covered by all London boroughs and the City of London. Members remain bound by their own authority's Code of Conduct whenever involved in activities for London Councils and matters relating to a member's interests and declarations have always been a matter for the individual Member and their own authority.

14. The Declaration and Registration of Interests Protocol has been updated to reflect the proposal to update arrangements for declaring interests.

Recommendation

15. The Committee is recommended to:
 - Agree the proposed amendments to London Councils Scheme of Delegations to Officers and Standing Orders and agree to the discontinuation of London Councils maintaining a register of members' interests as detailed in this report and Appendices A – B.

Legal Implications for London Councils

16. It is important that London Councils' joint committees properly perform its functions and delegate the exercise of functions to sub-committee/forums and Officers in a manner which is consistent with the relevant Governing Agreements, and any legal restrictions, to ensure that the work of London Councils (through Leaders' Committee, Grants Committee and LCTEC) is delivered efficiently and effectively, and to avoid giving rise to any possible grounds for challenge to decisions made.

Equalities Implications for London Councils

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

Financial Implications for London Councils

18. There are no financial implications for London Councils.

Appendices:

- **Appendix A:** London Councils Scheme of Delegation June 2023 with the proposed changes
- **Appendix B:** London Councils Standing Orders June 2023 with proposed changes

Scheme of delegations to officers

June 2023

Scheme of Delegations to Officers

INTRODUCTION

London Councils¹ may, and only in a manner consistent with the London Councils Governing Agreements²:

- (i) delegate to officers of London Councils those of its functions as are permitted by statute to be delegated; and
- (ii) in relation to any of those functions, require that the exercise of those functions be subject to such conditions as London Councils deems fit to impose, including, where appropriate, prior consultation with the leading member on London Councils of each political party or group before taking such action.³

London Councils must formally resolve to delegate the exercise of one or more of their functions to officers by either:

- (i) a decision taken at a meeting of London Councils i.e., on a case-by-case basis;
- (ii) agreeing a general scheme of delegations to officers.

This document is the general scheme of delegations to London Councils officers. It is not the intention of this document to reproduce details of functions which have been delegated to officers under the London Councils Governing Agreements⁴. This document will, however, be kept under annual review and any additional general delegations to officers which may be made by London Councils throughout the year, will be considered for inclusion in this scheme as part of that review.

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

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

² The London Councils (Leaders' Committee) Governing Agreement, dated 13 December 2001 (as amended); and the London Councils Transport and Environment Committee Governing Agreement, dated 13 December 2001 (as amended).

³ Paragraph 22 of Schedule 6 (Standing Orders) of the London Councils (Leaders' Committee) Governing Agreement, dated 13 December 2001 (as amended).

⁴ Op cit, footnote 3.

Section 1 - General Conditions Of Delegations To Officers

Day-to-Day Management

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

Limitations

2. Any exercise of delegated powers by officers shall comply with London Councils current Financial Regulations⁵ and Standing Orders. The Financial Regulations will not form part of this scheme but must be read alongside it.
3. The Chief Executive will have the authority to extend an existing policy or procedure only if it relates to the internal administration of the organisation and when exercised subject to the conditions below.
4. The Chief Executive, the Finance Officer (Director of Corporate Resources), and any other person authorised under the Financial Regulations, will have the authority to negotiate and agree minor variations to contracts, to write off debts and to undertake all other actions authorised under the Financial Regulations
5. With the exception of policies referred to in paragraph 3, any exercise of delegated powers shall not involve a new policy or extend an existing policy of the organisation unless the Chief Executive is acting under the urgency procedures as contained in the current Standing Orders⁶.
6. Any delegation to the Chief Executive or the Finance Officer may be exercised by any officer authorised by the Chief Executive or the Finance Officer (as the case may be) either generally or specifically for the purpose (except where restrictions exist in employment policies which have been agreed in accordance with Section 2 below).
7. The Chief Executive will arrange on a rotational basis for another member of the Corporate Management Team to assume authority to exercise all powers delegated to the Chief Executive in their absence.
8. In the event of the Chief Executive being unexpectedly indisposed, authority will be granted to another member of the Corporate Management Team to take over as interim Chief Executive until such time as Elected Officers are able to determine what temporary or transitional arrangements will apply following such indisposition (or death).
9. The Chief Executive may exercise any delegated function in the absence of an officer to

⁵ Current Financial Regulations dated 13/10/20

⁶ Current Standing orders dated 7/6/2022

whom that authority has been specifically delegated.

10. All delegations are without prejudice to the overriding rights and powers of a London Councils' joint committee or decision-making sub-committee to exercise those functions delegated to it. Any officer may refer a matter to a London Councils' joint committee or decision-making sub-committee in lieu of exercising delegated powers.
11. Subject to the foregoing conditions, and to any special conditions which may have been or may in future be applied in respect of particular matters, the Chief Executive will be expected to make such decisions and to take such action as he/she deems necessary in the interests of the efficient running of the organisation and the services provided and administered.

Section 2 - Staffing Delegations

12. The Chief Executive has been granted delegated authority, in consultation with the Corporate Management Team (CMT), to approve policies and procedures relating to human resources and corporate policies and procedures⁷ subject to the following conditions;
 - (a) any policy relating to internal organisational functions which also applies to Members will be referred to the London Councils' (Leaders) Executive Sub-Committee for approval;
 - (b) all new or amended policies relating to the internal administration of the organisation will only be approved following consultation with the Joint Consultative Committee (JCC);
 - (c) in the event that CMT and the JCC are unable to reach an agreement on the terms of a policy, that policy will be referred to the London Councils' (Leaders) Executive Committee for approval;
 - (d) any delegations to officers made in accordance with these policies and procedures shall be considered to be general delegations from the Chief Executive or the Finance Officer (as the case may be) in accordance with paragraph 6 above.
13. In addition, the Head of the London Regional Employers Organisation is authorised to sign all contracts of employment⁸ and settlement agreements, once the appropriate post approval form (PAF) has been signed and/or in accordance with the relevant employment policies and procedures which have been agreed in accordance with paragraph 12 above.

Section 3 – Officers authorised for certain purposes

14. In accordance with the specific statutory functions delegated to the London Councils joint committees or otherwise to allow the proper and efficient exercise of those functions in accordance with section 111 of the Local Government Act 1972, officers have been individually authorised to act in respect of particular matters (i.e. they are an "authorised officer" for those purposes). Where permitted under the applicable legislation these powers may be further delegated, whether specifically or generally, to another officer to act in the absence of the proper officer.
15. The Chief Executive has been appointed:
 - (a) to act as the "proper officer" for the purposes of the Access to Information provisions of the Local Government Act 1972 (as amended) except insofar as such powers have been

⁷ Corporate policies and procedures would include, but not be limited to, the employees code of conduct, health and safety and information management policies

⁸ Including secondment agreements

specifically delegated to another officer; and

- (b) to be responsible for the preparation of papers for London Councils Member Body meetings, the preparation of minutes and the promulgation of decisions of such meetings.
- 16. The Chief Executive, in consultation with the Chair of the relevant sub-committee, will have the authority to amend the programme of ordinary meetings approved by the relevant joint committee for the sub-committees it appoints at its AGM in accordance with Standing Order 1.8. as required throughout the year.
- 17. The Director, Corporate Resources (Finance Officer) has been appointed to act as the proper officer for the purposes of Section 151 of the Local Government Act 1972 and section 114 of the Local Government Finance Act 1988. The officer to be responsible for the proper administration of London Councils' financial affairs and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget.
- 18. Additional delegations to named officers, some of which do not strictly apply to London Councils but which are adopted as a matter of best practice to allow the proper and efficient exercise of the functions delegated to the London Councils joint committees, in accordance with section 111 of the Local Government Act 1972, are set out in Appendix A with reference to the relevant legislative provisions.

Section 4 - Nominations of elected members to outside bodies

- 19. The Chief Executive has delegated authority to nominate elected Members to serve on outside bodies subject to:
 - (a) those decision being taken in accordance with guidelines agreed by the London Councils Appointments Panel (set out at paragraph 20 below);
 - (b) having regard to the Nolan principles, and
 - (c) those decisions being reported to the next meeting of the Appointments Panel.⁹
- 20. Nominations will be made by the Chief Executive under paragraph 19 in consultation with elected Members. In making nominations, the Chief Executive will first apply the **Particular Principles** at (a) below but will also seek to ensure that nothing is done to depart from the **General Principles** at (b) below. Regard should also be had to the **General Conditions** at (c), below.

(a) Particular Principles

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

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

The first principle to be applied in such cases is any reasonable external requirement placed on London Councils in making the nomination

The second principle to be applied, if the first principle does not obtain, is the number of nominations made from each political party shall reflect the balance of the parties represented on Leaders' Committee at that time.¹⁰

⁹ In accordance with the decision of the London Councils' Executive acting in their capacity as its Appointments Panel on 29 May 2012

This will be determined by the application of the d'Hondt formula

(b) General Principles

- (i) When the Chief Executive is applying the Particular Principles set out above, they will seek to reflect any particular interest that the body to be nominated to has expressed to London Councils¹¹.
- (ii) The Chief Executive will also be mindful of other factors that it would be reasonable or proper for London Councils to consider, for example specialist knowledge and skills, stability of service, diversity as well as the Nolan principles set out below and the Chief Executive may, in consultation with elected Members, override the Particular Principles set out above when there is a compelling case to do so.
- (iii) All public bodies are under a duty to follow the Seven Principles of Public Life set out by the Committee for Standards in Public Life, formerly chaired by Lord Nolan (the principles are often called the “Nolan Principles”). In particular, the Chief Executive will seek to ensure that the following three Nolan principles are applied-

Objectivity

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

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.¹²

Openness

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

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

(c) General conditions

- (i) When a nominee to an outside body ceases to be an elected Member of a London local authority, London Councils will, in general, take whatever steps are necessary to remove them from that outside body.
- (ii) At a freeze date, being the date of the meeting of the London Councils’ (Leaders) Executive Sub-Committee in June¹³ of each year, a report will be brought to that meeting setting out the total number of nominations made to outside bodies for each of the political parties with a calculation of how this reflects the agreed principles (above) for nominations, and the variation from the balance of the parties on Leaders’ Committee. That report may also contain recommendations to rectify any variations that may exist.

¹¹ For example, outside bodies occasionally ask for cross-party appointments

¹² Members will be expected to regularly attend meetings of the bodies they are appointed to and may be accountable to and from, London Councils for their actions in that capacity.

¹³ Except in an election year, when the report will be presented as soon as is practicable

Appendix A

PERSONS AUTHORISED BY LONDON COUNCILS TO EXERCISE POWERS

CONSISTENT WITH FUNCTIONS OF THE PARTICIPATING LOCAL AUTHORITIES

PART A

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

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

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

| | STATUTORY PROVISION | PERSONS AUTHORISED |
|----------------------------------|---|--|
| LOCAL GOVERNMENT ACT 1972 | | |
| 1 | Section 84 – The officer to whom written notice of resignation of elected office shall be delivered | Chief Executive |
| | | |
| 3 | Section 99 + Schedule 12 - To give notice and send summonses in respect of any London Councils committee meeting | Chief Executive |
| 4 | Section 100 - To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press | Chief Executive |
| 5 | Section 100B (2) – The officer to exclude from committees or sub Committees meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded | Head of Corporate Governance and Data Protection Officer (DPO) |
| 6 | Section 100B (7)(c) – The officer to supply to any newspaper copies of documents supplied to Members of committees or sub-committees in connection with an item for consideration at their meetings | Head of Corporate Governance and DPO |
| 7 | Section 100C (2) – The officer to prepare a written summary of proceedings of committees or sub-committees from which the public were excluded | Head of Corporate Governance and DPO |
| 8 | Section 100D (1)(a) – The officer to prepare a list of background papers for reports considered by committees or sub-committees | Head of Corporate Governance and DPO |

| | STATUTORY PROVISION | PERSONS AUTHORISED |
|--|---|---|
| 9 | Section 100D (5) – The officer to determine which documents constitute background papers; and under Section 100H –to be responsible for charging for copies of those documents | Head of Corporate Governance and DPO |
| 10 | Section 100F (2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection | Head of Corporate Governance & DPO |
| 11 | Section 100G - To maintain a register of the names and addresses of Elected Members and membership of committees, lists of delegations and the like | Head of Corporate Governance & DPO |
| 12 | Section 115 – The officer to whom money properly due from officers shall be paid | Finance Officer (Director of Corporate Resources) |
| 13 | Section 151 (and section 114 of the Local Government Finance Act 1988) – The officer to be responsible for the proper administration of the London Councils' financial affairs (and to issue a report to elected Members if there is or is likely to be unlawful expenditure or an unbalanced budget) | Finance Officer (Director of Corporate Resources) |
| 14 | Section 223 - Authorising officers to attend court and appear on behalf of London Councils under Local Government Act 1972 and the County Courts Act 1984 | Chief Executive and chief officers |
| 15 | Section 225 (1) – The officer to receive and retain statutory documents on behalf of London Councils | Chief Executive |
| 16 | Section 229 (5) – The officer to certify photographic copies of documents | Chief Executive |
| 17 | Section 233 – The officer to receive documents required to be served on London Councils | Chief Executive |
| 18 | Section 234 (1) & (2) – The officer to authenticate documents on behalf of London Councils | Chief Executive |
| 19 | Schedule 12 [paragraphs 4(1)(a) & 4(3)] – The officer responsible for issuing summons to meetings at which business is proposed | Chief Executive |
| 20 | Schedule 14 [paragraph 25(7)] – The officer responsible for the certification of true copies of resolutions | Chief Executive |
| LOCAL GOVERNMENT ACT 1974 | | |
| 21 | Section 30(5) - Notice of Local Government Ombudsman's Report | Chief Executive |
| LOCAL GOVERNMENT FINANCE ACT 1988 | | |
| 22 | Section 116 - Notification to London Councils' auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Finance Office under Section 114) | Finance Officer (Director of Corporate Resources) |
| 23 | Section 139A - Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required | Finance Officer (Director of Corporate Resources) |
| LOCAL GOVERNMENT AND HOUSING ACT 1989 | | |

| | STATUTORY PROVISION | PERSONS AUTHORISED |
|---|---|--|
| 24 | Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 - provision of certificates as to whether a post is politically restricted | HR Director and London Regional Employers Secretary |
| 25 | Section 4 – The officer to be designated Head of Paid Service | Chief Executive |
| 26 | Sections 15 – 17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups | Chief Executive |
| CIVIL EVIDENCE ACT 1995 | | |
| 27 | To certify Council records for the purposes of admitting the document in evidence in civil proceedings. | Any member of the Corporate Management Team |
| LOCAL GOVERNMENT (CONTRACTS) ACT 1997 | | |
| 28 | Certification of relevant powers to enter into contracts | Chief Executive and Director of Corporate Resources |
| UK GENERAL DATA PROTECTION REGULATION and DATA PROTECTION ACT 2018 | | |
| 29 | To act as Data Protection Officer under Article 37 of GDPR. | Head of Corporate Governance and Data Protection Officer |
| TRAFFIC MANAGEMENT ACT 2004 and CIVIL ENFORCEMENT OF PARKING CONTRAVENTIONS (England) REPRESENTATIONS AND APPEALS REGULATIONS 2007 | | |
| 30 | Section 81(4)(a) requires enforcement authorities to provide administrative staff for adjudicators. The Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 provides that one of the members of the administrative staff required by section 81 shall be appointed to perform the functions of proper officer as set | Head of Support Services – London Tribunals |
| LOCAL GOVERNMENT ACT 2003 | | |
| 31 | Requirement to report to London Councils annually on the robustness of estimates and financial reserves | Finance Officer (Director of Corporate Resources) |
| MONEY LAUNDERING REGULATIONS 2003 - PROCEEDS OF CRIME ACT 2002 | | |
| 32 | Money Laundering Reporting Officer for the purposes of receiving disclosure on suspicions of money laundering and reporting as necessary | Finance Officer (Director of Corporate Resources) |

| LOCALISM ACT 2011 | | |
|--|---|-------------------------------------|
| | | |
| OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS | | |
| 33 | Any other miscellaneous proper or statutory officer functions not otherwise specifically delegated by the Authority | Chief Executive or his/her delegate |

PART B

All London Councils officers shall have regard to the following insofar as is relevant within their job description and for the effective performance of their duties and responsibilities.

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

Standing orders

June 2023

London Councils STANDING ORDERS¹

INTRODUCTION

These are the Standing Orders and rules of debate and procedure for the conduct of meetings of the London Councils joint committees. The Standing Orders apply to the London Councils' Leaders' Committee and, wherever appropriate, to the associated joint committees (the Grants Committee and London Councils Transport and Environment Committee), any sectoral joint committees, and any sub-committees (sometimes referred to as 'Panels') and forums of London Councils; and any reference to 'London Councils' is a collective reference to all of them. The Standing Orders have been drawn up having regard to Government best practice, guidance and statutory requirements.

In the event of any conflict between the provisions of the Standing Orders and the provisions of the Leaders' Committee Governing Agreement (which includes the London Grants Scheme) or the London Councils Transport and Environment Committee (LCTEC) Governing Agreement, the relevant provision of the Leaders' Committee Governing Agreement or the LCTEC Governing Agreement shall prevail.

Revised 6 June 2023

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

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1. MEETINGS

Generally

- 1.1 Leaders' Committee, its associated joint committees (the Grants Committee and the Transport and Environment Committee (TEC)) and any sectoral joint committees shall each hold a minimum of 2 meetings² each year, one of which shall be an annual general meeting.
- 1.2 Subject to 1.1 above, meetings of London Councils shall be called, and the procedure to be adopted at such meetings shall be determined in accordance with the provisions of these Standing Orders.
- 1.3 Any member London Local Authority may give written notice of an item to be placed on the Agenda for any meeting. All notices of items for agendas and reports for circulation with agenda must be received by the Chief Executive not less than ten working days prior to the meeting to which the agenda relates.
- 1.4 Each London Local Authority subscribing to Leaders' Committee, its associated joint committees, and any sectoral joint committee, shall be entitled to receive from the Chief Executive sufficient copies of the Agenda, papers and minutes of the proceedings of the meetings of the joint committees and any Forums and sub-committees thereof.
- 1.5 Deputations shall be entitled, upon prior notification being given to the Chief Executive and at the discretion of the Chair, to attend and address the meeting for not more than ten minutes and to answer questions from members for a further ten minutes.

Calling Meetings

- 1.6 Meetings may be called by:
 - (i) Leaders' Committee, or the associated joint committee or sectoral joint committee by resolution;
 - (ii) the Chair of the relevant joint committee;
 - (iii) a requisition signed by not less than one third of the representatives, delivered to the Chief Executive at least ten working days before the date mentioned in the requisition.

² Any reference to meetings relates to formal, decision making meetings rather than 'for information' meetings

Business

- 1.7 The Summons to any such meeting shall set out the business to be transacted thereat, and no business other than that set out in the summons shall be considered at the meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Annual Meetings of Leaders' Committee and associated joint committees and sectoral joint committees

Timing and Business

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

The relevant joint committee will at its AGM:

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

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

- (viii) approve a programme of ordinary meetings for the joint committee, sub committee or forum for the year;
- (ix) consider any business set out in the notice convening the meeting.

1.9 London Councils Leaders' Committee will also:

- (i) appoint a Deputy Chair;
- (ii) agree the scheme of delegation to officers;
- (iii) receive nominations of Councillors appointed to Committees by the participating London Local Authorities.

1.10 Transport and Environment Committee will also:

- (i) receive a report recommending nominations to outside bodies.

1.11 Grants Committee will also:

- (i) approve any delegations to sub-committees or Officers in relation to the management of the London Grants Scheme.

Ordinary meetings

1.12 Ordinary meetings of Leaders' Committee, the associated joint committees, and any sectoral joint committee, will take place in accordance with a programme decided at the relevant AGM. Ordinary meetings will:

- (i) elect a person to preside if the Chair, Deputy Chair, or Vice Chairs are not present;
- (ii) approve as a correct record and sign the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chair or the Chief Executive;
- (v) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting and the submission of which have complied with Standing Order 8;

- (vi) deal with any business from the last meeting;
- (vii) receive and consider reports/presentations from the London Councils sub-committees, forums and associated joint committees and receive questions and answers on any of those reports;
- (viii) receive nominations and make appointments to fill vacancies arising in respect of any sub-committee, forum or outside body for which the joint committee is responsible;
- (ix) receive and consider minutes of meetings, any sub committees and forums which have taken place since the joint committee last met.
- (x) consider motions; and
- (xi) consider any other business specified in the summons to the meeting.

1.13 The order of business of any associated committee shall be as shall be determined by the joint committee.

1.14 The Chair may at his/her discretion alter the order in which business is taken.

1.15 Leaders' Committee will also receive and consider minutes of meetings, of associated joint committees, any sectoral joint committee, and their sub committees as necessary and relevant to the operation and governance of London Councils.

2. MEMBERSHIP

- 2.1 Each London Local Authority, that is the 32 London boroughs and the Common Council of the City of London, shall appoint its Leader as its representative to London Councils Leaders' Committee.
- 2.2 Each London Local Authority, that is the 32 London boroughs and the Common Council of the City of London, shall make an appropriate appointment to London Councils Transport and Environment Committee.
- 2.3 Each London Local Authority, that is the 32 London boroughs and the Common Council of the City of London, shall make an appropriate nomination to London Councils Grants Committee. Any nominations to Grants Committee must be a Cabinet Member or have appropriate delegated authority from their council.

- 2.4 Each London Local Authority that subscribes to a sectoral joint committee shall make an appropriate nomination to that sectoral joint committee, ensuring that nominees have the appropriate delegated authority.
- 2.5 The Chairs of each of the associated joint committees, any sectoral joint committee, any Forums or any sub-committees of Leaders' Committee shall also be entitled to sit ex officio (but not to vote in such capacity) on Leaders' Committee.
- 2.6 Any Lead Member appointed in respect of any issue by any of the London Councils joint committees shall be entitled to sit ex officio (but not to vote in such capacity) on Leaders' Committee.
- 2.7 London Councils may admit to membership such representatives of such other bodies as it considers appropriate or is required as the result of any legislation to admit from time to time on such terms as shall be agreed with such other bodies. Such representatives shall be entitled to sit ex officio but not to vote in such capacity.
- 2.8 The Chief Executive of each of the London Local Authorities or his/her nominated representative shall be entitled to attend as an observer but not to speak or vote at any meeting.

Deputy Representatives

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

Elected Officers

- 2.10 The following shall be the Elected Officers of Leaders' Committee:
- (i) Chair
 - (ii) Deputy Chair
 - (iii) Vice Chairs
- 2.11 The following shall be the Elected Officers of the Transport and Environment Committee:

- (i) Chair
- (ii) Vice Chairs

2.12 The following shall be the Elected Officers of the Grants Committee:

- (i) Chair
- (ii) Vice Chairs

2.13 The following shall be the Elected Officers of any sectoral joint committee:

- (i) Chair
- (ii) Vice Chairs

2.14 The following shall be the Elected Officers of any sub-committee appointed by Leaders' Committee, associated joint committees or sectoral joint committees:

- (i) Chair
- (ii) Vice Chair/Deputy/s

2.15 The overall balance of which shall be such as to ensure proportional representation of party political groupings on London Councils.

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

3 TIME AND PLACE OF MEETINGS

3.1 The date, time and place of meetings will be determined by the Chief Executive and notified in the summons.

4 NOTICE OF AND SUMMONS TO MEETINGS

4.1 The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules

4.2 The Chief Executive shall, not less than five clear working days before the intended meetings of Leaders' Committee and any associated joint committee or sectoral joint committee,

circulate a notice thereof to each representative and deputy representative and the Town Clerk/Chief Executive or the nominated officer of every London Local Authority subscribing to Leaders' Committee, the associated committees or sectoral joint committee. The notice will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available. Where the recipient has given consent for the summons to attend the meeting to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), the summons may be sent in electronic form to that address.

- 4.3 Provided that the failure of any such notice to be delivered shall not affect the validity of the meeting or of the business transacted thereat. Provided also that at times it may be necessary to circulate reports in a second despatch or to circulate them at the meeting.

5 CHAIR OF MEETING

- 5.1 At every meeting the Chair if present shall preside. If, at the meeting, the Chair is absent the Deputy Chair if present, shall preside. If both the Chair and the Deputy Chair are absent a Vice Chair if present, shall preside. Where there is more than one Vice Chair, the Vice Chair representing the largest political group will preside. If neither the Chair, Deputy Chair or a Vice Chair is present, the meeting shall elect one of its present members to preside. If the Chair and Deputy Chair notify their absence in advance of the meeting, the Chair will be invited to identify a committee member from their party who would be able to Chair the meeting in their absence.
- 5.2 For the purposes of these Standing Orders references to the Chair, in the context of the conduct of business at meetings, shall mean the person presiding under this Standing Order.
- 5.3 The person presiding at the meeting may exercise any power or duty of the Chair. Where these rules apply to sub-committee or forum meetings, references to the Chair also include the chair of sub-committees or forums.

6 QUORUM

- 6.1 The quorum shall be one third of, or the number nearest to one third, but not less than three Members (except for the quorum for Audit Committee, which because of both its size and the nature of its business is a special case and therefore is only two) entitled to be present at Leaders' Committee, and any associated joint committees, sectoral joint committees or sub committees of London Councils.

- 6.2 If within half an hour of the time appointed for the meeting to commence, a quorum is not present, the meeting shall be dissolved.
- 6.3 Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.
- 6.4 If, during the meeting, the person presiding, after causing the number of members present to be counted, declares that there is not a quorum present, the meeting shall stand adjourned for fifteen minutes. If, after fifteen minutes there is still no quorum present, the meeting shall be brought to an end and all business not completed before the meeting has been brought to an end shall be postponed to the next meeting, whether ordinary or extraordinary.
- 6.5 If during the meeting any member absents themselves permanently making the meeting inquorate, the meeting will stand adjourned.

7 DURATION OF MEETING

- 7.1 Subject to Standing Order 27 (suspension of Standing Orders) if, after two and a half hours after the time appointed for the start of the meeting, the business on the agenda has not been completed, the meeting of London Councils or any associated committee or sectoral joint committee shall automatically adjourn and any debate then proceeding shall be suspended and all business unfinished shall stand adjourned to the next meeting, unless otherwise directed by the meeting Chair

8 DEPUTATIONS

- 8.1 Deputations shall be entitled, upon prior notification being given to the Chief Executive and at the discretion of the Chair, to attend and address meetings of London Councils for not more than ten minutes and to answer questions from members of London Councils for a further ten minutes.

9 MOTIONS ON NOTICE

Notice

- 9.1 Except for motions which can be moved without notice under Standing Order 10 or consideration of any matters of urgency brought forward by leave of the Chair, written notice of every motion, signed by at least 5 members, must be delivered to the Chief Executive not later than 10 clear days before the date of the meeting and clear days are deemed to

exclude the day of delivery, the day of the meeting and any Sunday. These will be open to public inspection.

Motions set out in agenda

- 9.2 Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Scope

- 9.3 Motions must be about matters for which London Councils has a responsibility.

10 MOTIONS WITHOUT NOTICE

- 10.1 The following motions may be moved without notice:

- (i) to appoint a chair of the meeting at which the motion is moved;
- (ii) in relation to the accuracy of the minutes;
- (iii) to change the order of business in the agenda;
- (iv) to refer something to an appropriate body or individual;
- (v) to appoint a sub committee or member arising from an item on the summons for the meeting;
- (vi) to receive reports or adoption of recommendations of committees or sub committees or officers and any resolutions following from them;
- (vii) to withdraw a motion;
- (viii) to amend a motion;
- (ix) to proceed to the next business;
- (x) that the question be now put;

- (xi) to adjourn a debate;
- (xii) to adjourn a meeting;
- (xiii) that the meeting continue beyond two and a half hours in duration;
- (xiv) to suspend a particular Standing Order;
- (xv) to exclude the public and press in accordance with the Access to Information Rules;
- (xvi) to not hear further a member named under Standing Order 17.1 or to exclude them from the meeting under Standing Order 17.2; and
- (xvii) to give the consent of London Councils where its consent is required by this Agreement.

11 RULES OF DEBATE

Speakers to Address the Chair

- 11.1 All speakers shall address the Chair. All members shall preserve order whilst the speaker is speaking. A speaker shall give way if the Chair rises.

No discussion until motion seconded

- 11.2 A motion or amendment shall not be discussed until it has been proposed and seconded.

Right to require motion in writing

- 11.3 Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him/her before it is discussed.

Mover and seconder's speech

- 11.4 The mover and seconder of a motion shall be deemed to have spoken thereon. When seconding a motion or amendment, a member may reserve their speech until later in the debate.

Content and length of speeches

- 11.5 Speeches must be directed to the question under discussion or to a personal explanation or point of order. The mover of a motion shall be allowed 5 minutes and the seconder and succeeding speakers 3 minutes each. The time limit for speakers may be extended by an affirmative vote of the members.

When a member may speak again

- 11.6 A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:
- (i) to speak once on an amendment moved by another member;
 - (ii) to move a further amendment if the motion has been amended since he/she last spoke;
 - (iii) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
 - (iv) by the mover of an original motion in exercise of a right of reply, and this shall close the discussion.

Amendments to motions

- 11.7 An amendment to a motion must be relevant to the motion and will either be:
- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words;

as long as the effect of (ii) to (iv) is not to negate the motion.

- 11.8 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- 11.9 If an amendment is not carried, other amendments to the original motion may be moved.
- 11.10 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 11.11 After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

Alteration of motion

- 11.12 A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 11.13 A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 11.14 Only alterations which could be made as an amendment may be made.

Withdrawal of motion

- 11.15 A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Right of reply

- 11.16 The mover of any original motion, but not of any amendment, may reply to the discussion for a period of not more than 3 minutes without introducing new material and this shall close the discussion.
- 11.17 If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

11.18 The mover of the amendment has no right of reply to the debate on his or her amendment.

Motions which may be moved during debate

11.19 When a motion is under debate, no other motion may be moved except the following procedural motions:

- (i) to withdraw a motion;
- (ii) to amend a motion;
- (iii) to proceed to the next business;
- (iv) that the question be now put;
- (v) to adjourn a debate;
- (vi) to adjourn a meeting;
- (vii) that the meeting continue beyond two and a half hours in duration;
- (viii) to exclude the public and press in accordance with the Access to Information Rules;
and
- (ix) to not hear further a member named under Standing Order 17.1 or to exclude them from the meeting under Standing Order 17.2.

Closure motions

11.20 A member may move, without comment, the following motions at the end of a speech of another member:

- (i) to proceed to the next business;
- (ii) that the question be now put;
- (iii) to adjourn a debate; or

(iv) to adjourn a meeting.

- 11.21 If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 11.22 If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- 11.23 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Point of order

- 11.24 A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Standing Orders or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chair on the matter will be final.
- 11.25 A speaker may give way to a point of information, and must give way to a point of order if it is accepted by the Chair.

Personal explanation

- 11.26 A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

Ruling of Chair

- 11.27 The Chair shall decide all questions of order and his/her ruling upon such questions or upon matters arising in debate shall be final and shall not be open to discussion.

12 PREVIOUS DECISIONS AND MOTIONS

Motion to rescind a previous decision

- 12.1 A motion or amendment to rescind a decision made at a meeting of London Councils within the past six months cannot be moved unless the notice of motion is signed by at least 5 members.

Motion similar to one previously rejected

- 12.2 A motion or amendment in similar terms to one that has been rejected at a meeting in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 5 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

13 VOTING

- 13.1 One representative from each London Local Authority subscribing to Leaders' Committee and its associated joint committees or sectoral joint committees shall be entitled to vote on behalf of his/her authority in each meeting of Leaders' Committee, either associated joint committee or sectoral joint committees.
- 13.2 Subject to Clause 11.1, 12.1 of the Leaders' Committee Governing Agreement and Standing Order 21.1, and any provisions of this Agreement or the LCTEC Governing Agreement requiring unanimity, questions arising at any meeting of London Councils shall be determined by a show of hands and shall be decided by a simple majority of votes.
- 13.3 At Transport and Environment Committee representatives from Transport for London or any London local authority, shall only be entitled to speak or vote or receive papers in respect of functions which they have delegated to the Transport and Environment Committee and shall not be counted as part of the quorum except in respect of those functions.

Equality of votes

- 13.4 In the case of an equality of votes at the annual meeting and on motions to suspend or amend the Standing Orders under Standing Order 27 at ordinary meetings, each of the party Group Leaders shall have second or casting votes.
- 13.5 Subject to 13.4 above, in the case of an equality of votes at ordinary meetings of London

Councils, the Chair shall have a second or casting vote to be exercised in accordance with 13.6 below.

13.6 Where the Chair exercises a casting vote under Standing Order 13.5 above it will be used only for one or more of the following purposes:

- (i) to permit further discussion of an issue;
- (ii) to maintain the status quo;
- (iii) to ensure that London Councils meets any legal obligations or any requirements of the London Councils Agreement or London Councils' Standing Orders.

13.7 On the requisition of any representative made before any vote is taken on a motion or an amendment, and supported by five representatives, the voting shall be recorded so as to show how each representative present and voting voted. The name of any representative present and not voting shall also be recorded.

13.8 Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Voting on appointments to London Councils Committees

13.9 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

14 MINUTES

Agreeing the minutes

14.1 The Chair will move that the minutes of the previous meeting be agreed as a correct record.

14.2 Where in relation to any meeting, the next meeting for the purpose of agreeing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to agreeing of minutes.

Form of minutes

- 14.3 Minutes will contain all motions and amendments in the exact form and order the Chair put them.

15 RECORD OF ATTENDANCE

- 15.1 At every meeting, the Clerk to the Meeting will record the attendance of each representative of a member authority and all other representatives present in accordance with Standing Order 2 (Membership).

16 EXCLUSION OF PUBLIC

- 16.1 Members of the public and press may only be excluded either in accordance with the Access to Information Rules or Standing Order 18.

17 MEMBERS' CONDUCT

Member not to be heard further

- 17.1 If a member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

Member to leave the meeting

- 17.2 If the member continues to behave improperly after such a motion is carried, the Chair may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General disturbance

- 17.3 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

18 DISTURBANCE BY PUBLIC

Removal of member of the public

- 18.1 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

Adjournment

- 18.2 In the event of a general disturbance which, in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power vested in the Chair, may without question adjourn the meeting for such period as in the Chair's discretion shall be considered expedient.

19 URGENCY

- 19.1 If at any time the Chief Executive of London Councils considers that any matter is urgent and should be decided on prior to the next meeting of London Councils, then he/she shall consult the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree in writing that the matter is urgent and agree on the Chief Executive's recommendation, then the decision shall be taken by the Chief Executive in accordance with such recommendation..
- 19.2 In the event the provisions of Standing Order 19.1 are inoperable following local government elections and there is a need for urgent action, the Chief Executive is authorised to take executive action having consulted as appropriate, such action to be reported to the next meeting of London Councils.
- 19.3 The Elected Officers of London Councils and the Chief Executive may nominate persons to act in their absence for the purposes of this Standing Order.
- 19.4 A copy of the record of a decision taken under this Standing Order shall be kept at the office of the Chief Executive.
- 19.5 All decisions taken under this Standing Order shall be reported to the next meeting of London Councils.
- 19.6 The urgency procedure to be followed by Transport and Environment Committee is as in 19.1-19.5 above, with the substitution of "Chief Operating Officer" for "Chief Executive" and referring to the Elected Officers of the Transport and Environment Committee.

- 19.7 The urgency procedure to be followed by the Grants Committee is as in 19.1-19.5 above, with the substitution of “the Strategy Director: London’s Communities” for “Chief Executive” and referring to the Elected Officers of the Grants Committee.
- 19.8 The urgency procedure to be followed by the Greater London Provincial Council is as in 19.1-19.5 above, with the substitution of “the Head of London Regional Employers Organisation” for “Chief Executive” and referring to the Elected Officers of the Greater London Provincial Council.
- 19.9 The urgency procedure for any sectoral joint committees is as in 19.1-19.5 above, referring to the Elected Officers of the appropriate sectoral joint committee and a senior Officer designated by the committee.
- 19.10 The urgency procedure to be followed by any sub-committee appointed by Leaders’ Committee, associated joint committees or sectoral joint committees is as in 19.1 – 19.5 above, referring to the Elected Officers of that sub-committee and the senior officer, designated by that sub-committee.

20 DECLARATIONS OF INTEREST

- 20.1 If a member is present at a meeting of London Councils Leaders' Committee or any of its associated joint committees or any sub-committees or any sectoral joint committee and has a disclosable pecuniary interest as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (“the Regulations”) relating to any business that is or will be considered at the meeting, that member must not:
- (i) participate in any discussion of the business at the meeting, or if on becoming aware of the disclosable pecuniary interest during the meeting, participate further in any discussion of the business; or
 - (ii) participate in any vote or further vote taken on the matter at the meeting.
- 20.2 These prohibitions apply to any form of participation, including speaking as a member of the public.
- 20.3 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.

20.4 In certain circumstances, London Councils may under s.33 of the Localism Act 2011 grant a dispensation to permit a member to take part in the business notwithstanding that the member has a disclosable pecuniary interest relating to that business. These circumstances are where London Councils considers that:

- (i) without the dispensation so great a proportion of London Councils members would be prohibited from participating in that business as to impede London Councils transaction of that business;
- (ii) without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote;
- (iii) the granting of the dispensation is in the interests of people living in the London Councils' area;³
- (iv) without the dispensation each member of the London Councils Executive would be prohibited from participating in the business; or
- (v) it is otherwise appropriate to grant a dispensation.

20.5 If a member wishes to apply for a dispensation, they must make a written application to be received not less than three working days before the meeting setting out the grounds for the application to the officer responsible for processing such requests.⁴

20.6 A member must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union that relate to any public duties and must take steps to resolve any conflicts arising in a way that protects the public interest.

21 ANNUAL SUBSCRIPTIONS

21.1 London Councils Leaders' Committee shall by a majority of at least two-thirds of those representatives present at the meeting and entitled to a vote in respect of each of those functions, approve by no later than 31st January in each year the subscriptions or contributions payable by the London Local Authorities for each of the groups of functions set out in Schedule 2. If London Councils fails to agree by such date the subscriptions or contributions for the ensuing financial year, then that subscription or contribution shall be at

³ The London Councils area is that area covered by the London boroughs and the City of London

⁴ That person designated by the scheme of delegation, currently (June 2016) the Chief Executive

the same amount as the subscription for the current financial year. The annual budget (including any contingency sum) in respect of any function shall not be exceeded without the prior approval of a two-thirds majority of the representatives of those London Local Authorities who are present at the meeting to which the proposal to exceed the budget is under consideration and authorised to vote.

- 21.2 Contributions to the London Grants Scheme, at schedule 5 of the Leaders' Committee Governing Agreement (as substituted by the variation to that Agreement dated 1 February 2004).
- 21.3 Contributions to London Councils Transport and Environment Committee are as set out in the LCTEC Governing Agreement dated 13 December 2001 (as amended).
- 21.4 Any sectoral joint committee shall approve the subscriptions payable by each London Local Authority subscribing thereto in such a manner as shall be determined by such sectoral joint committee as set out in the London Councils Governing Agreement.

22 DELEGATIONS OF FUNCTIONS

- 22.1 London Councils, its associated joint committees, sectoral joint committees, or sub-committee thereof may delegate to officers such of their functions as are permissible under statute and may, in relation to any of those functions, require that the exercise of those functions be subject to such conditions as London Councils deems fit to impose, including, where appropriate, prior consultation with the Leading Member on London Councils of each political party or group before taking such action.

23 SUPPLY OF INFORMATION TO MEMBERS

- 23.1 Members of London Councils, its associated joint committees, sectoral joint committees or sub-committee thereof and any Forums of London Councils, shall be entitled to receive from officers such information as they may require in order to enable them to carry out their duties as members of such committee or sub-committee.
- 23.2 In addition, the leading members on London Councils of each political party or group shall be entitled to receive briefings and briefing papers from officers on the same basis as the Chair.

24 MEETINGS WITH OUTSIDE BODIES

- 24.1 A representative of each political party or group shall be entitled to be notified of and to attend any meeting with an outside body at which a Member of London Councils is present and which has been arranged on behalf of London Councils. (This Standing Order shall not apply to those meetings convened by political advisers.)

25 SUB-COMMITTEES, FORUMS ETC OF LONDON COUNCILS

- 25.1 London Councils shall establish sub-committees to discharge the functions set out in Schedule 2 and such further sub-committees, forums and consultative groups as it considers appropriate.
- 25.2 All or any of the London Local Authorities wishing to delegate a function to London Councils or any sectoral joint committee may request London Councils' consent to the delegation of such function in accordance with the terms of this Agreement, such consent not to be unreasonably withheld or delayed.
- 25.3 The terms of reference of any consultative group of London Councils shall be subject to the approval of London Councils.
- 25.4 The Chair and Deputy Chair of London Councils shall be ex-officio members of every and any sub-committee but shall not be entitled to speak or vote at such meetings in that capacity.

26 ACCESS TO MEETINGS AND DOCUMENTS

- 26.1 Admission of members of the public to meetings of London Councils, any associated committee, sectoral joint committee any sub-committee thereof and any Forum and access to documents thereof shall be in accordance with the Access to Information legislation in force from time to time.
- 26.2 Applications to film or record meetings of London Councils are requested 48 hours before the meeting. Filming will be permitted in accordance with The Openness of Local Government Bodies Regulations 2014 and any relevant guidance issued by the government at the relevant time.

27 SUSPENSION AND AMENDMENT OF STANDING ORDERS

Suspension

- 27.1 Any of these Standing Orders except Standing Orders 13.7, 14.2 and 27.2 may be suspended at any meeting, in respect of any business on the agenda for such meeting, provided that the majority of the representatives of authorities in membership of London Councils or its associated who are present and entitled to vote so decide PROVIDED THAT any suspension hereunder complies with any legislation in force from time to time.

Variation and Revocation

- 27.2 Any addition to, or variation or revocation of these Standing Orders shall be by majority vote of those present and entitled to vote at any meeting of London Councils or its associated committees. Any motion to vary or revoke these Standing Orders shall require confirmation at the next ordinary meeting of London Councils or associated committee as the case may be before the proposed variation or revocation shall have effect PROVIDED THAT any addition, variation or revocation hereunder complies with any legislation in force from time to time.



Transport and Environment Committee AGM

Amendments to London Councils Financial Regulations

Report by: Richard Merrington **Job title:** Chief Accountant
Date: 8 June 2023
Contact Officer: David Sanni
Telephone: 020 7934 9704 **Email:** David.Sanni@londoncouncils.gov.uk

Summary This report recommends changes to the Financial Regulations in respect of changes to procurement thresholds and other arrangements detailed below.

Recommendations Transport and Environment Committee is asked to agree to the proposed changes to the Financial Regulations as detailed in the report.

Constitutional matters – Amendments to London Councils Financial Regulations

Introduction

The Financial Regulations for London Councils have been reviewed during the year and there are proposed changes as follows:

Financial Regulations – The Financial Regulations have been amended to reflect the current Public Contracts threshold for supply and service contracts of £177,898 (net) / £213,477 (gross).

Financial Regulations / Contents - The appendices listed in the contents of the regulations and referenced throughout will be listed in Section 27. The appendices will no longer form part of the full regulations, they are largely guidance notes and forms used to aid the day-to-day operations of London Councils.

Financial Regulation 8.11.4 – The regulation has been revised to remove the requirement to consult with members on the evaluation and acceptance of tenders above the Public Contract threshold but below £250,000. This change has been made to reduce the burden on members having to approve routine operational contracts.

Financial Regulation 8.11.5 – The regulation stating that *“for tenders of £250,000 and over London Councils’ Committee or any Sectoral joint or associated committee as appropriate shall be authorised to evaluate and accept a tender”* has been removed. The requirement for Member approval prior to an above £250,000 procurement exercise being undertaken remains in place. This change reflects that members agree the procurement decision at the start of the process and removes the requirement for members to provide a second approval when the exercise has been completed.

Financial Regulation 8.11.6 – The regulation has been amended to reflect that when a tender exceeds the approved estimate, financial regulations 4.1 (virements) and 9.3 (expenditure in excess of budget) shall apply.

Financial Regulation 8.13.4 – The regulation has been amended to set out extension arrangements on contracts which have been subject to a full tender process and are below the Public Contracts threshold.

Miscellaneous - Other non-material changes made throughout the regulations to ensure consistency of language.

Financial Implications for London Councils: These are outlined in the body of the report.

Legal Implications for London Councils: The changes to the Financial Regulations bring London Councils in line with current legislation.

Equalities Implications for London Councils: None arising from this report.

Recommendations

Transport and Environment Committee is asked to agree to the proposed changes to the Financial Regulations, as detailed.

Appendix: Amended Financial Regulation

Background Documents:

- Financial Regulations

The Financial Regulations can be viewed on London Councils website:

<https://www.londoncouncils.gov.uk/node/4818>

~~September 2020~~ June 2023

LONDON COUNCILS¹

SCHEDULE 7

FINANCIAL REGULATIONS

Key points/message

All ~~Corporate and Programme~~ Directors shall ensure that the Financial Regulations are strictly observed within their Directorates and Divisions and shall arrange for all necessary staff training.

Any employee who knowingly or by negligence breaches these regulations may be subject to disciplinary action.

¹ The term London Councils throughout this document refers only to Leaders' Committee,

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Appendices

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~~Format for Inventories~~

~~Stocktaking Guidelines~~

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~~Procurement Toolkit~~

~~Salaries and Expenses Policy and Procedures~~

~~New projects approval proforma, including externally funded projects~~

~~Hospitality Declaration~~

~~Purchase Order Register~~

~~Anti-Fraud, Bribery and Corruption Strategy~~

1 Definitions

- 1.1 The Chief Executive means the officer appointed pursuant to Clause 7.4 of the London Councils Agreement or, wherever appropriate, his/her nominated representative.
- 1.2 The Finance Officer² means the officer appointed pursuant to Clause 7.4 who shall be the "Responsible Financial Officer" as defined by Regulation 2(2) of the Accounts and Audit Regulations 1996.
- 1.3 The Organisation means London Councils, any Sectoral joint committees and any associated committees.

2 General

- 2.1 These financial regulations are designed to detail the responsibilities, procedures and working practices adopted under this Agreement and provide essential information in relation to day to day financial administration.
- 2.2 The Chief Executive and the Finance Officer have a responsibility to establish within the Organisation strong internal control procedures so that activities are conducted in an efficient, effective and well-ordered manner. Such procedures should facilitate the detection and prevention of fraud and/or corruption at an early stage (refer Anti Fraud, Bribery and Corruption Strategy - appendix 11).
- 2.3 The Finance Officer shall maintain a register in which officers shall enter each gift, favour, reward or hospitality offered by a person or organisation doing, or seeking to do business with the Organisation (refer Hospitality Declaration- appendix 9).
- 2.4 It is the responsibility of the Chief Executive to ensure that all staff are made aware of these regulations and to make suitable arrangements to ensure adherence. This does not remove the requirement for all staff to make themselves conversant with these regulations and comply with their requirements.
- 2.5 The Organisation shall not consider:-
 - 2.5.1 a new policy, including the management of all externally funded projects, nor
 - 2.5.2 a development or variation of existing policy, nor
 - 2.5.3 a variation in the means or time-scale of implementing existing policy which affects or may affect the Committee's finances, unless there is before it at the same time a full statement of the financial implications by the Finance Officer.
- 2.6 The Chief Executive shall consult the Finance Officer with respect to any matter within his/her purview, which is liable- materially to affect the finances of the Organisation before any commitment is incurred or before reporting thereon to any Committee.
- 2.7 Failure to observe these Financial Regulations may, at the discretion of the

² The title Finance Officer refers to the Director of Corporate Resources throughout this document and appendices

Finance Officer, be reported to the Audit Committee.

- 2.8 In relation to externally funded projects:
- 2.8.1 all requests for government or other grant support must be agreed with the ~~Director of Corporate Resources~~Finance Officer in advance of any submission to the funding body;
 - 2.8.2 if the estimated lifetime value a grant is equal or greater than £250,000 this must be the subject of a separate detailed report to London Councils Leaders' Committee or any Sectoral joint or associated committee as appropriate.
- 2.9 The ~~Director of Corporate Resources~~Finance Officer in consultation with the Chief Executive will be responsible for submission of all claims for grant to Government Departments and other outside bodies. All agreements for the receipt of grant by a Committee shall:-
- 2.9.1 be obtained in writing;
 - 2.9.2 state the amount and conditions relating to the receipt of grant;
 - 2.9.3 be referred to the ~~Director of Corporate Resources~~Finance Officer for his/her observations on financial implications prior to signing; and
 - 2.9.4 be reviewed for any legal implications, seeking legal advice as necessary.
- 2.10 The Finance Officer, in consultation with the Chief Executive, has the right to withdraw any Committee report where insufficient notice has been given to allow the provision of adequate financial comment.
- 2.11 The Finance Officer shall be consulted in any cases involving the interpretation of the Financial Regulations and his/her decision as to their meaning, scope and application shall be final providing such decision does not have the effect of altering the meaning of a Standing Order or other regulation or contract approved by a Committee.
- 2.12 The Finance Officer shall annually review the financial threshold figures stated in the Financial Regulations, making any necessary adjustments and ~~then~~ notify the Chief Executive accordingly. However, any proposed increases exceeding the appropriate rate of inflation shall first be referred to London Councils and the relevant Sectoral joint or Associated committee for their approval.
- 2.13 The Finance Officer shall review these Financial Regulations at least every two years in consultation with the Chief Executive and report to London Councils} and the relevant Sectoral joint or Associated committee recommending those changes he/she considers necessary.
- 2.14 A Lead Authority, in its capacity as administrator of an activity delegated by London Councils or a Sectoral joint or Associated committee, shall be deemed to have complied with these Financial Regulations so long as it is in compliance with the applicable Financial Regulations and Standing Orders of that Lead Authority.
- 2.15 Any of these financial regulations may be revoked, varied or suspended in

respect of all or any of the functions referred to in this Agreement by London Councils in accordance with Schedule 6.

3 Budgets

- 3.1 The Finance Officer shall prepare the estimates of revenue income and expenditure in consultation with the Chief Executive, who shall critically scrutinise the draft estimates before their submission to London Councils and any Sectoral joint or Associated committee.
- 3.2 The estimates shall show the latest approved estimates for the current year and the estimated expenditure and income for the ensuing three years. The Finance Officer and Chief Executive shall provide sufficient supporting information as required by London Councils, and any Sectoral joint or Associated committee in order for variations between budget headings to be analysed. The detailed form of the annual budget shall be determined by the Finance Officer and Chief Executive consistent with general directions of London Councils and any Sectoral joint or Associated committee.
- 3.3 The Finance Officer shall make appropriate detailed calculations for each budget head. A working paper showing the basis of each calculation shall be kept for six years or until the final accounts for the year in question have been approved by the external auditor.
- 3.4 Estimates of income and expenditure made in respect of the London Boroughs Grants Scheme (LBGS), shall be prepared in accordance with the timetable contained in the LBGS Regulations as amended by Schedule 4 as follows:
 - 3.4.1 The LBGS draft budget shall be submitted to London Councils and the London Boroughs Grant Committee not later than the end of November each year.
 - 3.4.2 London Councils shall approve the draft budget and the London Boroughs Grants Committee shall recommend to the applicable Constituent Councils an overall level of expenditure on an annual basis and this shall include the amounts to be collected from each Constituent Council as determined by the Regulations.
 - 3.4.3 At least two-thirds of the Constituent Councils must approve the recommended overall level of expenditure each year by not later than the third Friday in January as provided for in the Scheme Regulations.
 - 3.4.4 If at least two thirds of the Constituent Councils have not approved the recommended overall level of expenditure before the 1st February in the year in which that financial year begins, the Constituent Councils shall all be deemed to have given their approval for that financial year to total expenditure of an amount equal to the amount that was approved or as the case may be, deemed to have been approved, for the preceding financial year. Such approval shall be subject to any order which may be made by the Secretary of State under Section 48 (5) of the Local Government Act 1985 and will confer authority on the London Boroughs Grants Committee to incur such expenditure.

- 3.9 If it appears that an overspending is unavoidable, even after making use of the virement provisions, then the approval of London Councils and the relevant Sectoral joint or Associated committee must be sought before application of any supplementary estimate. Any proposal affecting the funds of -London Councils or any Sectoral joint or Associated committee shall -be submitted to such committee accompanied by a report of the Chief Executive -who shall consult the Finance Officer as necessary, indicating the sufficiency or otherwise of the estimate provision.
- 3.10 The conclusion of the Concessionary Fares contract shall be reported to the Transport and Environment Committee no later than the 31st of December each year.

4 Virements

- 4.1 Virement, or the temporary transfer of resources between budget heads, is allowed ————where any expenditure budget head will be overspent or income budget head will not be attained, by the end of the financial year, by offsetting the overspending or shortfall of income in respect of any function by the transfer from other budget heads for the same function which would have sufficient provision during the same financial year. Such virement is defined below.
- 4.1.1 The Finance Officer, in consultation with the Chief Executive, is authorised to approve virements up to a maximum of £50,000 in any one instance, provided the total virement to any one budget head in any one financial year does not exceed £50,000 or, either 50% of the receiving budget or, £1,000 if the receiving budget is less than £2,000. This applies to all budget heads.
- 4.1.2 For all such virements, these shall be reported to London Councils, -or any Sectoral joint committee or any Associated committee as appropriate, retrospectively on a quarterly basis.
- 4.1.3 All virements over £50,000 must be approved by London Councils, -or any Sectoral joint committee or any Associated committee, as appropriate.

5 Accounting and Document Retention

- 5.1 All accounts, financial records, including computerised records, and financial administration procedures shall be kept or undertaken in a form approved by the Finance Officer who shall also be responsible for keeping the principal accounting records. It is the responsibility of the Chief Executive to retain securely, and in an easily retrievable form, all other information relating to the Organisation's financial and operational activity in support of the accounting and final account process.
- 5.2 In the allocation of accounting duties, the following principles shall be observed:-
- 5.2.1 The duties of providing information regarding sums due to or from London Councils and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them;

- 5.2.2 Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any such transactions.
- 5.3 The Chief Executive shall make returns of outstanding expenditure, income and any other relevant information in the form and by the date specified by the Finance Officer for the reporting process detailed in Financial Regulation 9.6 and the closure of the annual accounts.
- 5.4 All computerised financial systems should be capable of producing relevant accounting analysis capable of transfer in a format, level of detail and manner approved by the Finance Officer. The information transfer should include specific types of transaction such as write offs. The Chief Executive shall consult with the Finance Officer before introducing, amending or discontinuing any record or procedure relating to financial transactions or accounting.
- 5.5 All accounting records shall be retained in safe custody for such a period as shall be determined by the Finance Officer and all ~~vouchers~~ records must be kept for a period of six years in line with HMRC guidance after the specified accounting period has elapsed. The ultimate disposal of financial records should be arranged by the Chief Executive as “confidential waste” and on no account should sensitive information be disposed of through the normal waste collection process. All such confidential waste disposal arrangements shall be subject to the prior approval of the Finance Officer.
- 5.6 The Finance Officer in consultation with the Chief Executive shall be responsible for the production and publication of the organisation’s final accounts in such a form and in accordance with such a timetable as to make them consistent with any relevant statute and the general directions of London Councils and any Sectoral joint or associated committee.
- 5.7 As soon as practicable after the end of each financial year and before the 30 June, the Finance Officer in consultation with the Chief Executive shall report provisional out-turn figures for income and expenditure to London Councils and any Sectoral joint or Associated committee, comparing these to the approved estimates. The Finance Officer shall present the Statement of Accounts for the year in question to London Council’s External Auditors as early as possible following the presentation of the provisional outturn figures to London Councils Executive.
- 5.8 The Finance Officer shall retain, in safe custody, copies of audited Statements of Accounts including the External Auditor’s opinion and annual report. The Finance Officer shall present the audited Statement of Accounts to London Councils Audit Committee for approval by 30 September. All significant issues raised by the External Auditor’s annual report on the accounts together with any accompanying management letter must be reported to London Councils Audit Committee, including- the issues that relate solely to the accounts of any Sectoral joint committee.

6 Imprest Accounts

- 6.1 The Finance Officer shall provide such imprest accounts as he/she considers appropriate after consultation with the Chief Executive.
- 6.2 The Finance Officer may arrange for bank accounts to be opened for use by holders of imprest accounts. Such bank accounts shall not be overdrawn, and it shall be a standing instruction to the bank concerned that any departure from this regulation is reported immediately to the Finance Officer.
- 6.3 The Chief Executive shall be responsible for the control and operation of the imprest account in accordance with instructions issued by the Finance Officer.
- 6.4 No sums received on behalf of London Councils may be paid into an imprest account, but shall be banked separately or paid to London Councils promptly as may be directed by the Finance Officer.
- 6.5 Payments from imprest accounts shall be limited to minor items, unobtainable through Creditors or Stores and ineligible for reimbursement through Payroll, the maximum value of which shall be £50 (inclusive of VAT), unless specific dispensation has been provided to the Chief Executive by the Finance Officer. All payments shall be supported by vouchers and all receipts where appropriate, relating to expenditure from an imprest must be attached to the relevant voucher.
- 6.6 To satisfy the requirements of external auditors, imprest holders shall provide the Finance Officer with certificates annually to certify the balance held. These certificates must be sent to Finance Officer promptly after the end of the appropriate financial year. (Blank certificates will be provided to the imprest holders for this purpose by the Finance Officer before the end of each financial year).
- 6.7 Claims for the reimbursement of imprest accounts should be made at regular monthly intervals, following a full reconciliation of the account and, in any event, frequently enough for the relevant bank account to remain in credit until the reimbursement is received. Imprest reimbursement forms are to be provided by the Finance Officer.
- 6.8 It shall be the duty of the Chief Executive to notify the Finance Officer sufficiently in advance of the impending resignation or departure of the imprest account holder. When an imprest account holder leaves the service of London Councils, he or she shall account to the Finance Officer for the amount advanced.
- 6.9 The general principle of imprest accounting is that at any time the cash balance, together with the aggregate value of any receipts on hand, unreimbursed claims and cheques not credited, should total the approved imprest account balance. At no stage should the cash balance be allowed to fall below zero. Income and change floats shall be kept separately from the imprest cash at all times, and shall not be used to fund cash expenditure.
- 6.10 If it becomes apparent that the current level of imprest is insufficient, the items on which the imprest is expended shall be reviewed. If it is clear that there is no

reasonable alternative to expenditure through the imprest, a formal request in writing to have it increased shall be made to the Finance Officer. Similarly, if it becomes apparent that exceptional circumstances mean a temporary increase/decrease is required then a formal request is to be submitted to the Finance Officer. Further, sub-floats must not be issued from an imprest without the prior approval of the Finance Officer.

- 6.11 No officer shall authorise his or her own claims from an imprest account. Claims are to be authorised by the Chief Executive. Certification by or on behalf of the Chief Executive shall be taken to mean that the certifying officer is satisfied that the expenses and allowances claimed are properly and necessarily incurred and are properly payable.
- 6.12 Expenditure which should form part of the payroll system, e.g. clothing, car allowances and home to work travel expenses, shall not be processed through imprest accounts.
- 6.13 All non-computerised records relating to imprest accounts should be maintained in ink.
- 6.14 The encashment of personal cheques and the advancing of loans from an imprest is strictly forbidden.
- 6.15 The only bank charges, which should be incurred in respect of imprest accounts operated via a bank account, are those in the normal course of operation of the account. As can be seen from Financial Regulation 6.2, bank charges in respect of overdrawn accounts should not be incurred. If they have been incurred, however, they should be debited to an appropriate expenditure code and reclaimed on the imprest reimbursement form.
- 6.16 All Departments holding petty cash should ensure that, at all times, cash is adequately secured. As a minimum this should be in a cash box within a lockable drawer. Amounts in excess of £50 should be kept overnight in a safe or lockable cupboard with very restricted access.
- 6.17 Whenever any matter arises which involves or may suggest irregularities affecting a petty cash imprest system, the Chief Executive shall notify the Finance Officer forthwith. This Regulation also applies in the event of any loss from the imprest account, identified during reconciliation.

7 Banking Arrangements

- 7.1 The Finance Officer will make arrangements with London Councils bankers for the operation of such accounts as he/she may consider necessary. No other bank accounts will be opened without the permission of the Finance Officer.
- 7.2 All bank accounts shall bear an official title and in no circumstances shall an account be opened in the name of an individual.
- 7.3 The Finance Officer will make appropriate arrangements with London Councils bankers concerning designated signatories of cheques, drafts, promissory notes, acceptances, negotiable instruments, orders and instructions.

- 7.4 The Finance Officer shall be responsible for arranging the temporary investment of monies not immediately required, and the ordering and issue of BACS payment, ~~cheques/giro cheques~~, direct debit and credit card facilities.
- 7.5 The Finance Officer will ensure that a register is maintained to record all stocks of cheques held by London Councils.
- 7.6 Stocks of cheques will be held by the Finance Officer in a safe covered by adequate insurance arrangements.
- 7.7 The Finance Officer is responsible for arranging the cancellation and subsequent replacement of specific cheques with London Councils's bankers. All requests in relation to cancellations must be channeled through the Finance Officer.
- 7.8 ~~Corporate and Programme Directors's~~ The Finance Officer s should ensure that all bank accounts ~~under the control of their Directorate or Division~~ are reconciled on a monthly basis and that end of the year accounts closure requirements are adhered to.
- 7.9 The Finance Officer shall arrange such safeguards as necessary and practicable, including the separation of staff duties as far as possible in respect of:-
 - 7.9.1 the checking of creditors accounts;
 - 7.9.2 the control of cheque forms;
 - 7.9.3 the preparation of cheques;
 - 7.9.4 the signature of cheques;
 - 7.9.5 the despatch of cheques;
 - 7.9.6 the entry of the cash accounts; and
 - 7.9.7 the reconciliation of bank accounts.

8 Contracts & Procurement

- 8.1 All contracts and procurement that exceed the current EU public contract threshold³ are regulated by ~~EU Procurement Directives, and~~ UK domestic legislation as defined in the Public Contracts Regulations (PCR) 2015. In addition, each and every contract shall also comply with these Financial Regulations. The ~~EU Public Contract regulations Regulations~~ and UK law take precedence over the Financial Regulations and no deviations or exceptions are permitted for contracts in excess of the threshold. Also, contracts with a full life value between £25,000 and the EU public contract threshold are governed under Part 4 of the PCR 2015.⁴
- 8.2 Contracts may be defined as being agreements for the supply of goods or materials, or the carrying out of works or services. Contracts are also deemed to include the engagement of professional consultants (excluding Counsel).

³ The current Threshold for public supply and service contracts is ~~€221,000 / £189,330~~ 177,898 (net) / £213,477 (gross), as of January ~~2018~~ 2022. This is reviewed every two years.

⁴ Chapter 8 Below Threshold Procurements The obligation to advertise on Contracts Finder - Regulation 110(1), **only applies where the authority has decided to advertise.**

- 8.3 It is a breach of the Financial Regulations to artificially divide contracts where the effect is to circumvent the regulations concerning the following financial threshold limits.
- 8.4 Financial Thresholds
- 8.4.1 The following minimum number of invitations to tender or quote shall apply, subject to EU-current procurement rules (including aggregation i.e. the full life value of the contract) and the exemptions, before any order for works, supplies or services is placed:

| Procurement Threshold | Procedure |
|---|--|
| (a) up to £10,000 | No formal tender process required. At least one written quotation obtained, duty to secure reasonable value for money |
| Where a decision has been made <u>NOT</u> to advertise | |
| (b) between £10,001 and £75,000 if not advertised | Request at least 3 written quotations or a mini-tender exercise must be carried out to establish value for money |
| Where a decision has been made to advertise | |
| (c) between £25,001 and <u>EU-public contract</u> limit (currently £189,330 <u>£177,898</u>) (€214,000 <u>€213,477 gross</u>) if advertised (NB: you MUST advertise above £75,001 | If the Opportunity is advertised, the use of the formal tender process is mandatory by tendering the opportunity on Contracts Finder and London Councils website. |
| (d) over <u>EU-public contract</u> limit (currently £189,330 <u>£177,898</u> (€214,000 <u>€213,477 gross</u>)) | The use of the formal <u>EU-e-tendering platform, Find a Tender (FTS)</u> , tender process is mandatory and subject to the <u>EU</u> -procurement rules. To note that additionally if the value of procurement is in excess of £250,000 then <u>the appropriate</u> Committee approval is required prior to formal tender process. |

- 8.5 Each proposed contract for works or services, with an estimated value equal or greater than £250,000 must be the subject of a separate detailed report to London Councils Leaders' Committee or any Sectoral joint or associated committee as appropriate, requesting approval to seek tenders for the recommended design solution. This report must state the size of any contingency provision to be included in the tender documents or estimated costs, as well as any prevalent risks to the organisation.
- 8.6 No contract shall be made, nor any tender invited, unless provision has been made in the annual budget for the proposed expenditure or that written confirmation has been received from the appropriate third party that external funding is available to fund the full contract and associated costs.
- 8.7 **Formal Tender Process**
- 8.7.1 Competitive tendering will be required where the **opportunity is advertised** and the estimated value of the contract is expected to exceed £25,000 which is split into two categories

8.7.2 Below Threshold (£25,000 to less than the EU-public contract limit ~~£189,330~~177,898 (£213,477 gross))

8.7.2.1 It is now a requirement that for any contracts estimated to be between £25,000 and the EU-public contract limit in force at the time (currently ~~£189,330~~177,898 (£213,477 gross)), if the contracting authority advertises it must do so via Contracts Finder.

8.7.3 Above ~~EU~~the public contract threshold (~~£189,330~~177,898 (£213,477 gross)) where a full EU-processes apply which includes advertising on the Find a Tender platform:

8.7.3.1 For above threshold tendering, the choice of procedure is detailed and regulated in the PCR (Chapter 2 Rules on Public Contracts), noting that when awarding public contracts, contracting authorities shall apply procedures that conform to the regulations.

8.7.4 Detailed guidance on procurement procedures is provided in the Procurement Toolkit (Appendix 6), reflecting the PCR and any specific guidance as the Minister for the Cabinet Office may issue.

8.8 Contract Advertising

8.8.1 Contracts above the EU-public contract financial thresholds prevailing at the time as set out in the Regulations should be advertised ~~in on~~ the Official Journal of the European Union (OJEU)Find a Tender platform and London Councils website.

8.8.2 For below ~~EU~~ threshold procurement i.e. between £25,000 and the EU public contract limit where a decision has been made to advertise the opportunity, the opportunity must be placed on Contracts Finder and London Councils website with no exceptions. (Ref PCR 2015, Chapter 8 paragraph 110)

8.8.3 8.8.4 After the expiration of the period specified in any notice, invitations to tender for the contract shall conform with Section 5 sub section 7 of the PCR, (paragraphs 65 and 66 refer).

8.9 Receipt of Tenders

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

8.9.2 ~~Electronic versions of the tender submission will be accepted.~~
Electronic tenders must be received by the deadline date and time, as detailed in the invitation to tender. Electronic tender submissions sent by e-mail should be sent to: tenders@londoncouncils.gov.uk, unless

~~alternative submission details are set out in the tender documentation. E-mailed tenders will not be accepted in isolation, if there is a requirement for hard copies.~~

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

8.10 Opening of Tenders

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

- 8.10.1 ~~For tenders valued at over £25,000 — in the presence of two officers appointed by the Chief Executive; The Director of Corporate Resources Finance Officer shall make suitable arrangements for the distribution of tenders to the appropriate officers.~~

8.11 Acceptance of Tenders and Quotations

- 8.11.1 Where the value is under £10,000, one of the designated authorised signatories (as outlined in Part C of Appendix 5) , shall be authorised to accept the quotation by signing off the purchase order to place the order with the supplier;

- 8.11.2 Where the value is between £10,001 and £75,000, one of the designated authorised signatories (as outlined in Part B of Appendix 5) shall be authorised to evaluate and accept the quotation- or tender by signing off the procurement approval form for submission to the ~~Director of Corporate Resources~~ Finance Officer for approval;

- 8.11.3 Where the value is between the £75,000 and the prevailing EU L public contract limit, ,one of the designated authorised signatories (as outlined in Part A of Appendix 5) shall be authorised to evaluate and accept the tender by signing the procurement approval form for submission to the ~~Director of Corporate Resources~~ Finance Officer for approval;

- 8.11.4 Where the tender is above the ~~EU T public contract~~ threshold ~~and below £249,999~~, the Chief Executive, the ~~Director of Corporate Resources~~ Finance Officer, or in their absence, one of the designated authorised signatories (as outlined in Part A of Appendix 5) ~~in consultation with the Chair(man), Deputy Chair(man) and one other Member of the appropriate committee~~ shall be authorised to evaluate and accept the tender;

- ~~8.11.5 For tenders of £250,000 and over London Councils Leaders' Committee or any Sectoral joint or associated committee as appropriate shall be authorised to evaluate and accept the tender;~~

- 8.11.6 ~~5~~ Where A-a tender which exceeds the approved estimate and a contract is shall be referred to the appropriate committee for consideration. Where the tender can be amended to fall within the approved budget by a minor adjustment to the approved works, goods or services and otherwise complies with these regulations, the Chief Executive , the Director of Corporate Resources, or in their absence, one of the designated authorised signatories (as outlined in Part A of Appendix 5) in consultation with the Chair(man), Deputy Chair(man)

~~and one other Member of the appropriate committee shall be authorised to approve the adjustment as provided for in 8.11.4 above~~
issued Financial Regulations 4.1 and 9.3 shall apply.

8.12 Contract Provisions and Payments

8.12.1 Every contract in writing (unless such contract is let by a Lead Authority in accordance with Schedule 8), shall be signed by the Chief Executive or the ~~Director of Corporate Resources~~Finance Officer, or in their absence, one of the designated authorised signatories (as outlined in Part A of Appendix 5).

8.12.2 Every contract in writing shall specify:-

8.12.2.1 the work, materials, matters, or things to be furnished, or done;

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

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

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

8.12.2.5 insurance, employers liability and professional indemnity;

8.12.2.6 the place or places for delivery of performance.

8.13 Contracts where tenders are not required.

8.13.1 Contracts or orders which exceed £10,000 and not exceeding £75,000 in value, **if not advertised**, require at least 3 written quotations from suitable suppliers before the contract order is placed

8.13.2 Quotations ~~may~~must be submitted ~~by post, by~~ e-mail.

8.13.3 If the full life value of a contract is below the £75,000 **and not advertised**, as per FR 8.13.1, it shall not be obligatory to invite formal tenders, ~~or obtain more than 1 quotation nor give public notice of the intention to enter into a contract~~ where:-

- 8.13.3.1 effective competition is prevented by Government control, or
- 8.13.3.2 the special nature of the work to be executed limits the number of contractors capable of undertaking the work to less than 3, or
- 8.13.3.3 the goods, services or materials to be purchased are only available from less than 3 suppliers, or
- 8.13.3.4 the work is a continuation of a previous contract or order, or
- 8.13.3.5 a corporately tendered and managed or framework

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

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

- 8.13.3.6 goods or services are of a proprietary manufacture, including sole distribution or fixed price, or the services to be provided are of a proprietary nature , or
- 8.13.3.7 any repairs or works to be executed or parts, goods or
- Materials to be supplied in connection with existing machinery, vehicles plant or equipment are of a proprietary nature and involve sole distribution or fixed price, or
- 8.13.3.8 urgent supplies necessary for the protection of life or property.

8.13.4 Contracts or orders above £10,000 that have been advertised in line with FR 8.7, can be extended up to the public contracts threshold where the criteria in FR 8.13.3 is applicable.

8.13.~~54~~——The Chief Executive shall maintain a record of those contracts let without competitive quotations as detailed in 8.13.3, detailing the reasons why these have not been obtained.

8.13.~~56~~——The EU regulations and PCR~~Public Contract Regulations~~ do not provide for any exemptions from the tendering process for contracts which exceed the EU public contract threshold.

8.14 **Withdrawal of Tender**

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

8.15 **Communications with Tenderers**

8.15.1 Accounting records for all contracts must be maintained as agreed by the ~~Director of Corporate Resource~~Finance Officers.

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

8.16 **Contract Variations**

8.16.1 Subject to the provisions of the contract, every variation shall be instructed in writing and signed by the designated officer prior to the commencement of work on the variation concerned or as soon as possible thereafter. Designated officers may authorise variations which

are essential for the completion of a contract, and minor variations of an optional nature, provided the cost remains within the approved estimate. Major variations to contracts shall require the approval of the appropriate committee.

8.17 Contract Payments

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

8.17.2 Where contracts valued in excess of £25,000 provide for payments to be made by instalments, all payments to contractors shall be made on a certificate issued and signed by London Councils designated officer. Contracts subject to payment via certificate will primarily relate to construction / building works, which will be for internal / external decorations of London Councils Leased premises.⁵ Those contracts not subject to the issue of certificates, may be paid on invoices and/or any means allowed by the Director of Corporate Resources Finance Officer.

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

8.17.4 The final certificate for the payment of any contract, where the final cost exceeds £25,000, shall not be issued until the Supervising Officer under the contract has produced to the Director of Corporate Resources Finance Officer a detailed statement of account with all relevant documents.⁶ Such papers shall be lodged with the Director of Corporate Resources Finance Officer two months prior to the due date of the final certificate or in exceptional circumstances a previously agreed period in order to allow a thorough review of their contents prior to the issue of the final certificate. In addition, all consultants' fee accounts that in total exceed £30,000 in value shall be forwarded to the Director of Corporate Resources Finance Officer for verification prior to the respective final payments being processed. A clause to this effect shall be inserted in the appropriate contract, bills of quantities, or specification.

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

⁵ Any contractors certificates issued, including claims for additional costs and the final account would be assessed by a Project Manager / Quantity Surveyor engaged for their expertise in managing building / construction contracts and then reported to the designated officer.

⁶ See footnote 3 above

8.18 Lead Borough Arrangements

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

8.19 Corrupt Practices

8.19.1 Every written contract shall include the following clauses:

The Service Provider must comply at all times with the provisions of the Bribery Act 2010, in particular Section 7 thereof in relation to the conduct of its employees, or persons associated with it.

The Service Provider warrants that, at all times, it has in place adequate procedures designed to prevent acts of bribery from being committed by its employees or persons associated with it, and must provide to London Councils at its request, within a reasonable time, proof of the existence and implementation of those procedures.

London Councils will be entitled by notice to the Service Provider to terminate the Service Provider's engagement under this or any other contract with the Service Provider if, in relation to this or any other such contract, the Service Provider or any person employed by it or acting on its behalf has committed an offence in relation to the Bribery Act 2010.

8.20 Claims from Contractors

8.20.1 Claims from contractors in respect of matters not clearly within the terms of any existing contract shall be referred by the Chief Executive to London Councils Legal Adviser for consideration of the Organisation's legal liability and, where necessary, to the ~~Director of Corporate Resources~~Finance Officer for financial consideration before a settlement is reached. No payment will be made to a contractor without the specific approval of London Councils.

8.21 Bonds and Other Security

8.21.1 Every contract that exceeds £150,000 in value or amount and is for the execution of works or for the supply of goods or materials otherwise than at one time, shall require the contractor to provide sufficient security for the due performance thereof, except where the appropriate service related Director and ~~Director of Corporate Resources~~Finance Officer consider this to be unnecessary.

8.22 Use of Consultants

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

9 Budgetary Control

9.1 Approval of a revenue expenditure budget by London Councils and the relevant Sectoral joint or associated committee shall confer the authority on the

Chief Executive to incur expenditure, except in the case of any item which the relevant committee wishes to have referred to it for further consideration.

- 9.2 No expenditure may be incurred unless a budget for that purpose has been approved.
- 9.3 Where the Chief Executive proposes to incur expenditure for which there is no budget head in the annual budget :-
 - 9.3.1 But the expenditure is unlikely to exceed £50,000 by the end of the financial year, the Chief Executive in consultation with the Finance Officer may make arrangements to incur the costs, which must be financed by the virement arrangements under paragraphs 4.1.1 and 4.1.2, and
 - 9.3.2 If the expenditure is likely to exceed £50,000 by the end of the financial year the Chief Executive shall seek approval from London Councils or the relevant Sectoral joint or associated committee, depending on which approved the expenditure. The financing of this expenditure must be determined in accordance with Financial Regulation 4.1.3.
- 9.4 The Chief Executive may only pay or make provision for payment in respect of goods received or services rendered within each financial year and for which budget provision has been made.
- 9.5 Where London Councils or the relevant Sectoral joint or associated committee has authorised a fund for a particular purpose, under or overspent balances may be carried forward to the following financial year on a one-off basis. All other balances in hand at the end of the financial year shall be reported to the Committee by the Finance Officer. London Councils or the Sectoral Joint Committee shall then determine the use of those balances.
- 9.6 In the light of actual expenditure on administrative costs during the financial year the Finance Officer in consultation with the Chief Executive shall present to London Councils or the relevant Sectoral joint or associated committee, reports showing projected out-turn figures for each budget heading approved by that Committee. This reporting process is to take place between each quarter after the start of that financial year.
- 9.7 During the financial year the Chief Executive, in consultation with the Finance Officer, shall present to each meeting of the Grants Committee, reports showing current levels of grant expenditure committed to date.
- 9.8 It is the duty of the Chief Executive to ensure that the budgets under his/her direct control are not overspent.
- 9.9 The Finance Officer shall ensure that there is a financial information system which provides periodic statements of receipts and payments under each head of approved budget and other relevant information, facilitating the reporting of such information to Committee.
- 9.10 Overall annual expenditure of the Grants Committee must be within the level approved by one of the following:-

- 9.10.1 At least two-thirds of the applicable Constituent Councils under Section 48(3) of the Local Government Act 1985; OR
- 9.10.2 Deemed by the Secretary of State further to Section 48 (4a) of the Local Government Act 1985; OR
- 9.10.3 Any order made by the Secretary of State under Section 48(5) of the Local Government Act 1985.

10 Audit

- 10.1 Responsibility for maintaining an adequate and effective system of internal audit rests with London Councils and any Sectoral joint or associated committee, but has been delegated to the Finance Officer who makes arrangements for the examination of all financial and related systems under this Agreement. All significant issues raised by the Finance Officer following this examination, must be reported to London Councils or the relevant Sectoral joint or associated committee. Similarly, the External Auditor's annual report on the accounts together with any accompanying management letter must also be reported to London Councils Audit Committee, as per financial regulation 5.8.
- 10.2 The Finance Officer shall, so far as he/she considers reasonable, arrange for the internal audit of the organisation's activities:-
 - 10.2.1 To review the soundness, adequacy and application of internal controls and, where necessary, make recommendations for the improvement of systems, controls and procedures that affect the finance or assets of the organisation;
 - 10.2.2 To assist in protecting the assets and interests of the organisation by carrying out a continuous examination of activities in order to detect or prevent fraud, misappropriation, irregular expenditure and losses due to waste, extravagance, inefficient administration and improper practices;
 - 10.2.3 To review resources used in pursuit of the organisation's agreed activities and, where necessary, make recommendations for the improvement of value for money; To review, appraise and report upon the reliability of financial and management data;
 - 10.2.4 To report to the Chief Executive on the result of any audit carried out within their unit and to make the necessary recommendations which need to be implemented to eradicate the identified weakness or weaknesses.
- 10.3 The Finance Officer, or any accredited representative shall have authority on production of identification to :-
 - 10.3.1 Enter at all reasonable times on any of the organisation's premises or land;
 - 10.3.2 Have access to all records, documents and correspondence relating to any financial and other transactions of the organisation;
 - 10.3.3 Require and receive such explanations as are necessary concerning any matter under examination; Require any persons holding or

controlling cash, stores or any other- property to produce such items;

10.3.4 Verify cash and bank balances for which persons are accountable to the organisation.

10.4 ~~Immediately~~ If an irregularity, or suspicion of an irregularity, arises affecting money or property or any other transaction or aspect of the organisation's business, the Chief Executive concerned shall immediately advise the Finance Officer. The Finance Officer shall investigate and report to the Chief Executive if he/she forms the view that disciplinary or criminal proceedings should be considered. If it is thought appropriate to involve the Police, the Finance Officer will first consult with the Chief Executive. Officers should not notify the police direct except in an emergency ~~in order to~~ prevent further loss, or where it is necessary for the police to examine an area before it is disturbed by staff or members of the public. Except in exceptionally clear cut cases, management should not attempt to interview staff suspected of perpetrating an irregularity as this may prejudice any subsequent police investigation or legal proceedings. Any individual officer with knowledge or suspicion of any losses or irregularities involving staff, cash, assets or other financial matters has the right to approach the Finance Officer directly should circumstances dictate that this is necessary. Detailed information on London Councils Anti Fraud, Bribery and Corruption policy can be found at appendix 11.

10.5 The Chief Executive shall be required to provide a written response to draft audit reports, final audit reports, and management letters within 28 calendar days of their issue. Extensions to this timescale shall be at the discretion of the Finance Officer.

10.6 Unless the Finance Officer specifically agrees otherwise, all receipt forms, order books, tickets, electronic financial records and other similar items shall be ordered and retained by the Finance Officer prior to their issue to the Chief Executive. Such controlled stationery items shall be supplied, on request only, to those officers who have been authorised to receive them by the Chief Executive. Every issue of any such document shall be acknowledged by the signature of the officer to whom the issue is made. The Chief Executive shall satisfy the Finance Officer as to the safe keeping and control of such documents.

11 Information Systems

11.1 The development of Information Technology Systems should conform to the overall strategy as set out and agreed by London Councils.

11.2 The Chief Executive shall be responsible for ensuring compliance with any Computer Security Guidelines promulgated by the Finance Officer.

11.3 Any development of new systems that involve a financial operation or produce output that may influence the allocation of resources must involve consultation with the Finance Officer regarding mutually acceptable minimum standards of control. The Chief Executive, in consultation with the Finance Officer shall be responsible for the control of the computer systems in the Organisation, and the security and privacy of data contained therein, in

accordance with data protection legislation such as the General Data Protection Regulation (~~Regulation (EU) 2016/679~~)(UK GDPR) and the Data Protection Act 2018. The Chief Executive shall also be responsible for ensuring appropriate controls in accessing those systems which they maintain.

- 11.4 The Chief Executive in consultation with the Finance Officer shall make sound arrangements to ensure the security and continuity of service in the event of a disaster.

12 Income

- 12.1 The systems effecting the collection of all money due to the organisation shall be approved by the Finance Officer. The collection of all money due to the organisation is under the overall supervision of the Finance Officer.
- 12.2 Revenues consisting of income arising from work done, goods supplied or services ~~rendered~~provided and not paid for at the time, must be the subject of accounts being rendered and the Chief Executive must facilitate the prompt issue and rendering of such accounts applicable to their unit. The Chief Executive shall therefore furnish the Finance Officer with details of projects, seminars, rents recoverable, work done, goods supplied, or services rendered and of all other amounts as may be required by him/her to record correctly all sums due to the organisation and to ensure the prompt rendering of accounts due for income.
- 12.3 The Chief Executive shall promptly notify the Finance Officer of all money due to the organisation and of contracts, leases and other agreements and arrangements entered into which involve the receipt of money by London Councils. The Finance Officer has the right to inspect any document or other evidence in this connection as he/she may decide is relevant.
- 12.4 The records kept by the ~~Organisation~~organisation ~~with regard to~~regarding items of income shall be in such form as may be agreed from time to time by the Finance Officer. Unless the Finance Officer specifically agrees otherwise, all receipt forms, tickets and other similar items shall be obtained in accordance with financial regulation 10.6. All new types of income due are to be notified to the Finance Officer.
- 12.5 The Finance Officer shall prescribe the accounting arrangements necessary to ensure that all monies due and received are banked promptly.
- 12.6 All debtors shall be invoiced within seven days of full details of the debt being ascertained.
- 12.7 Procedures for accepting cheques or credit card payments tendered in respect of the sale of goods, materials or services shall be agreed by the Finance Officer.
- 12.8 Every sum in cash received by an officer of the ~~Organisation~~organisation shall be immediately acknowledged by the issue of an official receipt, ticket or voucher except in cases where other arrangements have been approved by the Finance Officer.

- 12.9 All income, whether cheques, notes or coins received by an officer on behalf of the ~~o~~Organisation shall, without delay, be recorded and paid intact either directly to the Finance Officer, or into a designated bank account at regular intervals as directed by him/~~her~~, thereby ensuring the safe keeping of income. Every officer who banks money shall enter on the paying-in slip a reference to the related debt (such as the receipt number or the name of the debtor) or otherwise indicate the origin of the cheque; on the reverse of each cheque the officer shall enter the name of his or her unit.
- 12.10 Money held on behalf of the ~~Organisation-organisation~~ shall be kept separately from personal funds and shall not be used to cash personal cheques.
- 12.11 Every transfer of official money from one member of staff to another will be evidenced in the records of the unit concerned by the signature of the receiving officer.
- 12.12 The Finance Officer shall make safe and efficient arrangements for the recording of income received by direct debiting of debtors accounts.
- 12.13 Scales of charges for services, with any variations, shall be reviewed at regular intervals, together with any new charges, by the Finance Officer after consultation with the Chief Executive, prior to submission to London Councils or the relevant Sectoral joint or associated committee for approval.

13 Disposal of Assets

- 13.1 Sales of surplus equipment, plant and stores will be at market value.
- 13.2 The Chief Executive has authority to approve the disposal of all goods or equipment under his control which by reason of damage, wear or obsolescence, are no longer required, and the book value, or estimated value, does not exceed £5,000. The disposal of such goods or equipment valued above £5,000 but not exceeding £10,000 shall require the prior written approval of the Finance Officer. Disposal of such goods or equipment valued above £10,000 shall require the prior approval of London Councils or the relevant- Sectoral joint or associated committee.
- 13.3 Before disposal of any leased asset, the Chief Executive shall notify the Finance Officer in writing so that the terms of the lease may be examined and advice provided.
- 13.4 Salvageable items shall be sold in the best available market subject to the following:-
- 13.4.1 No single item with a book value, or estimated value, exceeding £500 shall be disposed of without quotations first being invited (unless disposed of by public auction, if appropriate).
- 13.4.2 No item will be disposed of to a member of staff without the direct approval in writing of the Finance Officer. Where approval is given, detailed documentation of the transaction shall be retained by the applicable ~~Corporate~~ Director.

- 13.5 Under the 1989 Local Government and Housing Act, capital receipts are defined as the income from the disposal of any interest in an asset if, at the time of disposal, expenditure on the acquisition of an asset would be expenditure for capital purposes. Where the anticipated capital receipt is £10,000 or less, ~~then~~ the arrangements for disposal shall be subject to the agreement of the Chief Executive, where a value exceeds £10,000 ~~then~~ the arrangements for such disposal shall be subject to the prior agreement of the Finance Officer.
- 13.6 The Chief Executive will be responsible for maintaining all records and documentation relating to any disposal.
- 13.7 All proceeds from the disposal of assets will be subject to the addition of Value Added Tax, except in respect of the disposal of property or certain transfers involving statutory undertakings. In respect of these exemptions advice should be sought from the Finance Officer before the conclusion of a transaction.
- 13.8 The Chief Executive will notify the Finance Officer of the disposal of any items which are specifically listed on the organisation's Insurance Policy.

14 Control of Assets

- 14.1 The Chief Executive is responsible for ensuring arrangements are in place to physically control all of the Organisation's assets for which her/his department has management responsibilities.
- 14.2 The Local Government and Housing Act 1989 requires adherence to the Accounting Codes of Practice approved by the Accounting Standards Board. One such Code of Practice concerns the subject of capital accounting and suggests the creation and maintenance of registers for all assets. The asset registers form the basis by which the Organisation meets the capital accounting requirements in the raising of capital charges for the use of assets such as buildings, land and vehicles.
- 14.3 The asset registers are required to itemise all assets which cost in excess of £1,000 while recording the date and cost of their acquisition.
- 14.4 The Chief Executive shall allocate responsibility for the maintenance of individual registers as appropriate.
- 14.5 The Chief Executive shall ensure that any information requested by the above registrars, for the purposes of maintaining the asset registers, is provided rapidly and freely. Any acquisitions or disposals of assets should be notified to the relevant registrar at the appropriate time.
- 14.6 The Chief Executive shall nominate one officer to be responsible for the safe custody of all deeds and lease agreements in respect of all properties owned or leased by the Organisation. This responsible officer shall :-

- 14.6.1 Make arrangements for such documents to be inspected when required;
and
- 14.6.2 Provide copies of any relevant documents on request.
- 14.7 Inventories of all furniture, fittings, equipment, plant, and machinery shall be maintained by the Chief Executive. Items that are being rented or leased on a long term basis, or such that the responsibilities of stewardship lie with the Organisation, should also be included in the inventory. Generally, items with a life-span longer than one year should be included, unless they are already recorded on a formal stock record system
- 14.8 The inventory should be in the form of a permanent document. It is important to ensure that the inventory is complete and that all parts of it are kept together. The inventory can be in any media. A suggested format of an inventory is provided at appendix 3.
- 14.9 The inventory should provide the following information for each item:
 - 14.9.1 Location, but if the item is moved between locations, note the general area. (A separate record of location may well be necessary);
 - 14.9.2 Full description;
 - 14.9.3 Serial and Code numbers, if relevant;
 - 14.9.4 Date of purchase and cost of acquisition;
 - 14.9.5 Estimated current replacement value (for insurance purposes), which should be reviewed annually; and
 - 14.9.6 Date of disposal and the proceeds.
- 14.10 The total of all the estimated current replacement values should be shown, so that the information is readily available for insurance purposes.
- 14.11 Where practical, the inventory should be updated each time there is an acquisition or disposal. This will produce a more accurate record than if all the amendments are done at the end of the year.
- 14.12 The Chief Executive is responsible for ensuring that an annual check is carried out, in March, of all items on the inventory and for taking action in relation to surpluses and deficiencies. The date of the check and the name(s) of the officer(s) carrying it out should be recorded. When carrying out this check, the current inventory should be used as a starting point. The procedure should be that each location is checked in a methodical manner.
- 14.13 If any discrepancies are found when checking the inventory, these should be followed up until reasons have been found. If it is not possible to find reasons and the amount involved is significant (e.g. more than £100 in value), the Finance Officer should be informed. If the result of these findings is that an item has to be removed from the inventory, then the appropriate authorisation for such write-off should be sought in accordance with Financial Regulation 15.1.
- 14.14 It is important that at least one copy of the inventory is held separately from the assets that it lists, so that if a disaster occurs to the Organisation or its buildings, then all information is protected for insurance purposes, in the event that items need replacement. For information relating to inventories that are kept electronically should be subject to secure back up procedures on computer disk,

~~back-up copies should be kept in a fire proof cabinet in a separate location to the computer.~~

- 14.15 For the purposes of capital accounting, the Finance Officer may require all registrars and inventory holders to provide asset registers and inventories reflecting assets held as at the 31st March of each year.

15 Write Offs

- 15.1 No debt, asset, or benefit due to London Councils, including Liquidated Damages, shall be written off without first obtaining the approval of the Finance Officer. The Chief Executive shall submit a list of such items to be written off, together with details of the reasons. ~~The w~~Writing off ~~of~~ any such item valued in excess of £1,000 must also be subject to the prior approval of London Councils or the relevant Sectoral joint or associated committee. Any report seeking such approval must detail the actions taken to recover these debts, assets or benefits.
- 15.2 The Chief Executive shall maintain a file for each debt to be written-off, containing relevant documentation to support the validity of the write-off. The file should also identify whether appropriate actions have been taken to recover or mitigate the loss.

16 Orders for Work, Goods and Services

- 16.1 No officer shall commit the organisation to expenditure in excess of any approved estimate without first seeking the appropriate approval. This Financial Regulation may be waived in cases of emergencies where delays in obtaining approval for excess expenditure would cause loss to London Councils or endanger public health and safety. In such cases the approval for such expenditure must be sought as soon as possible after the event concerned.
- 16.2 Official ~~or~~ purchase orders, including those within a computerised ordering system, shall be in a form approved by the Finance Officer and are only to be authorised by the Chief Executive or his/her nominee. These authorised officers shall then be responsible for the issue of official orders. The names of the authorised officers shall be sent to the Finance Officer together with specimen signatures. Changes shall be notified to the Finance Officer as they occur. Additional guidance on the completion of purchase orders can be found at appendix 10.
- 16.3 In cases where goods, materials, works or services are required urgently and where delay would cause either loss to the organisation or endanger public health or safety then the requisite orders may be placed verbally. However, such verbal orders must be followed by an official written order within two working days and marked "Confirmation Order".
- 16.4 Official orders shall be issued for all work, goods or services to be supplied to the organisation except for public utility services, petty cash purchases or other exceptions approved by the Finance Officer and copies, or full details, of each

order shall be retained in the unit where issue has taken place.

- 16.5 No order should be issued unpriced. In those circumstances where a definite price cannot be ascertained at the time of issue, then the order concerned must either be endorsed "price not to exceed" and a value given, or ~~its copy~~ endorsed with an estimated figure.
- 16.6 When an order is amended or varied, a note of the amendment or variation shall be made on the copy order, together with a reference to the authority for such amendment or variation which shall be confirmed in writing or by email to the supplier.
- 16.7 Care shall be taken in the signing of goods received notes, where parcels etc. are unable to be inspected. In such cases the signature should be accompanied by the comment "not inspected" to safeguard the organisation against unseen breakages or shortages at the time of delivery.
- 16.8 The return of all goods to suppliers shall be authorised by the Chief Executive or his or her authorised representative. In each instance officers are only to release such goods when they are certain that the return has been properly authorised, satisfied that the collection company has been previously notified to them, and that they are in receipt of appropriate return note documentation.

17 Payments

- 17.1 Apart from petty cash and other payments from the imprest account (see Financial Regulation 6) and payments by corporate charge cards (see Financial Regulation 26), the normal method of payment shall be by ~~cheque~~ BACS bank transfers or other instrument drawn on the bank account operated for the Organisation by the Finance Officer.
- 17.2 The Finance Officer has authority to pay all amounts to which the Organisation is legally committed, after authorisation by the Chief Executive or nominated officer.
- 17.3 The Chief Executive having issued an order is responsible for examining, verifying and authorising the related invoice. It shall be the duty of the Chief Executive to ensure that all goods, materials and services received are as ordered in respect of price, quantity and quality.
- 17.4 Before certifying an account, the authorising officer shall, save to the extent that the Finance Officer may otherwise determine, be satisfied that:-
 - 17.4.1 The works, goods or services to which the account relates have been received, examined, approved, are fit for purpose and, where appropriate, comply with pre-determined standards. This includes all grant payments for commissioned services;
 - 17.4.2 The expenditure is within an approved estimate, or is covered by special financial provision authorised by London Councils or the relevant committee;
 - 17.4.3 The proper entries have been made in the asset registers, inventories,

or store records where appropriate;

17.4.4 The price charged is correct and any trade discounts receivable have been deducted;

17.4.5 The invoice or payment certificate is arithmetically correct both in the extensions and the total and that the allowances, credits and tax are correct;

~~17.4.6 Any copy orders are duly endorsed as paid and brief details of the payment are marked thereon;~~

17.4.76 The invoice or payment certificate has not previously been passed for payment and is a proper liability of the Organisation;

17.4.87 The appropriate expenditure code numbers are ~~entered on the provided along with the~~ document for payment ~~and that no payment is made on duplicate or photocopy invoices unless the Chief Executive certifies in writing that the amounts have not been previously passed for payment;~~

17.4.98 In the case of charges for utilities including gas, electricity and water, any standing charges are correct, and that consumption is charged on the most advantageous tariff and is otherwise reasonable;

17.4.10-9 In the case of grants payments for commissioned services, reference must be made to the monthly status reports received by the appropriate Directorate management team which considers the progress of each commission against a 'red', 'amber' or 'green' marking in measuring:

- Contract performance (delivery against target outcomes);
- Quality (provider self-assessment and client satisfaction); and
- Contract compliance (timeliness and accuracy of claims and reporting responsiveness and the proactive management of risk); and

17.4.1110 Where the analysis of the data highlighted in clause 17.4.10-9 above results in a specific report being made against a commission to the effect that the commission is considered to be a risk, no further payments should be made to the commission until the appropriate Directorate management team considers further evidence to satisfy itself that the commission no longer represents a risk.

17.5 Any amendment required of a VAT invoice shall be effected through the application of a credit note from the applicable Creditor. Any amendment to a non VAT invoice shall be ~~made in permanent ink and~~ initialed by the officer making it, stating briefly the reasons where they are not self-evident.

17.6 The Finance Officer and the Chief Executive shall, between them, arrange a suitable division of staff duties within the Organisation so that the officer who authorises the invoice as correct shall not be the person who either placed the order, or has certified the receipt of the goods or completion of the work concerned.

17.7 An invoice for goods supplied to the Organisation shall not be prepared by an

officer of London Councils, but by the creditor. In certain circumstances invoices for services rendered to London Councils may be prepared, but always in a form approved by the Finance Officer, and the officer preparing the invoice must not authorise it for payment.

- 17.8 As soon as possible after the 31st March, all outstanding expenditure relating to the previous financial year shall be identified by the Finance Officer.

18 Salaries, Wages and Pensions

- 18.1 The payment of all salaries, wages, pensions, compensation and other emoluments to all employees and pensioners of the Organisation shall be made by the Finance Officer or under arrangements approved by him.
- 18.2 The Chief Executive or his authorised representatives, shall notify the Finance Officer as soon as possible, and in the prescribed form, of all matters affecting the payment of such emoluments, and in particular;-
- 18.2.1 Appointments, resignations, dismissals, suspensions, secondments, transfers and deaths, and for pensions, changes in marital status and deaths;
 - 18.2.2 Absences from duty for sickness or other reason, apart from approved leave;
 - 18.2.3 Changes in remuneration, and pay awards and agreements of general application;
 - 18.2.4 Information necessary to maintain records of service for superannuation, national insurance, income tax, etc.
- 18.3 All pay documents and time records shall be in a form approved by the Finance Officer and shall either be certified ~~in manuscript~~ by or on behalf of the Chief Executive, or in such form as the Finance Officer may direct. The names of the officers authorised to sign or approve such records shall be sent to the Finance Officer together with specimen signatures. Changes shall be notified to the Finance Officer as they occur.
- 18.4 All payments to individuals who are considered to be self employed, in respect of services provided to the Organisation, shall be processed through the Payroll System unless the status of the individual has been confirmed as self employed in accordance with the latest HMRC Guidelines.
- 18.5 All pay documents shall be submitted to the Finance Officer in accordance with the timetables and deadlines determined by the Finance Officer, as detailed in Appendix 7.

19 Security

- 19.1 The Chief Executive shall be responsible for introducing and maintaining adequate arrangements for all aspects of security throughout the Organisation including personnel, buildings, land, stores, equipment, cash, computers, records, and confidential information. The Finance Officer's advice should be sought upon the adequacy of arrangements relating to cash, stores and valuable and attractive items of equipment as well as in those instances where security is thought to be defective. Maximum limits for cash

holdings shall be agreed with the Finance Officer and shall not be exceeded without his/her express permission.

- 19.2 Keys to safes and similar receptacles are to be the responsibility of designated officers and are to be kept secure at all times. Loss of any such keys must be reported to the Finance Officer forthwith. Duplicate keys to all safes are to be held in a place approved by the Finance Officer and locked away for use in the case of emergency only.
- 19.3 The Finance Officer shall be responsible for ensuring that secure arrangements are made for the preparation and holding of pre-printed pre-signed cheques, stock certificates, bonds and other financial documents.
- 19.4 Whenever breaking and entering, burglary or criminal damage occurs the matter must be reported immediately by the Chief Executive to the Finance Officer in accordance with Financial Regulation 10.4.
- 19.5 The Chief Executive shall designate one officer as having responsibility for the co-ordination of computer data security issues. This designated officer shall agree with the Chief Executive the degree of privacy of the information put into computer systems used by the Organisation. The designated officer shall then be responsible for its intended use in the computer installation and for the ability of designed controls to comply with data protection legislation such as the General Data Protection Regulation (~~Regulation (EU) 2016/679~~) (UK GDPR) and the Data Protection Act 2018, as applicable.
- 19.6 To comply fully with the requirements of data protection legislation including the General Data Protection Regulation (~~Regulation (EU) 2016/679~~) (UK GDPR) and the Data Protection Act 2018., the Chief Executive shall be responsible for maintaining proper security and the appropriate degree of privacy of information held within the Organisation either electronically or in other formats e.g. microfiche, paper output etc. All staff are responsible for ensuring that their use of personal data is consistent with the Organisation's registrations under the Act.
- 19.7 The Chief Executive should ensure that all staff who use information technology adhere to any guidelines on data security issued from time to time by the designated officer. All new employees should be briefed as to the security policies and procedures applicable, including the implications of relevant legislation.
- 19.8 In order to comply with the requirements of the 1988 Copyright, Design and Patents Act, the Chief Executive shall ensure that all staff only use software that is properly licensed.
- 19.9 The 1990 Computer Misuse Act introduced powers to prosecute those who deliberately and without authorisation misuse computer systems belonging to their employers. The Chief Executive should ensure that staff within the Organisation are aware of this legislation and ensure that their use of computers is for authorised purposes only and that no action, such as the running of unauthorised programs or games, corrupts data or introduces a virus to the system.
- 19.10 The Chief Executive should ensure that all staff are aware that information

concerning secret and confidential matters, particularly those involving cash or cash deliveries, must not be disclosed in any way except to persons entitled to receive such information.

20 Stocks and Stores

- 20.1 The Chief Executive shall be responsible for the proper custody of stocks and stores held by the Organisation and shall see that all stocks and stores under his/her supervision are subject to an effective system of stock recording and control as well as stocktaking.
- 20.2 It is the duty of the Chief Executive to maintain a continuous stock-check of all stocks and stores held by the Organisation.
- 20.3 Stocks and stores must not be held in excess of what is considered by the Organisation to constitute normal requirements.
- 20.4 All goods received should be checked against quantity/ quality at the time of delivery. Delivery notes should be retained with the original order and invoice and signed by the officer accepting receipt of the goods.
- 20.5 The Chief Executive should ensure that a count and valuation of all stocks and stores held in the Organisation is carried out on a date to be stipulated by the Finance Officer each year. In this respect, reference should be made to the stocktaking guidelines contained at appendix 4. The Finance Officer, however, may dispense with this requirement in cases where the total value of the items held in a store is considered to be too small to justify such activities.

21 Travelling and Subsistence Claims

- 21.1 Claims for travelling, subsistence and minor expenses other than those reimbursed via the imprest accounts, are to be reimbursed via the payroll system. Each claim shall be promptly submitted to the Finance Officer for payment and shall be presented on an approved form clearly detailing the expenditure incurred, supported by receipts where applicable, dated, coded, signed by the claimant and counter-signed by the appropriate authorising officer. Claims with a total value of less than £50 (inclusive of VAT) may be met from an imprest account.
- 21.2 Every officer who receives a ~~car loan or~~ car allowance, whether casual or essential, must produce to the Chief Executive the registration document of the car, a valid and adequate certificate of insurance and an assurance to take all reasonable steps to maintain the car in an efficient and roadworthy condition. This is to take place on a yearly basis, but the Chief Executive shall be promptly informed of any subsequent changes to the above details.
- 21.3 All car allowances are to be paid through the payroll system.
- 21.4 The Chief Executive shall supply the Finance Officer with specimen signatures of all persons in the Organisation who are authorised to certify travelling and subsistence claims and the Finance Officer shall be notified of any changes as they occur.
- 21.5 The certification by or on behalf of the Chief Executive shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the

expenses properly and necessarily incurred and all the requirements of the appropriate approved scheme have been observed.

22 Insurance

- 22.1 The Finance Officer in consultation with the Chief Executive shall ensure that adequate insurance cover is maintained for all the Organisation's assets. The Finance Officer shall also ensure that suitable cover exists to meet any losses or claims which may arise in connection with the provision of the Organisation's services, or from its legal liabilities as an employer, or to third parties.
- 22.2 The Finance Officer shall negotiate annually renewal terms for all the Organisation's insurances at least every five years and the Chief Executive shall provide such information as is necessary to facilitate these negotiations.
- 22.3 The Finance Officer will advise the Chief Executive on all necessary arrangements and information required in respect of insurance cover for the acquisition of property or goods which may necessitate notice to the organisation's insurers.
- 22.4 The Chief Executive shall give prompt notification to the Finance Officer of all new insurable risks and shall provide the Finance Officer with a copy of any indemnity which the Organisation is expected to give. The Chief Executive shall not enter into any such indemnity unless the terms thereof have been approved by the Finance Officer.
- 22.5 The Chief Executive shall notify promptly the Finance Officer of anything likely to give rise to a claim and shall provide such information as is necessary to negotiate claims. Where appropriate, and not in conflict with Financial Regulation 10.4, the Chief Executive in consultation with the Finance Officer should inform the Police.
- 22.6 The Finance Officer may establish such funds as are necessary to meet the uninsured losses of London Councils. Where such losses relate to a Sectoral joint committee then the prior agreement of the appropriate Sectoral joint committee must be obtained. In all other instances the prior agreement of London Councils is to be obtained. Such funds will be operated in accordance with a scheme drawn up by the Finance Officer.
- 22.7 The Finance Officer shall maintain a register of all insurances and the property or risks covered. The Finance Officer shall be notified immediately that any valuables belonging to a private individual are taken into the Organisation's possession so that directions may be given as to their recording and safe keeping. For the purposes of this Financial Regulation the term "valuables" shall include watches, jewelry, cash, documents, goods, chattels or any other items of intrinsic value. This Financial Regulation does not apply to "lost property" of a low value.
- 22.8 Prompt notification shall be given to the Finance Officer following any alteration to the Organisation's insurance status resulting from the award or completion of any contract.

23 Treasury Management and Investments

- 23.1 London Councils has adopted the “Code of Practice for Treasury Management in Local Authorities” as published by the Chartered Institute of Public Finance and Accountancy (CIPFA). This will include its reporting requirements. The CIPFA Code defines “Treasury Management” as “The management of all money and capital market transactions in connection with cash and funding resources of the local authority”. Unless decided otherwise by London Councils, this does not include management of Pension Fund money.
- 23.2 The Finance Officer shall be responsible for all borrowing and investment of London Councils, subject to the approval of London Councils or the relevant Sectoral joint committee.
- 23.3 In order to minimise the extent of temporarily surplus funds the Finance Officer shall make such arrangements (including direct payment by the Participating Councils in the TEC Agreement to the Operators) as are reasonable and practical to match the timing of those Councils’ contributions to the Concessionary Fares scheme with payments due to the various Transport Operators
- 23.4 All investments shall be made by the Finance Officer on behalf of London Councils and shall be noted as being for the purposes of the relevant Committee.
- 23.5 All executive decisions on borrowing, investment or financing shall be delegated to the Finance Officer or through him/her to his/her staff, who shall be required to act in accordance with CIPFA's "Code of Practice for Treasury Management in Local Authorities".
- 23.6 Income received from investments shall be reported annually to London Councils and any Sectoral joint or associated committee by the Finance Officer, as part of the close down of accounts procedure. The Finance Officer shall submit reports on policy, sales and purchases for consideration by London Councils to at least four meetings each year.
- 23.7 The investment of funds included within Pension Funds may be carried out by one or more firms of Fund Managers with the concurrence of London Councils.

24 Unofficial Funds

- 24.1 An “unofficial fund” is any fund where the income and expenditure does not form part of the Organisation’s accounts, but which is controlled wholly or in part by an officer on behalf of London Councils.
- 24.2 The Finance Officer shall be informed of the existence of all unofficial funds, and will issue and update accounting instructions for them where necessary.

25 Taxation Requirements

- 25.1 The Finance Officer has overall responsibility for dealing with all statutory requirements concerning the collection, payment and accounting for Value

Added Tax (VAT), Pay As You Earn (PAYE) and Construction Industry Scheme (CIS).

- 25.2 The Finance Officer will from time to time issue to the Chief Executive guidance and advice on VAT, PAYE and CIS arrangements arising from such issues as changes in legislation. It is the responsibility of the Chief Executive to make arrangements in the Organisation to ensure that the advised regulations and procedures are implemented.
- 25.3 The Chief Executive must ensure that procedures are in place in the Organisation to provide evidence that all VAT, PAYE and CIS transactions are supported by the correct documentation.
- 25.4 The Chief Executive will consult with the Finance Officer with regard to any issue on VAT, PAYE and CIS that requires advice or clarification.

26 Corporate Charge Card

- 26.1 The Finance Officer will nominate holders of corporate charge cards to facilitate the payment of online, advance or emergency purchases.
- 26.2 The Finance Officer will be responsible for setting the transaction limits on the corporate charge ~~cards~~cards, which should be taken into account when raising orders for goods or services to be purchased using ~~corporate charge~~the cards. An official purchase order must be prepared and authorised in accordance with Financial Regulation 16 prior to the procurement of goods or services using the charge card.
- 26.3 Corporate charge cards should only be used on official business and not for personal use.
- 26.4 Corporate charge cards must not be used to withdraw cash.
- 26.5 Corporate charge cards must be stored in a safe place when not in use.
- 26.7 Card holders must retain invoices, vouchers, receipts, online booking documents or other supporting documentation. Card holders must reconcile their card statements to the supporting documentation and submit it to their line manager for review and approval each month.
- 26.8 The Finance Officer will carry out such inquiries and checks on the corporate charge card reconciliations submitted, as he deems necessary. In the event of misuse or failure to follow established procedures, the card may be revoked or other appropriate disciplinary action taken.
- 26.9 Where any fraudulent misuse of the card is identified it should be investigated in accordance with London Councils' Anti-Fraud, Bribery and Corruption Strategy (see Appendix 11).

27 Appendices

27.1 Attached to this document are 11 appendices which do not form part of the official Financial Regulations but are guidance notes and forms to staff of London Councils and are referred to throughout this document. These appendices are subject to separate review by the Finance Officer.

27.2 The appendices are listed below:

Appendix 1 - Virement Authorisation Proforma;

Appendix 2 - Retention of Documents;

Appendix 3 - Format for Inventories;

Appendix 4 - Stocktaking Guidelines;

Appendix 5 - Authorised Signatories;

Appendix 6 - Procurement Toolkit;

Appendix 7 - Salaries and Expenses Policy and Procedures;

Appendix 8 - New projects approval proforma, including externally funded projects;

Appendix 9 - Hospitality Declaration;

Appendix 10 - Purchase Order Register

Appendix 11 - Anti Fraud, Bribery and Corruption Strategy

London Councils Transport and Environment Committee

ETA Adjudicator Reappointment

Item No:
11

Report by: Anthony Chan **Job title:** Interim Chief Adjudicator

Date: 8 June 2023

Contact Officer: Anthony Chan

Telephone: 020 7520 7200 **Email:** Anthony.chan@londontribunals.gov.uk

Summary:

This report proposes the reappointment of one environment and traffic adjudicators and the appointment of three environment and traffic adjudicators under the terms of the Traffic Management Act 2004.

Recommendations: Members are asked:

1. That the following serving adjudicator is re-appointed for a period of five years from 25 September 2023:

Greenslade, Henry Michael

2. That the following adjudicators are appointed for a period of five years from 8 June 2023:

Hoare, Martin
Coombe, Joanne
Richardson, James

Background

1. Under Section 81 of the Traffic Management Act 2004 and the accompanying regulations, adjudicators are appointed for a term not exceeding five years, remaining eligible for reappointment on expiry of that term. Adjudicators may be removed from office only for misconduct or on the ground that they are unable or unfit to discharge their function, but otherwise hold and vacate office in accordance with the terms of employment.
2. Michael Greenslade's current appointment expires on 25 September 2023. There are no reasons to prevent his re-appointment.
3. Martin Hoare, James Richardson and Joanne Coombe are presently adjudicators at the Traffic Penalty Tribunal. Joanne is also a Road User Charging adjudicator. They have asked to be appointed as Environment and Traffic adjudicators. Their appointment will help encourage a consistency of approach between the two Tribunals. It will also offset the appointment last year of several Environment and Traffic Adjudicators to the Traffic Penalty Tribunal.
4. The regulations provide that the relevant enforcement authorities shall upon such number of adjudicators for the purpose of the 2004 Act on such terms as they may decide. Any decision by the authorities not to re-appoint shall not have effect without the consent of the Lord Chancellor or the Lord Chief Justice.
5. Under the terms and conditions of appointment issued by the committee. There are five grounds for non-renewal:
 - i. Misconduct.
 - ii. Being unable or unfit to discharge, the function of indicators.
 - iii. Persistent failure to comply with the sitting commitment without good reasons.
 - iv. Failure to comply with training requirements.
 - v. Part of a reduction in numbers because of changes in operational requirements.

A decision not to renew on the fifth ground and the extent to which it will be used is taken after consultation with the chief adjudicator, with the concurrence of the Lord Chief Justice.

Financial Implications for London Councils

There are no financial implications for London councils directly from this report.

Legal Implications for London Councils

There are no legal implications for London councils.

Equalities Implications for London Councils

There are no equalities implications from this report.

Recommendations

Members are asked:

1. That the following serving adjudicator is re-appointed for a period of five years from 25 September 2023:

Greenslade, Henry Michael

2. That the following adjudicators are appointed for a period of five years from 8 June 2023:

Hoare, Martin

Coombe, Joanne

Richardson, James

Background Papers

- N/A

London Councils' Transport & Environment Committee

Flooding Levy for Thames RFCC region

Item
No: 12

Report by: Claire Bell

Job title: Area Flood and Coastal Risk
Manager for London,
Environment Agency

Date: 8 June 2023

**Contact
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Summary: This paper presents the justification and rationale on behalf of Thames Regional Flood and Coastal Committee (RFCC) for an increase in locally raised levy (1.99 per cent) to invest in flood risk management schemes across the Thames catchment.

Increasing challenges in costs, resources and skills mean that levy is vital to ensure schemes are being delivered to reduce the risk of flooding and the impacts of a changing climate.

The increase in levy funding for boroughs is between £417 and £7,204 at 1.99 per cent.

Recommendations: Members are asked to:

- Note the report;
- Provide a steer to the TEC members who sit on the Thames RFCC regarding a levy increase of 1.99 per cent for 2024/25.

Introduction

1. As reported to TEC in [June last year](#), Thames RFCC adopted a new 25-year strategy, agreed new levy funding principles and agreed, in principle, to a longer-term levy agreement of an annual 1.99 per cent increase for 6 years from April 2022.
2. This paper provides the business case for the longer term levy agreement and the annual 1.99 per cent increase for 2024/25; and covers challenges for the programme in rising costs and how levy can ensure projects remain on the programme despite volatile markets.
3. Members are asked to provide a steer to the TEC members who sit on the Thames RFCC regarding the continued levy increase of 1.99 per cent for 2024/25 which will be discussed and decided at the October 2023 Thames RFCC meeting.

Strategic Overview

4. The infographic below gives an overview of the situation in the Thames RFCC Area, highlighting the problems faced due to climate change and the increasing pace of development in London and the greater South East area.
5. The Thames RFCC Strategy sits alongside the Local Flood Risk Management Plans. Its purpose is to set out the ambitions that the Thames RFCC membership has for the delivery of its funding programme. It enables the RFCC to deliver a bespoke approach to the investment in flood risk measures aligning with national policies, but also giving it the flexibility to go above and beyond this and the statutory elements of the local strategies.

Thames RFCC Overview



Catchment Partnerships Map



1. Oxfordshire, Swindon, Wiltshire, Gloucestershire, Warwickshire, Northamptonshire.
2. Central Bedfordshire, Buckinghamshire, Slough, Luton.
3. Hertfordshire.

4. Essex and Thurrock.
5. Lee Valley.
6. North West London.
7. Central North London.
8. Central South London.
9. South West London.

10. South East London
11. Surrey.
12. West Berkshire, Reading, Wokingham, Bracknell Forest, Windsor and Maidenhead, Hampshire, West Sussex
13. North East London

Climate Change Projections (UKCP18)



By 2070s in England:

- Summer rainfall ↓ 41-57%, less frequent – but with higher intensity
- Winter rainfall ↑ 22-33%
- Summer temperature ↑ 3.3-5.8°C

Thames Estuary 2100

- Relative mean sea level rise for London is projected to be a 1.15 m increase between 1990 and 2100 (Environment Agency upper end allowance)

Catchment Overview



Population of 14.8 million.
17 catchments



16,190 km² river basin and 6,360 km of river



265,000 properties are at high/medium risk from surface water and groundwater flooding



160,166 properties with high/moderate risk from rivers and/or sea flooding.

2021-27 FCRM funding (indicative)



£485m GiA (Grant in Aid)
£118M Levy
30,730 properties At reduced risk



70,000 people are at high risk from river and/or sea flooding



Data Correct as of April 2021¹

¹<https://www.metoffice.gov.uk/research/approach/collaboration/ukcp/index>
<https://www.planningresource.co.uk/article/1692395/implications-proposed-new-standard-housing-need-method>

Longer term levy agreement and business case for the 1.99 per cent increase for 2024/2025

6. Section 17 of the Flood and Water Management Act 2010 (“the 2010 Act”) allows the Environment Agency (EA) to issue levies to the Lead Local Flood Authorities (LLFAs) as defined in section 6 of that Act to pay for flood and coastal erosion risk management.
7. Funding through the levy allows the RFCC to support local priority and innovative projects that may not otherwise have been able to be developed or may not qualify for central government funding.

Grant in Aid funding

8. RMAs must submit their projects to the EA for inclusion in their programme of schemes. Flood and coastal erosion risk management (FCERM) projects and strategies must have technical and financial approval from EA before RMAs can claim and spend FCERM Grant in Aid (GiA).

How the money is used

9. Levy money is used to attract other forms of funding in addition to GiA in the form of partnership funding, from other stakeholders such as businesses and water companies. As GiA funding can only be sourced through the EA, levy money invested in flood measures has considerable leverage associated with it and can deliver considerably more on a pound for pound basis than other conventional forms of funding such as through a direct investment by a Local Authority for example.
10. In this 6-year programme we are seeing significant changes to how levy is being used. We now have a lot more GiA available but the rules on its use remain quite rigid. Costs have been increasing due to high inflation and a move towards net zero and low carbon construction methods. These impacts on cost have led to more late project requests for additional levy funding to keep projects going and reduce wasted costs if projects are delayed. Levy has become very important in ensuring continuity of the programme and avoiding wasted cost.
11. London has done well in the past and in the period from 2015-2021, attracted over £1.65m more in levy money than the LLFAs in the rest of the Thames RFCC area.

Value for money

12. The way that levy money is utilised means that it can realise a greater outturn than the headline figures associated with it. By leveraging investment from other sources, the outturn arising from the levy is considerably greater than the headline amount invested. If sufficient additional funding to enable full project backing can be found, the initial levy

amount can be recycled and invested in further projects, resulting in the programme outturn being greater than the programme value. However, without that initial levy investment, or under-writing of projects with levy funds, these additional funds would not be made available.

13. Although the benefits to wildlife and the community as a whole can be difficult to monetise, there is good evidence of the benefits of green spaces on physical and mental health. There is much evidence showing that upfront investment provides much better value for money than cleaning up after a flooding incident, which not only includes clean-up costs but has devastating effects on people affected.
14. The multi-year agreement is important for underpinning confidence in the delivery of the 6 year programme. It allows Thames RFCC to over-programme with more confidence, which is one of the key lessons learnt from the previous 6 year programme. It also provides additional benefits when GiA is underspent as it provides a level of certainty which can enable investment in a number of key areas of the Thames RFCC Strategy.

Finances

15. Thames RFCC's capital programme of work over the remainder of the 6-year spending period 2023/24 to 2026/27 is £60m in Levy to support £388m in Grant in Aid (GiA).
16. Thames RFCC's levy income and contributions to the capital programme of work over the remainder of the 6-year spending period 2023/24 to 2026/27 are shown in table 1. The levy balance at the end of the 2022/23 is £26.7m and at the end of 6-year programme in 2026/27 is £18.3m with the 1.99 per cent annual increase.

Table 1 – Levy income and Commitments 2023/2024 to 2026/2027

| All figures £m | 2022/23 | 2023/24 | 2024/25 | 2025/26 | 2026/27 | Total |
|---|-------------|-------------|-------------|-------------|-------------|-------|
| Forecast Levy income (1.99 per cent increase) | | 12.5 | 12.8 | 13.0 | 13.3 | 51.6 |
| Predicted levy use | | 14.3 | 18.3 | 13.7 | 13.7 | 60 |
| Balances | 26.7 | 24.9 | 19.4 | 18.7 | 18.3 | |

17. Other levy commitments over the same period but not allocated in any one specific year are in table 2.

Table 2 – Other Levy Commitments 2023/2024 to 2026/2027

| | £m |
|------------------------------|-------------|
| Natural Flood Management | 1.5 |
| Sustainable Drainage Systems | 2.8 |
| River Thames Scheme | 7.6 |
| Total | 11.9 |

18. The levy balance at the end of the 6 year spending period 2023/24 to 2026/27 is currently £6.4m including the 1.99 per cent annual increase. This balance will help to ensure that future projects are funded to get onto the programme and be eligible for GiA funding.
19. The certainty of levy funding has allowed the Thames RFCC to commit £15.7m beyond the end of the 6 year programme from 2026/27 onwards illustrated in table 3. This enables preparatory work to be carried out and will increase the likelihood of project progressing through the various funding stages.

Table 3 – Other Levy Commitments from 2026/2027 onwards

| | £m |
|--------------|-------------|
| 2027/28 | 11.0 |
| 2028/29 | 4.7 |
| Total | 15.7 |

20. The programme is ‘refreshed’ annually to take account of any changes to the programme (e.g. as a result of any project accelerations or delays, or where schemes are determined to be unviable) and to add new schemes into the programme. The levy allocation will change as the programme evolves.
21. The advantages of keeping a consistent 1.99 per cent annual increase are maintaining the stability of the programme. If the annual percentage levy increase is reduced, then future years’ levy increases would have to be significantly higher, with other RFCC’s finding they have needed 10 per cent increases for several years, to bring the programme back to where it would have been. The consistent 1.99 per cent makes managing the levy easier for all parties, gives LLFA’s clarity on the ask, and ensures that there is flexibility in the programme to bring projects forward, and add new projects if required.

Wider benefits

22. The programme has realised several wider benefits to the environment and communities through its investment programme. Further uplift in the levy will enable this trend to be increased by growing the amount that can be invested in identifying projects that have the potential to benefit the community through biodiversity and wildlife, leisure, and also transport related initiatives.
23. This aspect of delivering flood projects has become of increasing importance due to the COVID pandemic and the recovery from this. Communities have a heightened awareness of, and a need for access to green spaces, so NFM and SuDS projects will come more and more to the fore in the next spending round.
24. Following significant surface water flooding in July 2021, a London Surface Water Strategic Group has been set up, with representatives from all organisations who are involved in London surface water management. Currently the group is procuring consultants to develop a strategy and implementation plan for surface water, and to recruit an independent chair for the group. Two other full-time staff have also been

appointed. Thames RFCC have allocated £650k of levy funding for the 3 posts and a £100k levy contribution towards the consultants. Transport for London, Greater London Authority and Thames Water have also contributed funding for this work.

25. Appendix 4 gives further examples of projects that have been delivered using levy and GiA and partnership funding.

Stability of the programme

26. Levy investment enables the programme's spending profile to be stable but flexible and can be used to 'smooth' the profile of schemes when GiA may not be available. This means that schemes can continue to progress rather than stopping and then re-starting schemes, which would incur additional costs. This is now particularly important with inflation and increasing costs of staff and resources.
27. The profile of the next spending round shows that the remainder of the 6-year levy programme will reflect the overall GiA allocation and movement of schemes behind that. In the indicative allocation returns, the levy allocation to schemes in year 3 remains stable.
28. Our Local choices have further re-profiled the levy use bringing back levy into year 4 when some scheme construction starts but GiA isn't available to keep schemes progressing in the programme.
29. In October 2021 it was agreed in principle to a longer term agreement for the 6 year programme of 1.99 per cent per year, however this still requires a vote to approve each year.

Why We Think the Annual Uplift is Needed

30. Flood risk management faces several challenges in the future, arising from climate change, development pressures and other external factors, that are placing additional pressures on funding over time. The pressures of Brexit, rapid rise in inflation, and commitments to net zero mean that costs are rising rapidly throughout the lifetime of a project and often it is through levy funding that we can ensure stability in the programme despite numerous challenges.
31. In addition to this there are a number of positive moves to address flood management needs arising from increasing funding from other sources that have not been available in the previous funding round.
32. These include the potential for investment from other government departments, business investments particularly considering green finance options, and from changes to land management and agricultural policies that could release other sources of partnership or collaborative funding options.

Impact of Raising the Levy and Comparison with other RFCCs

33. The overall projected contribution per London Borough including uplift is shown in Appendix 1. In terms of the overall contribution the uplift varies from £7,204 per annum for Barnet and £417 per annum for the City of London, with London Boroughs typically paying an extra £4,319 per annum (see Appendix 2).
34. In comparison to the other RFCCs, the proposed uplift of 1.99 per cent is consistent with the approach taken across the other English RFCC Areas. Of the RFCCs that have proposed an adopted figure, all are between 1 and 5 per cent per annum (see Appendix 3).

Gaps in the programme that could be addressed

35. Increasing the levy will allow increased investment in the programme and help to identify opportunities to fill any gaps that may be perceived in the programme, such as any areas or communities that are vulnerable that haven't yet benefitted from levy funding. Additional funding would also help to address issues of 'balance' within the programme in terms of the type of projects funded.
36. Additional funding would also provide the opportunity for more studies to identify gaps in the programme and identify communities that may benefit from increased investment.

Additional pressures on the programme

Climate change

37. The effects of climate change are already being felt, with more extreme weather events becoming more common, and the severity of events such as high rainfall events increasing.
38. One of the effects that is being observed due to climate change is the increased need for maintenance to existing assets, the committee may in future decide to increase the funding allocated for this.

Development pressures

39. There are considerable pressures in the Thames Area due to the scale of development that is planned. The London Plan includes targets for the building of 63,000 homes per year for the next 10 years. Projections for the Thames Area as a whole indicate that around 120,000 homes per year will be built in the Thames area as a whole. This scale and pace of development will create challenges but also increasing opportunities to ensure that wider benefits are realised from developments in the Thames Area

Market Pressures

40. The last four years has seen some of the biggest challenges to the economy in decades. The rapid rise in inflation over the past 18 months, with costs across all goods, commodities and energy increasing at unprecedented levels, has had a major impact upon project delivery. This follows immediately on from the COVID 19 Pandemic, which caused significant disruption to procurement, staffing, supply chains, as well as cost increases which were also being felt following the aftermath of Brexit.
41. LLFA resourcing also remains one of the biggest issues, particularly for smaller teams who do not have enough officers to allocate to projects and have many competing priorities. There is a skills shortage as LLFA officers are required to be an expert in many fields. Some lack experience or expertise in flood risk and project specific areas such as modelling, especially where their role covers other non-flood requirements. In these cases, consultants are often used, though a degree of project management is still required and consultants are also now struggling to recruit experienced staff.
42. Demand for other statutory work has a great effect on some LLFAs abilities to progress projects, particularly where several large developments are occurring, with planning applications having risen sharply during the pandemic, putting pressure on LLFAs. Also the demand for other non-statutory work and engagement has an impact. The implementation of Schedule 3 of the Flood and Water Management Act may also place further demands on LLFAs.
43. Tender processes take considerable time, and some authorities have been unable to access EA frameworks or find that the companies within are too large and expensive for smaller scale surface water schemes.

Conclusions

The importance of a multi-year agreement

44. A multi-year agreement is important for underpinning confidence in the delivery of the 6-year programme. It provides a level of certainty and facilitates investment in a number of areas that are part of the Thames RFCC Strategy. These include NFM projects and SuDS projects, which are of increasing importance, given the surface water flooding issues London is facing.
45. Certainty of levy funding also allows Thames RFCC to over-programme with more confidence, one of the key lessons learnt from the previous 6-year programme.

Is 1.99 per cent an appropriate amount?

46. Setting the level of uplift at 1.99 per cent provides a good balance between increasing the ability to 'do more' versus the need to manage the financial demands placed upon the Local Authorities. At this level the value of the levy can be maintained in real terms, while optimising the amount of GiA that can be obtained.

47. This level of increase is also consistent with the approach taken by most of the RFCCs in England and in-line with previous increases in recent years.

48. The increase in the levy payments of 1.99 per cent for the remaining 6 years would be desirable for the RFCC and RMAs; it would enable the committee and RMAs to benefit from the lessons learnt from the previous 6 year programme, including the need to ensure early and continuous planning and identification of risks and opportunities by maintaining its level in real terms. It would act substantially as a hedge against inflation and other cost related pressures and may also help to enable other smaller and non-traditional projects to progress.

Recommendations:

Members are asked to:

- Note the report;
- Provide a steer to the TEC members who sit on the Thames RFCC regarding a levy increase of 1.99 per cent for 2024/25.

Financial Implications

There are no financial implications for London Councils arising from this report. If the Thames RFCC does vote for a levy increase, then all London Boroughs will need to budget for this increase in April 2024.

Legal Implications

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

Equalities Implications

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

Appendix 1 London Boroughs Projected Levy Contributions 2024-27 Including 1.99 per cent Uplift

| | Council Tax base | FD levy per band D property | 2023/24 | 2024/25 | 2025/26 | 2026/27 | 2027/28 | 2027/28 |
|------------------------------|-----------------------------|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| LB of Barking & Dagenham | 53327 | £2.36 | £126,115 | £128,625 | £131,184 | £133,795 | £136,457 | £139,173 |
| LB of Barnet | 153073 | £2.36 | £362,010 | £369,215 | £376,562 | £384,056 | £391,698 | £399,493 |
| LB of Bexley | 35030 | £2.36 | £82,844 | £84,493 | £86,175 | £87,889 | £89,638 | £91,422 |
| LB of Brent | 104317 | £2.36 | £246,704 | £251,614 | £256,621 | £261,728 | £266,937 | £272,249 |
| LB of Bromley | 100437 | £2.36 | £237,528 | £242,256 | £247,077 | £251,993 | £257,008 | £262,123 |
| LB Of Camden | 92555 | £2.36 | £218,888 | £223,244 | £227,687 | £232,218 | £236,839 | £241,552 |
| LB of Croydon | 137231 | £2.36 | £324,544 | £331,003 | £337,590 | £344,308 | £351,160 | £358,148 |
| LB of Ealing | 121613 | £2.36 | £287,608 | £293,332 | £299,170 | £305,123 | £311,195 | £317,388 |
| LB of Enfield | 96794 | £2.36 | £228,913 | £233,469 | £238,115 | £242,853 | £247,686 | £252,615 |
| LB of Greenwich | 76715 | £2.36 | £181,428 | £185,039 | £188,721 | £192,477 | £196,307 | £200,214 |
| LB of Hackney | 77109 | £2.36 | £182,358 | £185,988 | £189,689 | £193,464 | £197,314 | £201,240 |
| LB of Hammersmith & Fulham | 83936 | £2.36 | £198,504 | £202,455 | £206,484 | £210,593 | £214,784 | £219,058 |
| LB of Haringey | 79718 | £2.36 | £188,529 | £192,281 | £196,107 | £200,010 | £203,990 | £208,050 |
| LB of Harrow | 89085 | £2.36 | £210,681 | £214,874 | £219,150 | £223,512 | £227,959 | £232,496 |
| LB of Havering | 83781 | £2.36 | £198,138 | £202,081 | £206,103 | £210,204 | £214,387 | £218,653 |
| LB of Hillingdon | 103625 | £2.36 | £245,068 | £249,945 | £254,919 | £259,992 | £265,166 | £270,443 |
| LB of Hounslow | 89309 | £2.36 | £211,210 | £215,414 | £219,701 | £224,073 | £228,532 | £233,079 |
| LB of Islington | 81882 | £2.36 | £193,647 | £197,501 | £201,431 | £205,440 | £209,528 | £213,698 |
| RB of Kensington and Chelsea | 97732 | £2.36 | £231,131 | £235,731 | £240,422 | £245,207 | £250,086 | £255,063 |
| RB of Kingston upon Thames | 64569 | £2.36 | £152,702 | £155,741 | £158,840 | £162,001 | £165,225 | £168,513 |
| LB of Lambeth | 112731 | £2.36 | £266,603 | £271,909 | £277,320 | £282,839 | £288,467 | £294,208 |
| LB of Lewisham | 88849 | £2.36 | £210,122 | £214,304 | £218,569 | £222,918 | £227,354 | £231,879 |
| LB of Merton | 77694 | £2.36 | £183,743 | £187,400 | £191,129 | £194,933 | £198,812 | £202,768 |
| LB of Newham | 85787 | £2.36 | £202,882 | £206,920 | £211,038 | £215,238 | £219,521 | £223,889 |
| LB of Redbridge | 90472 | £2.36 | £213,962 | £218,220 | £222,563 | £226,991 | £231,509 | £236,116 |
| LB of Richmond upon Thames | 89289 | £2.36 | £211,164 | £215,367 | £219,652 | £224,023 | £228,481 | £233,028 |
| LB of Southwark | 109174 | £2.36 | £258,191 | £263,329 | £268,570 | £273,914 | £279,365 | £284,925 |
| LB of Sutton | 73960 | £2.36 | £174,911 | £178,392 | £181,942 | £185,563 | £189,256 | £193,022 |
| LB of Tower Hamlets | 112950 | £2.36 | £267,121 | £272,437 | £277,859 | £283,388 | £289,028 | £294,779 |
| LB of Waltham Forest | 80121 | £2.36 | £189,482 | £193,253 | £197,099 | £201,021 | £205,021 | £209,101 |
| LB of Wandsworth | 141015 | £2.36 | £333,493 | £340,130 | £346,899 | £353,802 | £360,843 | £368,024 |
| Westminster City Council | 135955 | £2.36 | £321,528 | £327,927 | £334,453 | £341,108 | £347,896 | £354,819 |
| City of London | 8863 | £2.36 | £20,960 | £21,378 | £21,803 | £22,237 | £22,679 | £23,131 |
| London Total | 3,028,698 | | £7,162,730 | £7,305,268 | £7,450,643 | £7,598,911 | £7,750,129 | £7,904,356 |

Flooding Levy for Thames RFCC Region

London Councils' TEC 8 June 2023

Appendix 2 – London Borough Levy Increases Per Annum at 1.99 per cent Uplift

| Status | 2023/24 Levy | Increase in Levy at 1.99 per cent per annum | | | 27/28 |
|---|--------------|---|---------|---------|------------|
| | | 24/25 | 25/26 | 26/27 | |
| London Borough of Barking & Dagenham | £126,115 | £2,510 | £5,069 | £7,680 | £10,395.39 |
| London Borough of Barnet | £362,011 | £7,204 | £14,551 | £22,045 | £29,839.76 |
| London Borough of Bexley | £82,845 | £1,649 | £3,330 | £5,045 | £6,828.70 |
| London Borough of Brent | £246,705 | £4,909 | £9,917 | £15,023 | £20,335.35 |
| London Borough of Bromley | £237,529 | £4,727 | £9,548 | £14,465 | £19,579.00 |
| London Borough Of Camden | £218,888 | £4,356 | £8,798 | £13,329 | £18,042.49 |
| London Borough of Croydon | £324,545 | £6,458 | £13,045 | £19,763 | £26,751.53 |
| London Borough of Ealing | £287,609 | £5,723 | £11,561 | £17,514 | £23,706.98 |
| London Borough of Enfield | £228,913 | £4,555 | £9,201 | £13,940 | £18,868.84 |
| London Borough of Greenwich | £181,429 | £3,610 | £7,293 | £11,048 | £14,954.76 |
| London Borough of Hackney | £182,359 | £3,629 | £7,330 | £11,105 | £15,031.45 |
| London Borough of Hammersmith & Fulham | £198,505 | £3,950 | £7,979 | £12,088 | £16,362.32 |
| London Borough of Haringey | £188,529 | £3,752 | £7,578 | £11,481 | £15,540.07 |
| London Borough of Harrow | £210,682 | £4,193 | £8,469 | £12,830 | £17,366.06 |
| London Borough of Havering | £198,138 | £3,943 | £7,964 | £12,066 | £16,332.11 |
| London Borough of Hillingdon | £245,068 | £4,877 | £9,851 | £14,924 | £20,200.46 |
| London Borough of Hounslow | £211,211 | £4,203 | £8,490 | £12,862 | £17,409.65 |
| London Borough of Islington | £193,648 | £3,854 | £7,784 | £11,792 | £15,961.96 |
| The Royal Borough of Kensington and Chelsea | £231,132 | £4,600 | £9,291 | £14,075 | £19,051.69 |
| The Royal Borough of Kingston upon Thames | £152,702 | £3,039 | £6,138 | £9,299 | £12,586.92 |
| London Borough of Lambeth | £266,604 | £5,305 | £10,716 | £16,235 | £21,975.56 |
| London Borough of Lewisham | £210,123 | £4,181 | £8,446 | £12,796 | £17,319.96 |
| London Borough of Merton | £183,743 | £3,656 | £7,386 | £11,189 | £15,145.58 |
| London Borough of Newham | £202,883 | £4,037 | £8,155 | £12,355 | £16,723.21 |
| London Borough of Redbridge | £213,962 | £4,258 | £8,600 | £13,029 | £17,636.44 |
| London Borough of Richmond upon Thames | £211,164 | £4,202 | £8,488 | £12,859 | £17,405.83 |
| London Borough of Southwark | £258,191 | £5,138 | £10,378 | £15,723 | £21,282.17 |
| London Borough of Sutton | £174,911 | £3,481 | £7,031 | £10,651 | £14,417.58 |
| London Borough of Tower Hamlets | £267,122 | £5,316 | £10,737 | £16,267 | £22,018.26 |
| London Borough of Waltham Forest | £189,482 | £3,771 | £7,616 | £11,539 | £15,618.63 |
| London Borough of Wandsworth | £333,494 | £6,637 | £13,405 | £20,308 | £27,489.19 |
| Westminster City Council | £321,528 | £6,398 | £12,924 | £19,580 | £26,502.90 |
| City of London | £20,960 | £417 | £843 | £1,276 | £1,727.73 |

| | | | | | |
|---------------------|-------------------|----------|----------|----------|-------------|
| London Total | £7,162,730 | £142,538 | £287,913 | £436,181 | £590,408.51 |
|---------------------|-------------------|----------|----------|----------|-------------|

Appendix 3: Comparison of RFCC Levy Increases – Proposed and Approved

| RFCC | Proposed 2023/24 Local Levy increases (%) | Previous % increases | | | | | |
|------------------------|---|----------------------|---------|---------|---------|---------|---------|
| | | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
| Anglian Great Ouse | 3% approved | 1.5% | 2% | 5% | 2.5% | 1.5% | 2% |
| Anglian Eastern | 1% approved | 5% | 4% | 3% | 3% | 2% | 3% |
| Anglian Northern | TBC | 0% | 1% | 0% | 1% | 1% | 2% |
| English Severn and Wye | TBC | 2% | 2% | 2% | 2% | 2% | 2% |
| North West | TBC | 2% | 2% | 2% | 2% | 2% | 2.5% |
| Northumbria | 5% approved | 2% | 2% | 2% | 2% | 2% | 2% |
| South West | TBC | 10% | 10% | 10% | 2% | 2% | 1% |
| Southern | 3% approved | 2% | 5% | 5% | 5% | 2% | 2% |
| Thames | 1.99% approved | 1.99% | 1.99% | 1.99% | 1.99% | 1.99% | 1.99% |
| Trent | 2% approved | 1.99% | 2% | 2% | 2% | 2% | 2% |
| Wessex | 2% approved | 2% | 2% | 2% | 3% | 2% | 2% |
| Yorkshire | 3% approved | 7% | 2.50% | 2.50% | 2.50% | 2% | 4% |

(Source: Environment Agency)

Appendix 4:

The projects outlined below are two examples of projects successfully delivered during the last 6 year programme in London using a combination of funding streams including partnership funding, GiA and levy funding as well as an example of an on-going project that has recently had business case approval.

Camden

Camden secured funding to install our first highway-based sustainable drainage system as part of the London Strategic SuDS Pilot Study. The soil-infiltration rain gardens are due to be installed in Camley Street during 2018-19, removing around 1,500 m² of surface water run-off and contributing to a study quantifying the benefits of SuDS.

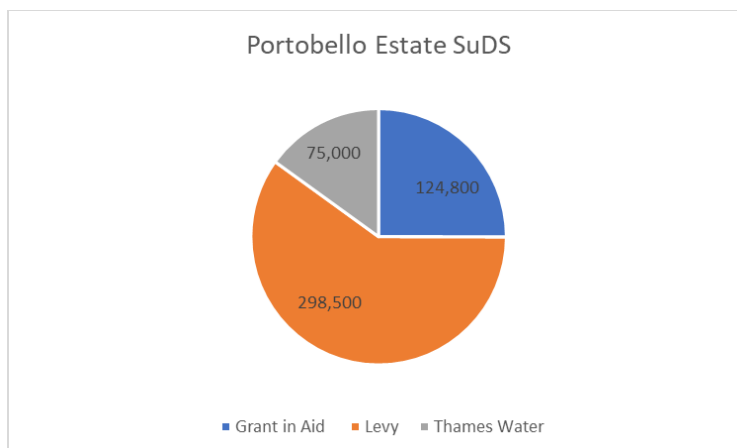
Camley Street, Camden



Kensington and Chelsea Portobello Estate SuDS

The Kensington and Chelsea Portobello Estate SuDS project seeks to reduce surface water runoff by retaining it on site through several SuDS measures including rain planters, swales, detention basins, rain gardens, and sub-base replacement system. Reducing runoff to wider neighbouring area which is located within the Holland Park Critical Drainage Area (CDA), it will move 11 residential properties from very significant risk band to lower ones. This has recently had business case approval and will move to construction later this year.

Portobello Estate funding streams



Portobello Estate images and plan



The Thames Flood advisors

The Thames Flood Advisors team was created and funded by the Thames RFCC using levy. The team support Local Authorities to develop and deliver flood risk schemes and they aim to upskill Local Authorities as they do so. The team are also delivering a community engagement workstream to share best practice in community engagement. Over the last programme, the team supported approximately 100 projects at different stages of their development and delivered more than 15 different training sessions for Local Authorities.

The team are currently providing ongoing support to 30 projects across the catchment, 20 located in London and deal primarily with surface and groundwater risk. Once delivered, the London projects are aiming to reduce flood risk to over 750 properties as well as delivering other benefits, such as educational features, amenity space and biodiversity improvements.

Natural Flood Management

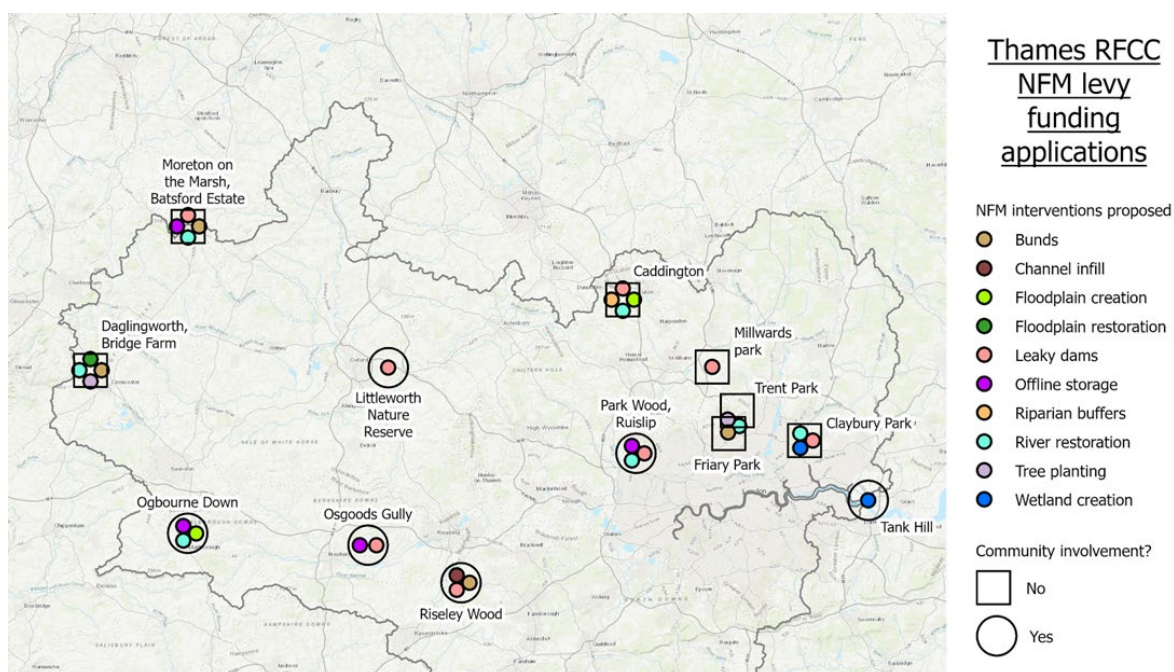
In December 2020 the Thames RFCC agreed to set aside £1.5m in levy for NFM projects across the Thames catchment. This led to the development and delivery of the Thames RFCC Natural Flood Management (NFM) programme.

The programme aims to upscale and mainstream the use of natural flood management as a flood mitigation strategy in the Thames region, also aiming to simplify the application process which was seen as too cumbersome for smaller scale projects.

Following on from the production of a map showing NFM priorities and opportunities across the Thames catchment, an independent advisor from the Wildfowl and Wetlands Trust has been funded to provide expertise and support on the delivery of the NFM programme. This involves engaging with flood risk managers, including those in high priority areas, running events to provide peer-to-peer learning opportunities and helping to ensure the acceptability and quality of NFM projects submitted for levy funding.

Since starting on this project, numerous meetings have been held with LLFAs and other stakeholders to promote NFM opportunities. The first round of levy funding bids has been reviewed for small scale NFM projects up to £50k and several events have been organised and are due to be delivered in the coming months, including webinars, a site visit and an NFM conference.

A LinkedIn page has been set up for the project: [Thames Catchment NFM Advice | LinkedIn](#) and a website: [Thames Catchment NFM Advice | WWT](#).



Sustainable Drainage Systems (SuDS)

In 2017, the Thames RFCC approved the development of the London Strategic SuDS Pilot Study (LSSPS). The intention was to evaluate the benefits of small retrofit sustainable drainage systems (SuDS) features dispersed across a catchment, referred to in this report as 'Distributed SuDS'.

The Thames RFCC allocated £750,000 Levy to the pilot, which was due to be matched by Thames Water Utilities Limited (TWUL). The pilot commenced in 2017 and ran until April 2021, at the end of the FCERM capital programme (2015-2021).

This project has been followed up in the current 6 year programme by a new initiative titled 'Prosper', protecting people, properties and the environment with SuDS. The project has been allocated £1 million to fund the pilot that will provide proof of concept for a new approach to

unlock Capital Funding. The project looks to engage with LLFA's, Risk Management Authorities and delivery partners who are building any civil schemes and may benefit from the FCRM funding by including SuDS features in their projects.

The project has produced a simple SuDS calculator that allows LLFA's and RMA's to input the metrics of their potential SuDS scheme and receive an estimate of an appropriate level of SuDS funding where limited or no modelling has been conducted.

London Councils' Transport & Environment Committee

Chair's Report

Item no: 13

| | | | |
|-------------------------|------------------------|-------------------|--|
| Report by: | Mayor Philip Glanville | Job title: | Chair of London Councils Transport and Environment Committee |
| Date: | 08 June 2023 | | |
| Contact Officer: | Katharina Winbeck | | |
| Telephone: | 07769 145326 | Email: | Katharina.winbeck@londoncouncils.gov.uk |

Summary This report updates Members on transport and environment policy activity since the last TEC meeting on 23 March 2023.

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 23 March 2023. Activities that have happened but are referred to within other agenda items will not be repeated here. As always it is very much a team effort across London Councils officers and TEC elected colleagues.

Transport

Meeting with Deputy Mayor for Transport

2. At my last meeting with Seb Dance, we spoke about LIP, TfL's Adaptation Plan and the engagement from TfL around buses. We agreed that the processes around LIP should be co-created between boroughs and TfL colleagues, using existing structures, such as the LIP working group and the all-borough officer group LoTAG. We also agreed to have improved partnership working on adaptation and seek to have a resolution that works for both parties by the end of the year. TfL's Adaptation Plan will feature at the next TEC Executive for further discussion as a next step.
3. On buses, we have invited colleagues from TfL to brief TEC today, whilst bilateral discussions are ongoing. We have stressed the importance of engagement with boroughs at both officer and member level.

EV Infrastructure Delivery

4. As of the end of March 2023, London boroughs have delivered over 11,000 chargepoints representing over 80 per cent of public chargepoints available to Londoners, and a more than 50 per cent increase on the number of chargepoints that were available at the same point in time in 2022.
5. In March 2022, the Government announced the launch of the Local Electric Vehicle Infrastructure (LEVI) Scheme - through which local authorities across England would receive funding to deliver electric vehicle charging infrastructure at a previously unseen scale.
6. The LEVI Scheme is broken into two separate funds:
 - A Capital Fund - to contribute to the procurement and delivery of charging infrastructure;
 - A Capability Fund - to deliver support to local authorities to enable the delivery of charging infrastructure.
7. London has been allocated a consolidated amount of £35,696,000 in Capital Funding, and £3,000,000 in Capability Funding.

Capital Fund

8. LEVI Capital Funding has been allocated to tier 1 local authorities (unitary, county council or combined authorities) in England. Combined authorities have been allocated and issued funding on behalf of authorities in their region. In London, capital funding will be delivered through separate borough partnerships.

9. Collaboration between local authorities is a key requirement of the LEVI Fund:
10. Collaboration drives scale and can increase the amount of private investment which can be leveraged into chargepoint deployment projects.
11. Working across authority areas also enhances the opportunity for cross-subsidisation between commercially viable chargepoint locations, and those which are less commercial but have social importance.
12. London boroughs are in the process of establishing collaborative partnerships amongst themselves, an indication was required by 26 May 2023, which is the deadline for submitting expression of interest forms. London Councils officers have supported borough officers in their expression of interest forms and collated them into the partnerships they wished to form.
13. Funding will be made available to local authority partnerships in one of two tranches:
 - Authorities in tranche 1 will be able to access their funding in FY 2023/24
 - Authorities in tranche 2 will be able to access their funding in FY 2024/25
14. OZEV will assess the expression of interest forms and allocate funding to boroughs in one of the two tranches, usually the one boroughs wish to participate in. This will be announced in July 2023.

Capability Fund

15. LEVI Capability Funding again has been allocated to tier 1 authorities across the country, but in London will be centralised in London Councils - tasked with developing an expanded Coordination and Support function, that will support borough partnerships in procuring and delivering LEVI funded charging infrastructure. The Function will also support boroughs in delivering key objectives, including the development and enactment of borough Electric Vehicle Infrastructure Strategies.
16. London's year 1 Capability Funding - £540,000 - has already been released by OZEV to begin building the expanded Coordination and Support Function. This will include, recruiting:
 - A Lead Officer - who would be responsible for leading and managing the expanded Coordination and Support Function;
 - A Principle Policy and Project Officer - who would be responsible for providing direct support to borough partnerships;
 - A Commercial Officer - who would be responsible for supporting borough partnerships in developing approaches to commercialising delivered infrastructure, as well as providing direct procurement support.
17. London Councils is in the process of setting out how London's YR 2 and YR 3 Capability Funding - this includes the recruitment of a number of officers that would be dedicated to individual borough partnerships, providing direct support. Additionally, a resource will be established in TfL to provide strategic insight and oversight through TfL's access to pan-London modelling and data.

Freedom Pass and Taxicard Digital Assets

18. Mobility Services have been engaged with our contractor (ESP Systex) to develop new online application portals for both Taxicard and Freedom Pass, including Disabled Freedom Pass and a new back-office CRM.
19. The Taxicard CRM went live in January and after some initial post go live issues is now performing well.
20. It is proposed that the Taxicard application portal will go live on 7th June 23 for first time applications, which will allow customers to have an end-to-end process for applying online. The Mobility team will be available via the telephone to assist customers should they encounter issues and paper applications will be available for those who do not have online access or find it difficult to use online services.
21. Older Persons, Disabled Persons customer portal and back-office CRM will go live on 31st July 23. This will include first time application and replacement card processes.
22. Applicants will also be able to track their applications through the portal and will be provided with notifications as their application progresses through the process.

E-scooter trial and dockless bikes

23. The e-scooter trial has now achieved 2.5 million rides.
24. London Councils officers have been taking part in the selection process for the e-scooter trial tender, which is live and being managed by TfL. London Councils officers evaluated bids and attended vehicle demonstration days. The new contract will start in September 2023 and could see different operators selected.
25. Officers circulated a draft template MoU for boroughs to use to formalise dockless bike schemes. Although final MoUs will differ from borough-to-borough, the aim is to simplify the process both for boroughs and operators and to streamline agreements across London.
26. London Councils officers spoke to borough officers about the proposal for a London-wide contract to manage rental e-scooters and e-bikes. A briefing was also circulated to TEC Members and an update was given to CELC. This is further discussed later in the meeting.

Speed Enforcement

27. Plans to hold a joint meeting with TfL on speed enforcement developments have been postponed and will now take place later in the year. TfL have indicated that their officers are continuing to work on the final details of the speed enforcement plan, how these can benefit boroughs and the impacts that they will have on managing speed in London. They did not wish to hold a meeting before the full plan had been finalised and only partial details could be provided.
28. TfL have stated that they are looking to enhance the TfL and MPS online roads policing and enforcement data platform that was launched on 9 March 2023 to include additional information on borough specific enforcement data. Boroughs had previously stated that

whilst they welcomed the platform, they would like to have more detailed information relating to speed enforcement in their areas and whether there have been changes to activity, including the investigating of identified complaint locations, over time.

Press Work

Media coverage

- BBC News: *ULEZ: Fewer electric car street charging points outside zone* (03.04.23)
- BBC News: *London given £35.7m for electric charging points* (12.04.23)
- BIMToday: *£35m of funding delivered to provide thousands of electric vehicle charge points in London* (14.04.23)
- LocalGov: *Traffic collisions more likely to affect poorer neighbourhoods* (18.04.23)
- BBC Politics London Interview: [Worsening Potholes on London's Roads](#) (23.04.23)

Press releases

- Press Release: [London's boroughs awarded more than £63 million in funding to make streets healthier and safer for all](#) (24.03.23)
- Press Release: [Mayor of London and London Councils announce thousands more electric charge points across the capital](#) (11.04.23)
- Press Release: [New data shows people living in London's most deprived areas are twice as likely to be killed or seriously injured in road collisions](#) (18.04.23)
- Press Release: [London e-scooter operators begin on-street testing of universal sound for shared e-scooters](#) (27.04.23)

Parliamentary activity

- We responded to constituency casework from Abena Oppong-Asare MP on parking for PHV drivers in central London.

Environment

Climate Change

Programmes

29. London Council's climate change programmes continue to develop and have had a number of successful projects and interventions launch over the last quarter. This includes:

- Launch of '[Eat Like A Londoner](#)' pan-London food campaign across 26 boroughs focusing on encouraging lower carbon food choices. This follows baselining, behavioural insight work and campaign planning. The campaign is taking place through social media, YouTube and borough advertising planned.

- Publication and dissemination of CityScience data tool to support boroughs to develop net zero roadmaps for transport emissions and understand what combination of interventions will be most effective.
- Launch of a partnership with the GLA to deliver a pan-London retrofit programme for Home Upgrade Grant (HUG) Phase 2, with over £12m in funding secured in principle. Retrofit London will be providing capacity, support and coordination on identifying and engaging households to improve take up.

30. LEDNet and the Society of London Treasurers have been leading engagement with boroughs on the next phase of the programmes and in particular how we can support them to accelerate the delivery of the agreed action plans. A funding model was agreed in January, and boroughs were approached to provide feedback and offer their support in March. This included a financial contribution to the programmes for the next two years. We have received a significant number of offers of support from across London's boroughs. A full update along with a two-year implementation plan will be brought to TEC Executive in July.

31. London Councils officers coordinated a heat networks study trip to Copenhagen as part of the Renewable Power for London Programme. This trip was carried out in partnership with the Danish Embassy in London and the State of Green to look at the Greater Copenhagen Region's extensive heat network system, with representation from 14 boroughs. This partnership will be ongoing and activities to share learning from the trip are being planned. Expanding heat networks is a core part of London's route to net zero. Boroughs have an important role in heat network planning and delivery and therefore London Councils will continue to support boroughs to undertake this work as part of the climate programmes.

Advocacy

32. I attended the inaugural meeting of the Local Mission Zero Network, co-hosted by Chris Skidmore MP and Mayor Ben Houchen. The group aims to build on the Skidmore Review to develop its recommendations on local net zero delivery, hearing evidence from a range of local leaders and other experts.

33. Officers supported the most recent meeting of the Local Net Zero Forum, which took feedback from local government representatives on Powering Up Britain, addressed approaches for place-based work and the need to integrate financing, and the forward plan. A meeting of the Ministerial tier, which I attend, will take place later in the year.

34. I will be speaking at the Ecocity Summit (6th June) on a panel titled Communities in Action, focusing on how we need to work with and support our local communities to tackle climate change.

Air quality

35. I, along with TEC Vice-chairs, responded to a consultation on Defra's Air Quality Strategy outlining our key policy positions and our disappointment at the short nature of the consultation. Officers also submitted evidence on the Strategy and air quality targets to a recent inquiry by the Environmental Audit Committee.

Engagement with Thames Water

36. I was invited to a dinner discussing the investment in London's infrastructure to reduce the risk of flooding on 14 March. It was a useful dialogue with attendees from business, Defra, the Environment Agency, the National Infrastructure Commission, GLA and Ofwat. It gave me the opportunity to talk about the Infrastructure Framework that London Councils had commissioned, whilst also highlighting some of the remaining issues of engagement around more localised surface water flooding.
37. I followed up with a meeting with Nevil Muncaster, Strategic Resources and London Operations director at Thames Water, where we discussed borough engagement, the issues with flood insurance, our joint work on surface water flooding as part of the Strategic Group and River pollution. We have agreed for Thames Water to present to a future TEC Executive or TEC meeting.

ReLondon Update

38. [ReLondon](#) is a partnership of the Mayor of London and London's boroughs, with statutory objectives to reduce waste and increase recycling in London. They work closely with boroughs, businesses, civil society and London's circular economy innovators, as well as the One World Living programme (providing delivery support) to tackle consumption-based CO2 emissions and accelerate the transition to a low carbon circular economy in London.
39. ReLondon last presented at the October 2022 TEC, to discuss the London Recycles campaign and their award-winning work researching and piloting interventions designed to increase recycling from purpose-built flats.
40. The latest study increased recycling at estates in Lambeth by 150 per cent. These results, insights and toolkits to help London boroughs increase recycling rates in estates and other purpose-built flats are available for free from the [ReLondon website](#). ReLondon will be publishing new research into barriers and opportunities for recycling from flats above shops in June 2023.
41. ReLondon has recently conducted a pan-London analysis of waste composition analysis which will be published in July 2023; this will provide a critical evidence base for London and individual boroughs as they respond to the Government's collection and packaging reforms and help make the case for appropriate levels of funding (through the Extended Producer Responsibility scheme) to deliver the national consistency agenda. It will also help waste authorities identify specific areas for interventions to reduce waste and increase recycling.
42. ReLondon's [business transformation programme](#) has supported a community of nearly 400 small businesses and circular economy innovators over the past six years. The programme has recently secured two more years of funding for London-wide business support from the UK Shared Prosperity Fund.
43. The business transformation programme delivered a pioneering collaboration in 2022 with Islington Council to implement a local [circular business grants scheme](#), supporting 23 businesses to implement new, or scale existing, circular economy activities. Over the six

months pilot phase, these businesses avoided nearly 8 tonnes of waste while creating or safeguarding 25 jobs and engaging with 16,000 customers.

44. Tackling the climate impacts of food and food loss and waste has been high on the agenda for London over the past two years since ReLondon launched its '[London's food footprint](#)' report at COP26 in Glasgow in 2021. The report showed that 26 per cent of Londoners' household residual waste composition is food and that two thirds of that food is categorised as 'edible'. With support from 27 London boroughs and in partnership with the One World Living programme, ReLondon developed and launched '[Eat Like a Londoner](#)' in March 2023, a new citizen campaign to help Londoners reduce household food waste and shift to a more plant-rich diet. They will continue to deliver, evaluate and report on the campaign on behalf of London stakeholders through to April 2024.
45. In partnership with Hackney, the GLA and Sustain, ReLondon is developing a pan-London [food purchasing commitment](#), which establishes a common level of ambition for boroughs to improve the environmental impact of the food they serve and reduce the amount wasted. Boroughs are encouraged to sign the commitment, and a toolkit and drop-in clinics are available to support them in updating food supply practices across their operations.

London Councils Economy Board

46. The London Councils Economy Board met on 4 May, focussing on employment and skills. The Board heard about London Councils proposed work to get boroughs to employ more young, diverse apprentices. It discussed London Councils proposed work, with the GLA and Sub-Regional Partnerships (SRPs) to develop ambitious devolution proposals for employment and skills. It also looked at detailed data for the London economy and the Local London sub-region.

Surface Water Flooding

47. The Surface Water Strategic Group met on 20 April. Some of the key updates from this group were;
 - Procurement for consultants to develop the pan-London strategy and plan was progressing and we're hoping to have consultants in place by June. TfL is leading the procurement, utilising their framework contracts. Funding has been made available from partners for this work, with the bulk of funding coming from the Thames RFCC.
 - We agreed the process for recruiting an independent chair, which will commence in June.
 - We agreed the scope of the communication work packages and will focus on two key themes – 1) to develop and deliver a communications strategy aimed at raising awareness of the London Water Surface Strategic Group and the Strategy that will be produced and 2) raising awareness of surface water flooding amongst Londoners. We also noted Bloomberg Associates in kind contribution on stakeholder engagement and bringing an international perspective.
 - The Group received a paper and spreadsheet outlining all of the actions agreed after the July 2021 flooding events during different initiatives, such as our own Task and Finish Group, the Mayoral Roundtables, the London Resilience Partnership and Thames Water Reviews. In total there are now 93 actions that the Strategy Group will oversee and nudge implementation of. The action owner varies from the

different Risk Management Authorities, London Resilience Partnership and the Strategy Group.

3Ci – Cities Commission for Climate Investment

48. I attended a dinner hosted by City of London and 3Ci on 21st March, together with Cllr Gould and Ali Griffin. The event was designed to bring elected leaders on the Advisory Board together with leading investors and financiers, to re-engage them with 3Ci and to launch the Private Sector Net Zero Investment Task Group, led by Catherine McGuinness.
49. Officers are working with 3Ci and the GLA to host a London Regional Investor Event on Thursday 29th June, which I will speak at, together with Cllr Gould and Deputy Mayor Rodrigues. The event will demonstrate London's commitment to green finance and the 3Ci partnership, engage with investors and help to understand their needs and concerns, and workshop a small number of early-stage borough projects and their potential financing approaches. Officers are working to ensure that a representative group of boroughs are asked to present, but also that Directors from all boroughs are actively encouraged to attend to network with investors. The event will also see the formal launch of the 3Ci Outline Business Case and a borough grouping of those developing neighbourhood models for net zero financing.

Green New Deal Expert Advisory Group

50. I attended a meeting of the Expert Advisory Group on 19 April, which addressed the new format of the London Partnership Board and the recent item on retrofit, the publication of Powering Up Britain and implications for London, and updates on the GLA's Green Finance Fund and the London Regional Investor Event (see above).

Press Work

Media coverage

- Hackney Gazette: *London Councils responds to the 'Powering Up Britain' Strategy* (17.04.23)

Press releases

- Statement: ["Local authorities are stepping up, but continue to face huge obstacles" - London Councils responds to the 'Powering Up Britain' Strategy](#) (30.03.23)

Parliamentary activity

- We sent a [parliamentary briefing](#) to London MPs on the Retrofit London programme.

Upcoming events during LCAW

Consumption Emissions Report Launch – 26th June

- We are launching the latest report in our Consumption Emissions work, with borough by borough data on the carbon emissions emerging from residents' consumption.

LSDC Just Transition report launch – 26th June

- Cllr Holland will be speaking at this report launch from the London Sustainable Development Commission into a just transition in London.

Reset Connect 27th – 28th June

- The Reset Connect Conference is an anchor event of London Climate Action Week and I am looking forward to attending. Officers are organising a session to share some of the work of our climate programmes with new audiences, and a number of boroughs are represented on the plenary stage:
 - o *On the first day of the conference, officers are organising a session titled "Leading the way to a Net Zero future through local government collaboration" this will focus on our collaborative climate change programmes.*
 - o The Boroughs are also well represented as speakers in the programme, including myself and Cllr Costigan.
- I would encourage TEC colleagues and other Cllrs to attend what looks like an interesting conference! Register for free here: <https://www.reset-connect.com/>

3Ci regional investor event -29th June

- As part of our work on 3Ci, we are helping to organise a regional investor event.

London Councils' Transport & Environment Committee

Direct Vision Standard (DVS) Item
Phase 2 of the HGV Safety Permit Scheme: no: 14
Consultation outcomes

Report by: **Job title:** Chief Customer and Strategy Officer, TfL

Date: 8th June Alex Williams 2023

Contact Officer: Andrew Luck (London Councils)
Scott Wilding (Tf)

Telephone: n/a **Email:** scottwilding@tfl.gov.uk

Summary This paper updates London Councils' Transport and Environment Committee on the feedback received during the consultation on proposals for the Heavy Goods Vehicle (HGV) Safety Permit Scheme's Progressive Safe System (PSS) which the Committee is asked to approve and to authorise Transport for London (TfL) to implement.

Recommendations The Committee is asked to:

1. Note this paper and the Consultation Report from TfL setting out the Progressive Safe System (PSS) consultation feedback and TfL responses to issues raised in **Appendix 1**
2. Note TfL's recommendations for the elements recommended for inclusion in the Progressive Safe System including the two detailed technical specifications regarding the Moving Off Information System (MOIS) and the proposed Sensor Systems set out in **Appendices 2 and 2 A**.
3. Approve the Progressive Safe System requirements set out in the table at paragraph 28 for inclusion as conditions to Safety Permits issued to zero, one and two star rated vehicles from 28th October 2024.
4. Authorise TfL to grant HGV Safety Permits from 28th October 2024 to zero, one and two star rated vehicles with appropriate conditions determined by TfL that require

compliance with the new PSS requirements and a terminal date of 28th October 2030.

5. Approve the giving of a three-month grace period until 31st January 2025 to operators of unrated, existing zero, and all one and two star rated vehicles in order to allow sufficient time to buy, fit and test any new equipment as a result of new PSS requirements as set out in paragraph 28 below, and to authorise TfL to approve further extensions to the grace period beyond that date if necessary.
6. Authorise TfL to grant extensions to the duration of any Safety Permits currently issued to operators of unrated, zero, one and two star rated vehicles that meet the grace period requirements set out in paragraph 21 below, until the 31st January 2025 or any later date for that purpose.
7. Approve the updated *London Lorry Control Scheme London HGV Safety Permit Scheme Policy Statement on the issue of Permits* in **Appendix 3** (changes are shown as tracked).
8. To note that TfL may undertake a review of the HGV Safety Permit Scheme in 2028 to ensure the PSS considers any advances in safety technology, and to ensure the minimum star rating to enter and operate in Greater London remains appropriate. This Committee will be kept informed of any progress made, and should any alteration be needed to the Scheme a further paper will be submitted to this Committee requesting approval for any such changes.
9. To approve that all new HGV Safety Permits for vehicles unrated or rated zero to five stars (inclusive) granted on or after 28th October 2024 have an end date of 28th October 2030 (midnight) in order to potentially allow any new revision of the PSS (as referred to above) to apply to any star rated vehicle, if appropriate.

Background

1. On 8 December 2022 this Committee considered the report *Direct Vision Standard (DVS) Phase 2 and HGV Safety Permit Scheme Permission to Consult*. That report asked this Committee's approval for TfL to undertake a stakeholder consultation on the proposed HGV Safety Permit Scheme's Progressive Safe System (PSS) planned to come into effect from 28th October 2024 when the minimum DVS for HGVs tightens from one star to three stars.
2. The PSS aims to further improve overall vehicle safety with the goal of reducing collisions where sight is a contributing factor.
3. This Committee approved the report in December and TfL noted that it would return to this Committee on 8th June 2023 with the results of that consultation and details outlining its proposals for the PSS.

DVS Scheme development and requirements

4. In September 2016, the Mayor announced plans to introduce the world's first DVS for all HGVs over 12 tonnes operating in London. This scheme is designed to reduce the danger posed by HGVs to people walking and cycling. The DVS is implemented via the HGV Safety Permit Scheme by means of changes agreed by the Committee to a 1985 traffic regulation order (see further below), its policy statement for the issuing of permits under the order and by permit conditions. The Committee also delegated TfL with authority to administer, operate and enforce the Scheme, which was launched in October 2019 with enforcement commencing on 1st March 2021, initially through the issue of warning letters for the first three months. This delay was to allow the industry sufficient time to overcome supply chain issues and additional demands placed on the industry, caused by the coronavirus pandemic.
5. The HGV Safety Permit Scheme is designed to minimise the risk to Vulnerable Road Users (VRUs) as a result of limited driver vision within HGVs. Restrictions in the HGV driver's field of vision, or 'blind spots', are a significant contributing factor in collisions between HGVs and VRUs. The level of vision from the cab windows is measured and associated with a star rating from zero to five, with 'zero star' being the lowest and 'five stars' the highest. Figure 1 shows a comparison between a zero-star rated vehicle and a five-star rated vehicle.

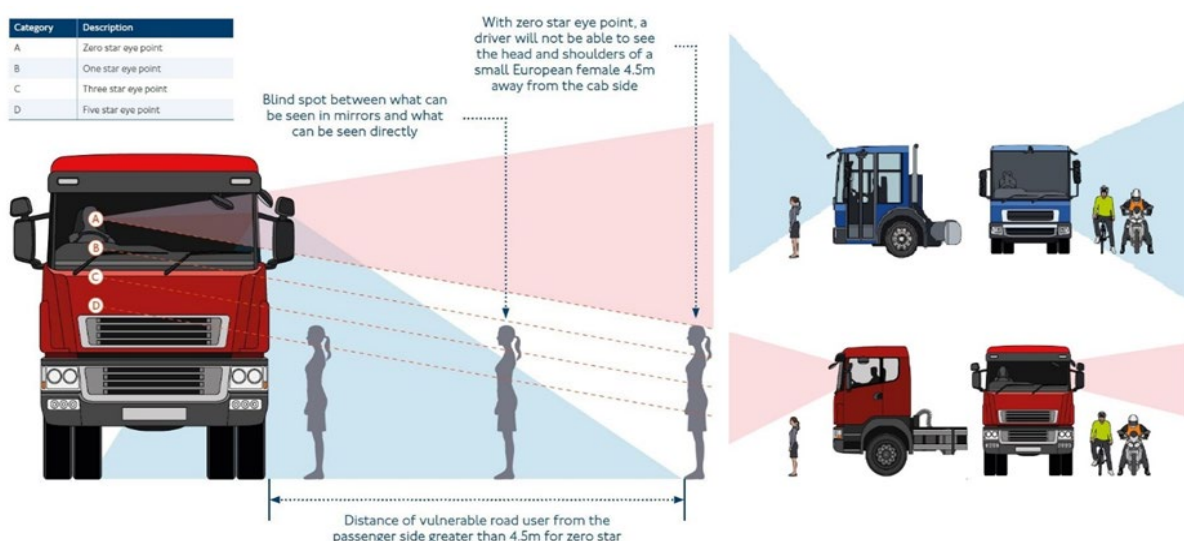


Figure 1: Sight lines from a zero-star rated HGV cab and a five-star HGV cab

6. Between 2017 and 2019 TfL undertook a number of public and stakeholder consultations on its own and the Committee's behalf on the DVS Scheme and how it could be implemented, which culminated in 2019 with the Committee approving amendments to the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 traffic regulation order (TRO).¹ Under these approved TRO arrangements, operators must apply for and obtain a HGV Safety Permit to operate HGVs over 12 tonnes gross vehicle weight (GVW) in Greater London by demonstrating the star rating of the vehicle, which can be obtained from the manufacturer.

¹ The Committee also operates the London Lorry Control Scheme under the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (as amended).

7. Where HGVs do not meet the minimum DVS rating, the operator must retrofit additional safety measures (a 'Safe System') to the vehicle as a requirement of conditions attached to their Safety Permit. This includes fitting safety interventions such as side cameras, audible warning systems and side-underrun protection to improve indirect vision, warn other road users and minimise the impact of a hazard. The Safety Permits of zero-, one- and two-star vehicles were granted to expire on 27th October 2024; three-, four- and five-star vehicle permits (which have no safe system requirement conditions) expire ten years from the date they were granted.
8. Operating an HGV over 12 tonnes without a valid Safety Permit or being in breach of its conditions may result in the issue of a penalty charge notice of £550 (reduced to £275 if paid within 14 days). Detection is by means of Automatic Number Plate Recognition camera detection and on street spot checks conducted by TfL.
9. The Committee gave approval in 2019 in its agreed Policy Statement for the issue of safety permits to the minimum DVS star rating to be one star and for it to increase to three stars from 28th October 2024. This is "Phase 2" of the HGV Safety Scheme and reflected TfL's 2019 Freight and Servicing Action Plan which commits to increasing the minimum DVS standard to enter and operate in Greater London from the existing requirement of one star to three stars from 28th October 2024.
10. The Committee also approved in principle that the system of safety interventions to be retrofitted to vehicles not meeting the minimum star rating should be reviewed in line with safety and technological advances, and that an updated set of interventions – the "Progressive Safe System" – should apply to those vehicles from 28th October 2024. The Safety Permits of unrated, zero, one and two star HGVs have been granted with an expiry date of 28th October 2024 to align with the date the minimum rating will increase to three stars. The current agreed Policy Statement will require updating to reflect the change to the PSS and also to provide flexibility for any potential future reviews, and the Committee's approval of such changes from time to time as a result.
11. As technology has improved over the past few years, TfL commissioned a comprehensive review into the existing Safe System which was carried out between January and August 2022 by Loughborough University, who developed the original DVS concept. The outcome of this review has informed the development of the PSS consultation proposals.
12. Enforcement of DVS began on 1st March 2021. In 2022 TfL published the '*DVS One Year On*' report which showed that between 2018 and 2021 fatal collisions involving HGVs where vision was a contributing factor had halved from 12 to six. The number of such collisions has halved again from six in March 2021 to three in March 2023.
13. As of 9th May 2023, 253,745 HGV Safety Permits have been issued by the following star rating:

| Star rating | Permits issued |
|-------------|----------------|
| 0 | 151,925 |
| 1 | 57,586 |
| 2 | 21,866 |
| 3 | 14,110 |
| 4 | 2,298 |
| 5 | 5,960 |

Summary of Consultation Responses

14. The five key principles underpinning the proposed PSS are: that suggested elements should aim to reduce road danger and improve safety, there should be robust evidence about the effectiveness and safety benefits of PSS components, components should be readily available to the market and be industry recognised, they should be retrofittable to existing vehicles, and they should not be cost-prohibitive.
15. The technical nature of the topic meant that TfL ran a targeted consultation on the principles of the proposed PSS between 14th February and 3rd April 2023 with freight industry manufacturers, suppliers, fitters of equipment, operators, key businesses, construction clients, trade bodies and other key stakeholders, such as Department for Transport (DfT) along with groups representing vulnerable road users. However, anyone with an interest was able to respond to the consultation as the consultation was publicly available on the TfL website.
16. To update and inform the freight industry, TfL undertook an extensive round of briefings during the consultation period with key stakeholders such as Logistics UK, the Road Haulage Association and the Society of Motor Manufacturers and Traders. These in-person meetings gave stakeholders the opportunity to express their views and to ask questions on the proposals. The issues raised at these meetings were mirrored in the consultation response from other stakeholders.
17. In total there were 469 individual responses to the consultation. Of those, 322 left comments with over half (55 per cent) supportive of the principles of DVS, the HGV Safety Permits Scheme and the Safe System becoming progressive. TfL has considered every issue raised as part of the consultation process. Each comment and TfL's response are outlined in the consultation report in **Appendix 1**.
18. The key points from the consultation can be summarised as follows
 - a. the majority of the responses to the consultation were supportive of the principles of DVS and the proposed PSS but understands the need to address some of the key points raised.
 - b. Stakeholders welcomed the proposed use of Camera Monitoring Systems (CMS) alongside Class IV, V and VI mirrors to eliminate blind spots and reduce driver cognitive workload.
 - c. Stakeholders understood the principles of installing sensors to rigid vehicles and the cabs of articulated HGVs but requested detailed technical specifications for this element.
 - d. Stakeholders understood the benefits of installing a Moving off Information System (MOIS) which alerts the drivers of HGVs to the presence of VRUs, such as cyclists or pedestrian, in the front blind spot area but requested detailed technical specifications for this element.
 - e. The proposed introduction of audio warnings for non-UK registered vehicles when making a turn on their nearside was welcomed.
 - f. The proposals that no changes will be made to existing requirements for signage and sideguards were welcomed.
19. The main issues raised from key freight stakeholders, and how TfL responded to them, are outlined below:

Grace period for those who have booked but are unable to complete the upgrade to the PSS by October 2024

20. The proposed changes to the PSS will impact 90 per cent of the existing HGV fleet over 12 tonnes on London's roads. Due to the high volume of vehicles that need to be fitted with new equipment, more time was requested to complete the process before enforcement begins.
21. To give the freight industry sufficient time to buy, fit and test any new equipment to retrofit their vehicles in compliance with the new PSS requirements, TfL recommends to the Committee that operators of existing zero and all one and two stars rated vehicles could be given a "grace period" of three months, from 28th October 2024 to 31st January 2025. To be eligible for the grace period, operators will register their eligible vehicle(s) with TfL and will have supplied satisfactory evidence showing they have an appointment with fitters to install the PSS equipment before 31st January 2025. This arrangement would not apply to operators applying for new vehicle Safety Permits after 28th October 2024. To reflect this, it is proposed that the duration of zero-star Safety Permits already granted, and to all one- and two-star HGVs that meet the grace period criteria outlined above, will be extended to 31st January 2025. These operators will need to have applied for new Safety Permits that take effect from that date, which will include the new PSS permit conditions; these new permits will expire on 28th October 2030 (midnight).
22. Unrated and Zero-star vehicles not already meeting the requirements of the existing Safe System i.e., those seeking a permit for the first time, would not be eligible for the proposed grace period in order to protect the safety benefits of the existing scheme.
23. TfL may undertake a review in 2028 of the HGV Safety Permit Scheme to consider any advances in safety technology, and to ensure the minimum star rating to enter and operate in Greater London remains appropriate. For this reason TfL proposes an end date of 28th October 2030 (midnight) for all permits issued to unrated, zero, one, two, three, four and five star vehicles which have been granted a permit after 28th October 2024. This Committee will be kept informed of any progress made, and should any alteration be needed to the Scheme a further paper will be submitted to this Committee requesting approval for those changes.

Sensors on articulated trailers

24. The consultation proposals included a mandatory PSS requirement of attaching sensors to articulated trailers. It is accepted that this would be very challenging for operators to comply with as most hauliers will not own the trailers which are transported and could not guarantee that sensors will have been fitted or that they would be compatible with the trailer unit; we therefore recommend that this does not form a mandatory requirement under the PSS.
25. However, TfL recommends that the PSS requires the mandatory fitting of sensors to an HGV tractor unit (the front cab) which can cover the trailer in accordance with the technical specifications as shown in **Appendices 2 and 2 A**. This would represent an improvement to the existing Safe System while ensuring the scheme can work for users.

Guide for Operators

26. There will be a need to update the Guide for Operators setting out how the PSS can be evidenced, and to provide detailed technical specifications to help hauliers

understand the MOIS and sensor system elements. TfL has engaged with stakeholders to develop the technical specifications for the PSS which are shown in **Appendices 2 and 2 A** of this report. Subject to the Committee's approval of the PSS, a new Guide for Operators will be published in summer 2023 which will give further guidance about the scheme's application, evidence needed and operational procedures.

Permit application process improvements

27. TfL was asked to improve the user experience when applying for an HGV Safety Permit, specifically the need to improve the time taken to receive a permit and provide a look up tool for operators to check how many vehicles in their fleet have a valid permit. We acknowledge the issues some users have experienced when applying for permits and are seeking to resolve them as part of Phase 2, including improving the time it takes to receive confirmation of a permit after application and providing a look up tool which allows operators to establish which vehicles in their fleet have permits.

Summary of elements recommended for inclusion into the proposed PSS

28. Based upon the consultation responses, TfL recommends that the Committee approves the adoption of the following as mandatory elements for the PSS as shown in column three of the table below. If approved by the Committee, the new HGV Safety Permits for unrated, zero, one and two star rated vehicles will include conditions that oblige compliance with the PSS as set out below in table 35.1.

Table 28.1 Summary of recommended PSS compared to existing Safe System requirements

| Element | Current Safe System Requirement | Recommended new PSS Requirements |
|--|--|---|
| Improving Indirect Vision: Mirrors | Class V mirror <u>must</u> be fitted to the nearside of the vehicle. | Class V and VI mirrors <u>must</u> be fitted to a vehicle, or a Camera Monitoring System (CMS) or a combination of both can be used on a vehicle . The fitment of the above <u>must</u> meet requirements contained in UNECE Regulation 46. |
| | Class VI mirror <u>must</u> be fitted to the front of the vehicle. | |
| Improving Indirect Vision: Camera Monitoring Systems (CMS) | Camera monitoring systems <u>should</u> aim to completely eliminate the remaining vehicle blind spot at the nearside. | Camera monitoring systems <u>must</u> completely eliminate the remaining vehicle blind spot at the nearside. |
| Improving Indirect Vision: Sensors | Rigid vehicles: Sensors <u>should</u> ensure full coverage down the nearside of the vehicle. | Rigid vehicles: Sensors <u>must</u> ensure full coverage down the nearside of the vehicle and <u>must</u> comply with the requirements of the detailed technical specifications in Appendix 2 |

| | | |
|---|--|--|
| | Sensors <u>should</u> not activate in relation to roadside furniture or stationary vehicles. | Sensors <u>must</u> not activate in relation to roadside furniture or stationary vehicles. Sensors <u>must</u> comply with the requirements of the detailed technical specifications in Appendix 2 |
| | Articulated vehicles: Sensor systems <u>should</u> ensure full coverage of the nearside of the tractor unit. | Articulated Vehicles Sensor systems <u>must</u> ensure full coverage of the nearside of the tractor unit and <u>must</u> comply with the requirements of the detailed technical specifications in Appendix 2 |
| | Articulated vehicles semi-trailer: Sensors <u>should</u> be suitably positioned to provide sufficient coverage but preventing activation solely on articulation of the trailer. | Sensors <u>should</u> be suitably positioned to provide sufficient coverage but preventing activation solely on articulation of the trailer. |
| Moving Off Information Systems (MOIS) - New item | MOIS is a new requirement | All vehicles <u>must</u> have a front sensor system that activates on a proximity information signal detecting pedestrians or cyclists entering the critical blind spot area in front of the vehicle should the subject vehicle either be preparing to move off from rest in a straight line or be travelling straight ahead at low speeds Front sensor system <u>must</u> be reactive and not provide false alarms and have a detection range of up to two metres. This system <u>must</u> also provide an additional signal when a collision becomes imminent, e.g., when the vehicle accelerates from rest and the pedestrian or cyclist is located directly in front of the vehicle and |

| | | |
|---|--|--|
| | | <u>must</u> comply with the requirements of the detailed technical specifications in Appendix 2 A |
| Warning of intended manoeuvre: Audio warnings | For left-hand drive vehicles, the audible vehicle manoeuvring warning <u>should</u> be fitted to warn people walking and cycling when a vehicle is turning right. | For left-hand drive vehicles, the audible vehicle manoeuvring warning <u>must</u> be fitted to warn people walking and cycling when a vehicle is turning right. |
| Warning signage | Warning signage should not be offensive and should not give instructional advice to the people walking and cycling. The text point size should be legible by a cyclist or pedestrian at a reasonable distance from the vehicle. | No proposed changes to existing requirement as there is no sufficient safety evidence to support any change. |
| Side guards | All vehicles that do not meet the minimum direct vision rating shall be fitted with side under-run protection. | No proposed changes to existing requirement as there is no sufficient safety evidence to support any change. |

Summary

29. The need to eliminate road fatalities where vision is a contributing factor remains the key priority for the Committee and TfL. To help meet this aim, subject to the Committee's approval TfL proposes to launch Phase 2 of the DVS on Monday 28th October 2024, introducing the new PSS and enforcement of the scheme based on the strengthened requirements.
30. The results of the consultation indicate that the majority of respondents supported the principles of the proposed PSS. TfL has listened to stakeholders and proposes amendments to the PSS in response to the key issues highlighted through the consultation.
31. TfL recommends that the Committee approves the new PSS with one minor alteration: to not mandate sensors on trailers of articulated vehicles.
32. TfL also acknowledges the concerns raised around the time needed to supply and fit the PSS equipment and recommends the Committee approves a limited three-month grace period ending on 31st January 2025 to ensure operators of unrated, zero, one and two star rated HGVs with existing Safety Permits are able to comply with the new PSS requirements.
33. As with the existing Safe System TfL will seek to review the HGV Safety Permit Scheme in 2028. This aim is to ensure the PSS remains relevant in light of any advances in technology.

Financial Implications

34. There are no financial implications for London Councils. All costs of the DVS Scheme including those related to the proposed PSS are being met by TfL budgets.

Legal implications

35. 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.
36. The Committee operates the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 ("1985 Order") which was amended in August 2019 to incorporate the requirements of the HGV Safety Permit Scheme (i.e. DVS). TfL possesses delegated authority to administer, operate and enforce the Scheme on the Committee's behalf. The Scheme requires HGVs that do not meet current minimum DVS rating standards to fit additional safety measures to the vehicle. These are enforced through conditions to the HGV Safety Permit issued for the vehicle. Currently this is the Safe System measures which will become the Progressive Safe System if the Committee approves. If approved, these changes will be reflected in the Committee's related Policy Statement and terms and conditions of the Permits to be issued to zero, one and two star vehicles not meeting the minimum three star DVS rating standard. An updated Policy Statement is attached at **Appendix 3** for the Committee's approval, with proposed changes shown tracked.

Equalities implications

37. There are currently no identified equalities implications arising from the recommendations. A full Integrated Impact Assessment (IIA) ², as carried out between December 2022 and January 2023 to evaluate the impact on proposed PSS changes to the current Safe System. The IIA did not identify any materially detrimental equalities impacts.

Recommendations

The Committee is recommended to:

- a. Note this paper and the Consultation Report from TfL setting out the Progressive Safe System (PSS) consultation feedback and TfL responses to issues raised in **Appendix 1**
- b. Note TfL's recommendations for the elements recommended for inclusion in the Progressive Safe System including the two detailed technical specifications regarding the Moving Off Information System (MOIS) and the proposed Sensor Systems set out in **Appendices 2 and 2 A**.
- c. Approve the Progressive Safe System requirements set out in the table at paragraph 28 for inclusion as conditions to Safety Permits issued to zero, one and two star rated vehicles from 28th October 2024.

² <https://haveyoursay.tfl.gov.uk/21522/widgets/62884/documents/38073>

- d. Authorise TfL to grant HGV Safety Permits from 28th October 2024 to zero, one and two star rated vehicles with appropriate conditions determined by TfL that require compliance with the new PSS requirements, and a terminal date of 28th October 2030.
- e. Approve the giving of a three-month grace period until 31st January 2025 to operators of existing unrated, zero, and all one and two star rated vehicles in order to allow sufficient time to buy, fit and test any new equipment as a result of new PSS requirements as set out in paragraph 28 and to authorise TfL to approve further extensions to the grace period beyond that date if necessary.
- f. Authorise TfL to grant extensions to the duration of any Safety Permits currently issued to operators of zero, one and two star rated vehicles that meet the grace period requirements set out in paragraph 21, until the 31st January 2025 or any later date for that purpose.
- g. Approve the updated London Lorry Control Scheme London HGV Safety Permit Scheme Policy Statement on the issue of Permits in **Appendix 3** (changes are shown as tracked).
- h. To note that TfL may undertake a review in 2028 of the HGV Safety Permit Scheme to ensure the PSS considers any advances in safety technology, and to ensure the minimum star rating to enter and operate in Greater London remains appropriate. This Committee will be kept informed of any progress made, and should any alteration be needed to the Scheme a further paper will be submitted to this Committee requesting approval for any such changes.
- i. To approve that all new HGV Safety Permits for vehicles unrated, zero to five stars (inclusive) granted after on or after 28th October 2024 have an end date of 28th October 2030 (midnight) in order to potentially allow any new revision of the PSS (as referred to above) to apply to any star rated vehicle, if appropriate.

Appendices

- 1. Consultation Report
- 2. Technical specifications for MOIS and (2A) Sensors
- 3. London Lorry Control Scheme London HGV Safety Permits Scheme Policy Statement on the issues of Permits

Background papers

Transport & Environment Committee:

20th March 2020: HGV Safety Permit Scheme – Approval of Arrangements for Administration and Enforcement by Transport for London

TfL 20th June 2021: DVS One Year on Report

8th December 2022: Direct Vision Standard (DVS)
Phase 2 and HGV Safety Permit Scheme permission to consult



Making London's lorries safer – Proposals for changes to the HGV Safety Permit Scheme

Consultation Report
June 2023

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1. Executive Summary

We are working to achieve a 'Vision Zero' for road danger in London, aiming for all deaths and serious injuries from road collisions to be eliminated from London's streets by 2041. To help achieve this target, we need to reduce the risk that Heavy Goods Vehicles (HGVs) present to people walking and cycling. To address this, we developed the world's first Direct Vision Standard (DVS), which rates HGVs using a star based system, according to the level of direct vision the driver has of potentially vulnerable road users.

Since October 2021, we have applied the DVS through the HGV Safety Permit Scheme. Under the Scheme, all HGVs weighing 12 tonnes or more (Gross Vehicle Weight) are required to have a safety permit to operate in London. The Scheme sets a minimum DVS rating to operate without fitting additional safety measures to the vehicle, which is currently one star. This means any zero-rated vehicles must fit extra safety measures, which are known as the Safe System. This is equipment fitted at or after the point of manufacture, such as mirrors, cameras, sensors, signage, warning signals and side guards.

From October 2024 the minimum DVS rating will move to three stars. This will mean that zero to two star rated HGVs will now be required to have additional safety equipment. Given the current Safe System measures were originally developed in 2018, we have reviewed what range of safety measures this should contain, reflecting new equipment and technologies available on the market since then. This new updated system will be known as the Progressive Safe System (PSS).

Between the 14 February and 3 April 2023, we consulted on our proposals for the PSS and changes to the HGV Safety Permit Scheme application process. We received 469 responses in total, including 52 from stakeholder organisations. We found that there was a good level of support (55 per cent of comments) for the principles of DVS, the HGV Safety Permit Scheme and the principles underpinning the PSS. However:

- 13 per cent of all comments (and 63 per cent of freight industry stakeholders who responded) raised concerns about the launch date for the PSS and whether the industry could purchase, fit and test the new system, given the volume of vehicles affected, by October 2024.
- 12 per cent (35 per cent of freight industry stakeholders) were concerned about the costs involved and whether the Integrated Impact Assessment (IIA) had satisfactorily identified the costs to the freight industry.
- 8 per cent (53 per cent of freight industry stakeholders) were concerned that the technical specifications for the new system had not been provided as they felt this affected their ability to assess the level of equipment upgrade required. There were also concerns about wasted investment to date in the current Safe System and they felt the lack of detail undermined the validity of the consultation.
- 8 per cent (44 per cent of freight industry stakeholders) raised concerns about the practical application of the new requirement for sensors to be fitted to articulated trailers, given cabs use multiple trailers.

- 11 per cent suggested that the current plans do nothing to address the actions and behaviour of Vulnerable Road Users (VRUs), which can be a contributory factor in collisions. With 15 per cent making calls for TfL to provide pedestrian and cycling road safety education campaigns and 8 per cent for further investment in road space for cyclists.

There was support for improvement to the permit system – most notably the provision of an on-line permit checker – as well as requests for faster data updates and for the system to be based on Vehicle Identification Numbers (VINs) rather than registration plates. Finally, there was a mixed reaction to a further review of the HGV Safety Permit Scheme in 2028.

1.1 Next Steps

We have reviewed all the feedback received as part of the consultation. In response to issues raised, we have decided to modify the proposal to mandate sensors to the trailers of articulated vehicles into a recommendation only as we are aware that emerging technologies such as AI and Radar, may be able to achieve the same detection range as sensors fitted to trailers, when solely fitted to the tractor unit.

In order to give the freight industry sufficient time to buy, fit and test any new equipment, TfL will recommend offering a three-month grace period ending on 28 January 2025 for operators to comply with PSS requirements. This is consistent with our approach to Phase 1 and believe it offers sufficient time for the industry to become compliant. The grace period will only be offered to those operators which supply evidence showing that vehicles have an appointment with fitters to install PSS equipment.

We acknowledge the issues some users have experienced when applying for permits and we are seeking to resolve these as part of Phase 2. To improve the system, we will commit to seek improvements to the time it takes to receive confirmation of a permit after application and provide a vehicle look up tool to enable operators to establish which vehicles in their fleet have permits. As a minimum this would be for single vehicle searches with potential to expand to multi vehicle search functionality. Work is underway to establish when these items can go live in October 2024 and we will keep industry stakeholders updated on progress through Freight Forums and working groups.

We have decided to review the Scheme again in 2028. This will be five years after the current review and we consider this is an appropriate timeframe to monitor the outcomes of the PSS. Should any changes be required from the 2028 review, we would aim to give as much notice as possible.

Our full response to all the issues raised in the consultation can be found in Appendix A of this report.

The next step will be for London Councils' Transport and Environment Committee to consider our recommendations and make a decision about whether to accept our modified proposals for the PSS. Subject to their decision, we will aim to publish detailed technical specifications in summer 2023.

2. About the consultation

2.1 Purpose

Evidence from the first year of enforcement of the HGV Safety Permit Scheme has shown reductions in collisions where vision was a contributing factor, but we must not be complacent. In order to reach Vision Zero we will continually seek to reduce collisions wherever possible.

DVS was always designed to be a progressive scheme. From the beginning, we set out that we would tighten the standard and keep the Safe System under review.

During 2022, we commissioned a review of the current Safe System and academic research to inform the development of the system. This research looked at developments in technology and equipment, as well as reflecting on experiences of the current Safe System. The recommendations from this review informed the draft PSS we put out to consultation.

Much of what we proposed in the consultation sought to mandate elements of the Safe System that were previously recommendations, as well as:

- providing clearer performance expectations around blind spots and sensor activation;
- standardising requirements across right and left hand drive vehicles; and
- improving detection at the front of vehicles.

We also sought feedback on how we might improve the scheme application process and the principle that we would review the scheme again in 2028.

The purpose of the consultation was to seek feedback on our proposals for the PSS and the impacts it may have. The objectives of the consultation were:

- To give consultees enough information about the proposed PSS principles to allow them to give an informed response
- To identify any issues and impacts which may arise from the PSS that have not already been considered during the academic research and IIA. In particular, to understand whether consultees feel the new features have any negative impacts or limitations we may need to mitigate
- To understand whether consultees feel the new features will help to improve the safe system for HGVs and/or if they have any concerns about the effectiveness of the new features
- To understand whether consultees can identify any potential missed opportunities/other feature suggestions to further improve the PSS

- To understand whether the areas of the HGV Safety Permit Scheme application process we are reviewing will improve the user experience and whether a future review of the scheme in 2028 is a sensible timeframe

2.2 Potential outcomes

The potential outcomes of the consultation were:

- Following careful consideration of the consultation responses, we decide to proceed with the proposals for the PSS as set out in the consultation
- Following careful consideration of the consultation responses, we modify the proposals in response to issues raised and proceed with a revised PSS to present to London Council's TEC – the decision making body for the HGV Safety Permit Scheme
- Following careful consideration of the consultation responses, we decide to not make any changes to the current Safe System or permit application process

2.3 Consultation history

The original DVS and HGV Safety Permit Scheme were subject to four rounds of consultation between 2017 and 2019. The principle of upgrading the minimum DVS rating to three stars in October 2024 had already been agreed in 2019. At the same time, we agreed the principle that we will take steps to ensure the Safe System remains progressive.

As part of the current review, we also facilitated a series of stakeholder workshops that covered the audit of the current system, the review of options in the market and the results of lab and real world testing. The final stakeholder workshop also covered our emerging thoughts on the proposals for the PSS. In addition to this, we presented at TfL's Freight Forum in November 2022 and again in February 2023 and have kept key industry figures updated through a weekly TfL Freight Industry Stakeholder Call.

2.4 Who we consulted

The consultation was open to anyone who might have a view on our proposals. However, our principal target audience was the freight industry most notably manufacturers and operators of freight vehicles and groups representing vulnerable road users. In addition, we carried out stakeholder mapping which identified other key groups including:

- Freight & Logistics Trade Bodies
- Large Businesses and Construction & Materials Companies
- Vulnerable Road Users
- London Councils TEC

- Other Key Bodies such as the DfT, Traffic Commissioner and the Metropolitan Police
- London Boroughs
- GLA Transport Committee

We used established networks, channels and stakeholder lists to maximise awareness of the consultation. We asked that stakeholders disseminate information about the consultation to their members. A large database of 1,022 contacts were notified directly about the consultation. A full list of organisations contacted can be found in Appendix E.

We also raised awareness with vulnerable road users by directly emailing all customers with a registered interest in cycling and walking on our Customer Relationship Management Database, which totalled nearly 100,000 customers.

2.5 Dates and duration

The consultation ran from 14 February to 3 April 2023.

2.6 What we asked

The aim of the consultation was to seek feedback on our proposals for the PSS. We asked one open question on the proposals and asked respondents to:

- Let us know their views on the effectiveness of the proposals for improving vehicle safety
- Let us know if they had any suggestions for further improvements or alternative solutions
- Let us know if there are any impacts we had not identified and what impacts the changes may have on themselves or their organisation
- Let us know their views on whether the areas of the HGV Safety Permit Scheme application process we are reviewing will improve the user experience
- Let us know their views on our proposal to review the HGV Safety Permit Scheme in 2028

We also asked for them to confirm their respondent category type, name, email address and certain demographic information, although all those questions were voluntary. We also asked for feedback on the consultation materials, online survey and webpage accessibility. A copy of the questionnaire can be found in Appendix C.

2.7 Methods of responding

Responses to the consultation could be submitted in several ways:

- Through the on-line survey on our digital engagement platform Have Your Say <https://haveyoursay.tfl.gov.uk/making-londons-lorries-safer>
- via email to haveyoursay@tfl.gov.uk
- By post to FREEPOST TFL HAVE YOUR SAY
- Completing and sending back a paper copy of the survey/Easy Read Survey

- Completing the fillable PDF Easy Read Survey and emailing it to us
- Calling the Consultation telephone line on 020 3054 6037

2.8 Consultation materials and publicity

In order to make the consultation accessible, we offered Easy Read and BSL versions of the materials and the survey. To help support London's diverse communities, our Have Your Say website is also able to translate our consultation materials into many different languages.

We publicised the consultation across a range of media, including via emails to stakeholders and the public, media activity with the trade press, working with key partners to utilise their membership communication channels and a range of meetings with key stakeholders and trade bodies. This is detailed below.

Emails to public/stakeholders

1,022 people on our stakeholder database received an email notifying them of the consultation launch. We also sent an email to nearly 100,000 registered customers on our database with an interest in cycling and walking. The consultation was also promoted in TfL's monthly Have your say newsletter which goes to c.38,000 subscribers.

A copy of the emails sent is in Appendix C.

Media activity

We issued a press release and a story on the consultation was run in the following publications:

- Traffic Technology Today
- Truck News
- Fleet Point
- London Road Safety Council
- Trans.Info
- Motor Transport for London
- Wired.Gov

A copy of the press release is in Appendix C.

Key Partners

We provided briefings and an embargoed press release to key trade bodies to enable them to promote the consultation to their membership through e-newsletters, bulletins and other comms channels. Those bodies who agreed to help were:

- Logistics UK
- Road Haulage Association (RHA)
- Mineral Products Association
- Institute of Couriers
- Society of Motor Manufacturers & Traders
- Brewery Logistics Group
- British Beer and Pub Association

- Fleet Operator Recognition Scheme (FORS)
- Construction Logistics and Community Safety (CLOCS)

Meetings with stakeholders

We held 11 meetings with stakeholders during the consultation, as well as providing updates to the long-standing weekly freight industry/TfL meetings. Further information about these meetings can be found in Section 4.4 and Appendix F.

2.9 Equalities Assessment

Prior to launching the consultation, we commissioned an Equalities Impact Assessment (EqIA) as part of a wider Integrated Impact Assessment (IIA), to understand the impacts of DVS Phase 2 and the proposed PSS on those with protected characteristics. The EqIA looked at the nine standard protected characteristics as well as the additional groups of low-income households and those experiencing homelessness. None were found to be negatively impacted and most key groups were found to be significantly positively impacted.

However, we always strive to make our consultations as accessible as possible so all those potentially impacted can give us their feedback. Materials were written in plain English and available in Easy Read and BSL video formats. Our website also includes an auto-translate function for people who do not speak English as their first language.

2.10 Analysis of consultation responses

All open question responses where respondents provided comments on the overall proposals or parts of it, were read and thematically analysed. A code frame to categorise and summarise comments was developed to identify the most common themes and issues raised. The analysis was carried out by our in-house consultation analysts.

3. About the respondents

3.1 Number of respondents

We received 469 responses to the consultation; 417 were general responses and 52 were from organisations we classified as stakeholders.

| Respondents | Total | % |
|-----------------------|-------|------|
| General responses | 417 | 89% |
| Stakeholder responses | 52 | 11% |
| Total | 469 | 100% |

3.2 How respondents heard about the consultation

We asked respondents how they heard about the consultation. The majority (72 per cent) of respondents received an email from TfL and the second highest number of respondents (12 per cent) said they heard from 'Other' sources: of those, the most frequently cited source was via the Road Haulage Association.

| How did you hear about this consultation? | Total | % |
|---|-------|-----|
| Received an email from TfL | 287 | 72 |
| Received a letter from TfL | 0 | 0 |
| Read about it in the press | 14 | 3 |
| Social media | 36 | 9 |
| Saw it on the TfL website | 17 | 4 |
| Other (please specify) | 46 | 12 |
| Total | 400 | 100 |

3.3 Methods of responding

We gave people the opportunity to respond to the consultation in a range of different ways. The majority of responses (86 per cent) were received via our on-line survey on our Have your say digital engagement platform.

| Methods of responding | Total | % |
|-----------------------|-------|------|
| Website | 404 | 86% |
| Email/letter | 65 | 14% |
| Total | 469 | 100% |

3.4 Who responded

We asked people to choose which respondent type best described them. The majority of people responding (52 per cent) describe themselves as cyclists or pedestrians with the next largest group (16 per cent) being HGV operators.

| Which of these respondent types best describes you? | Total | % |
|---|-------|-----|
| An HGV operator | 67 | 16 |
| An HGV driver | 16 | 4 |
| A business | 14 | 3 |
| A business that employs HGV operators | 10 | 2 |
| An HGV manufacturer, dealer, body builder or other type of organisation involved in the manufacture or supply of vehicles | 12 | 3 |
| A Government Organisation | 7 | 1 |
| A transport related interest group or charity | 4 | 1 |
| An industry trade or other association | 15 | 3 |
| A road user - cyclist/walking | 225 | 52 |
| A road user - other | 46 | 11 |
| Other (please specify) | 18 | 4 |
| Total | 434 | 100 |

We asked a number of questions to all respondents who took part using our on-line survey. This was so we could understand who was responding to the consultation. These questions were optional and not all respondents gave us this information. Of those that responded, the majority (76 per cent) were male, White – British (64 per cent) and aged between 46 and 60 (35 per cent). A full breakdown can be found in Appendix B.

4. Summary of all consultation responses

4.1 Summary of responses to Question 1: Please let us know any comments you have on our proposals for the Progressive Safe System and changes to the HGV Safety Permit Scheme application.

We asked people for their views on our proposals for the PSS and changes to the HGV Safety Permit Scheme application process. We asked that when they commented they:

- a) Let us know their views on the effectiveness of the proposals for improving vehicle safety
- b) Let us know if they had any suggestions for further improvements or alternative solutions
- c) Let us know if there are any impacts we had not identified and what impacts the changes may have on you or your organisation
- d) Let us know your views on whether the areas of the HGV Safety Permit Scheme application process we are reviewing will improve the user experience
- e) Let us know your views on our proposal to review the HGV Safety Permit Scheme in 2028

We received 322 responses to this question. We identified 13 categories of comments.

- General support for proposals
- Support for proposals but with caveats
- General criticism about proposals
- Specific negative comments on PSS proposals
- Suggestions for other items that should be included in the PSS
- Comments about timescales
- Comments about wider impacts of the proposals
- General Suggestions for DVS/HGV Safety Permit
- Suggestions for complementary measures for VRUs
- Comments about permit application process
- Comments about enforcement process
- Comments about 2028 review date
- Comments about star ratings

In general there was a good level of support for the principles of DVS, the HGV Safety Permit Scheme and the principles underpinning the PSS. However, some key concerns were raised about:

- The costs to the freight industry
- Whether the launch date of October 2024 was achievable given the volume of vehicles that would require the new system

- The practical application of sensors being fitted to articulated trailers, given cabs user multiple trailers often from differing companies.

Freight industry stakeholders were also concerned that the technical specifications for the new system had not been provided, as they felt this affected their ability to assess the level of equipment upgrade required. There were also concerns about wasted investment to date in the current Safe System and they felt the lack of detail undermined the validity of the consultation.

Generally, there was a feeling that in order to achieve Vision Zero, policy makers must look further than just the vehicles and need to focus on the actions and behaviour of VRUs, with calls for the provision of cyclist and pedestrian education campaigns and more road space for cyclists.

There was support for improvements to the permit system – most notably the provision of an on-line permit checker. Finally, there was a mixed reaction to a further review of the Scheme in 2028.

The tables below show the main themes raised in responses. These have been split into categories of comments and categorised by respondent type. These are issues that were raised by at least 10 per cent of respondents and/or by more than one stakeholder. The full list of all the issues we identified in response to this question can be found in Appendix B. The figures include all responses, including any stakeholders that responded via the online questionnaire or via email.

4.1.1 General support for proposals

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| SUPPORT Proposals - General | | | | |
| Good idea/support principle of DVS Phase 2 and/or PSS proposals | 144 | 16 | 160 | 50% |
| Support as will improve road safety, especially for cyclists and pedestrians and will reduce fatalities | 14 | 2 | 16 | 5% |

4.1.2 Support for proposals but with caveats

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Support proposals but with caveats | | | | |
| Good start but proposals must go further/are too limited/should be implemented sooner | 10 | 3 | 13 | 4% |
| Support principle of DVS or HGV Safety Permit but have concerns with PSS proposals | 2 | 9 | 11 | 3% |

4.1.3 General criticism about proposals

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Criticism about proposals - General | | | | |
| Should be set at an international level | 1 | 8 | 9 | 3% |
| It will have little or no impact on safety/fatalities | 6 | 2 | 8 | 2% |
| Changes are unnecessary - existing regulations and practices already cover these standards and time should be allowed for these to come into effect | 4 | 4 | 8 | 2% |
| Lack of evidence to demonstrate Safe System benefits | 0 | 4 | 4 | 1% |

4.1.4 Specific negative comments on progressive Safe System proposals

| | Public | Stakeholder | Total | % Total |
|--|--------|-------------|-------|---------|
| Specific Negative comments on Progressive Safe System proposals | | | | |
| General | | | | |
| Need clarification on what current equipment will remain valid/or not under new PSS/concerned about removal of current kit and wasted investment by industry to date | 8 | 17 | 25 | 8% |
| Unable to provide meaningful feedback as specification details were not provided/A detailed specification is required based on required performance | 7 | 17 | 24 | 7% |
| Concerns about driver distraction/cognitive overload | 10 | 9 | 19 | 6% |
| Concern about time loss due to installation and maintenance | 8 | 4 | 12 | 4% |
| Needs coordinating with other regulations and schemes (i.e. FORS or EU regs e.g. UNECE 151 and 159 - for example sensor detection distance must be consistent between UNECE and PSS) | 0 | 11 | 11 | 3% |
| Modifications/technology can be expensive to maintain/repair | 1 | 6 | 7 | 2% |
| Concerns about quality of technology/reliability | 1 | 3 | 4 | 1% |
| Mirrors/Camera Monitoring | | | | |
| More precise CMS (and blind spot) definition required | 1 | 6 | 7 | 2% |
| Near-side sensors & Moving off Information Systems (MOIS) | | | | |
| Concern about the practicality of sensors on articulated trailers given cabs use multiple trailers and the costs of installing, maintaining and licensing across multiple trailers | 8 | 19 | 27 | 8% |

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Concern about detection accuracy of products currently available on the market and how TfL proposes to stop these entering the market | 6 | 8 | 14 | 4% |
| Concerned about price inflation due to potential parts shortages | 6 | 3 | 9 | 3% |
| Concerned whether/or questioning how retrofit MOIS and BSIS equipment will be compliant with R151/159 and/or suggesting BSIS and MOIS should only be mandated on vehicles built to UNECE regs | 0 | 9 | 9 | 3% |
| Concerned will create inconsistent regulation between two and three plus star vehicles | 0 | 6 | 6 | 2% |
| AI camera technology should be included in specification as suggestion that it is more accurate than proximity sensors | 1 | 4 | 5 | 2% |
| Clarification on whether sensors will be required on other trailer types (drawbar) and/or other types of towed equipment | 0 | 2 | 2 | 1% |
| Audio warnings | | | | |
| Concerns about changing legislative environment | 0 | 2 | 2 | 1% |
| Signage | | | | |
| Text size needs defining to ensure consistent application | 0 | 3 | 3 | 1% |

4.1.5 Suggestions for other items that should be included in the PSS

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Suggestions - for the PSS | | | | |
| Driver training should be included (awareness of VRUs and how to use equipment) | 13 | 4 | 17 | 5% |
| The requirements should lie with HGV manufacturers rather than operators so that these improvements are built into new vehicles/against the principle of retrofitting | 0 | 14 | 14 | 4% |
| Subsidy grant should be available to help with costs | 6 | 3 | 9 | 3% |
| Should introduce a single standard for approved equipment (e.g. Kite mark) | 0 | 5 | 5 | 2% |
| Should include automated speed limiting technology | 2 | 2 | 4 | 1% |
| Should include automatic braking technology | 1 | 2 | 3 | 1% |

4.1.6 Comments about timescales

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Comments about timescales | | | | |
| Unrealistic timescales - insufficient time to procure, fit and test and/or concerns about availability of equipment and fitting technicians | 16 | 15 | 31 | 10% |
| Insufficient advance notice is impacting on future vehicle procurement | 5 | 5 | 10 | 3% |
| Phased or different approach needed for 0 Star and one to two Star Vehicles/It should only apply to new registrations | 0 | 10 | 10 | 3% |
| Disagree with PSS launch date - should be introduced later | 1 | 7 | 8 | 2% |
| Suggestion for new launch date/enforcement date (the most frequent suggestion was a two year extension to 2026) | 2 | 4 | 6 | 2% |

4.1.7 Comments about wider impacts of the proposals

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Comments about wider impacts of the proposals | | | | |
| Detrimental to haulage industry/Concerned about costs to install and/or enforce or that the IIA has not adequately identified the costs to industry | 25 | 15 | 40 | 12% |
| Scheme will cost businesses - concerns it will increase delivery costs/costs will be passed down to customers | 21 | 2 | 23 | 7% |

4.1.8 General Suggestions for DVS/HGV Safety Permit

| | Public | Stakeholder | Total | % Total |
|--|--------|-------------|-------|---------|
| General Suggestions for DVS/HGV Safety Permit | | | | |
| Restrict HGV use to certain hours | 18 | 3 | 21 | 7% |
| Ban HGVs from certain streets/areas | 6 | 2 | 8 | 2% |
| Introduce distribution centres where cargo can be moved across on to compliant vehicles/Vehicles that deliver to these centres could be exempt | 1 | 2 | 3 | 1% |

4.1.9 Suggestions for complementary measures for VRUs

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Suggestions - To achieve Vision Zero policy makers must also focus on VRUs | | | | |
| TfL needs to provide pedestrian and cyclist education campaign on road safety | 37 | 10 | 47 | 15% |
| Doesn't address issue of cyclist/scooter/pedestrian behaviour | 35 | 2 | 37 | 11% |
| More space is needed for cyclist (e.g. segregated cycle lane) | 20 | 7 | 27 | 8% |

4.1.10 Comments about permit application process

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Comments about permit application process | | | | |
| Current issues with the system | | | | |
| Concerns about the time taken to apply for permit | 1 | 5 | 6 | 2% |
| Frustrating that operators have to re-register when purchasing second hand vehicles | 0 | 3 | 3 | 1% |
| System too slow in recognising new vehicle and private plate registrations | 1 | 2 | 2 | 1% |
| Requests | | | | |
| Request for on-line permit checker facility | 1 | 10 | 11 | 3% |
| Clarification required on how existing compliant Safe System equipment will be certified | 6 | 5 | 11 | 3% |
| Other PSS evidence comments included: - Manufacturers fitting MOIS and BOIS that are compliant with REGs 151 and 159 should be regarded as compliant with the PSS without further certification requirements - Remove the need for photographic evidence and/or move to a trust and enforcement system over provision of upfront evidence - There is too much burden on vehicle manufacturers to provide evidence - Large fleet operators with a strong track record in compliance should be able to provide a sample check of their vehicles and have a single permit issued per company. - How will quality between systems installed by vehicle manufacturers versus retrofit be guaranteed - TfL should inspect and certify 3rd party installers to ensure quality | 0 | 9 | 9 | 3% |
| Concerned about TfL's capacity to manage volume of authentication requests | 5 | 4 | 9 | 3% |

| | Public | Stakeholder | Total | % Total |
|--|--------|-------------|-------|---------|
| Support any improvement of the permit application process | 1 | 6 | 7 | 2% |
| Photographic evidence of SS/branded letter heads are not robust enough as evidence of adequate compliance | 2 | 5 | 7 | 2% |
| Should be able to apply for permit using chassis number (VIN) rather than vehicle registration | 0 | 4 | 4 | 1% |
| Other permit checker comments included: - Requests for speedier data updates as delays mean vehicles can't be used - Ability to track permit application progress - TfL need to implement guaranteed service levels for permit applications/queries | 0 | 4 | 4 | 1% |
| Whole fleet look up is needed | 0 | 4 | 4 | 1% |
| Clarification required on (or suggestion for) how equipment fitted by operators will be certified | 0 | 4 | 4 | 1% |

4.1.11 Comments about enforcement process

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Comments about enforcement process | | | | |
| Need more resources to undertake enforcement/not enough enforcement | 5 | 2 | 7 | 2% |

4.1.12 Comments about 2028 review date

| | Public | Stakeholder | Total | % Total |
|---|--------|-------------|-------|---------|
| Comments about 2028 review date | | | | |
| Sensible timeframe for review | 13 | 6 | 19 | 6% |
| Do not review again/Review should be later | 3 | 4 | 7 | 2% |
| International standards need to have bedded in before further revisions | 0 | 7 | 7 | 2% |
| Needs to include adequate notice period | 3 | 2 | 5 | 2% |

4.1.13 Comments about star ratings

| | Public | Stakeholder | Total | % Total |
|--|--------|-------------|-------|---------|
| Comments about star ratings | | | | |
| Support moving minimum standard to three stars | 2 | 2 | 4 | 1% |

4.2 Summary of Question 2: What do you think about the quality of this consultation?

We asked respondents to give us feedback relating to the quality of the consultation materials we presented, the survey questions, and the ease and accessibility of our Have Your Say digital engagement platform.

4.2.1 Summary of responses to Question 2

394 people responded to this question. We found that:

- 62 per cent of respondents rated the website structure and written information as good or very good
- 65 per cent of respondents rated the on-line survey format as good or very good
- 63 per cent of respondents rated the accessibility of the website as good or very good

The chart below shows a full summary of the responses we received.

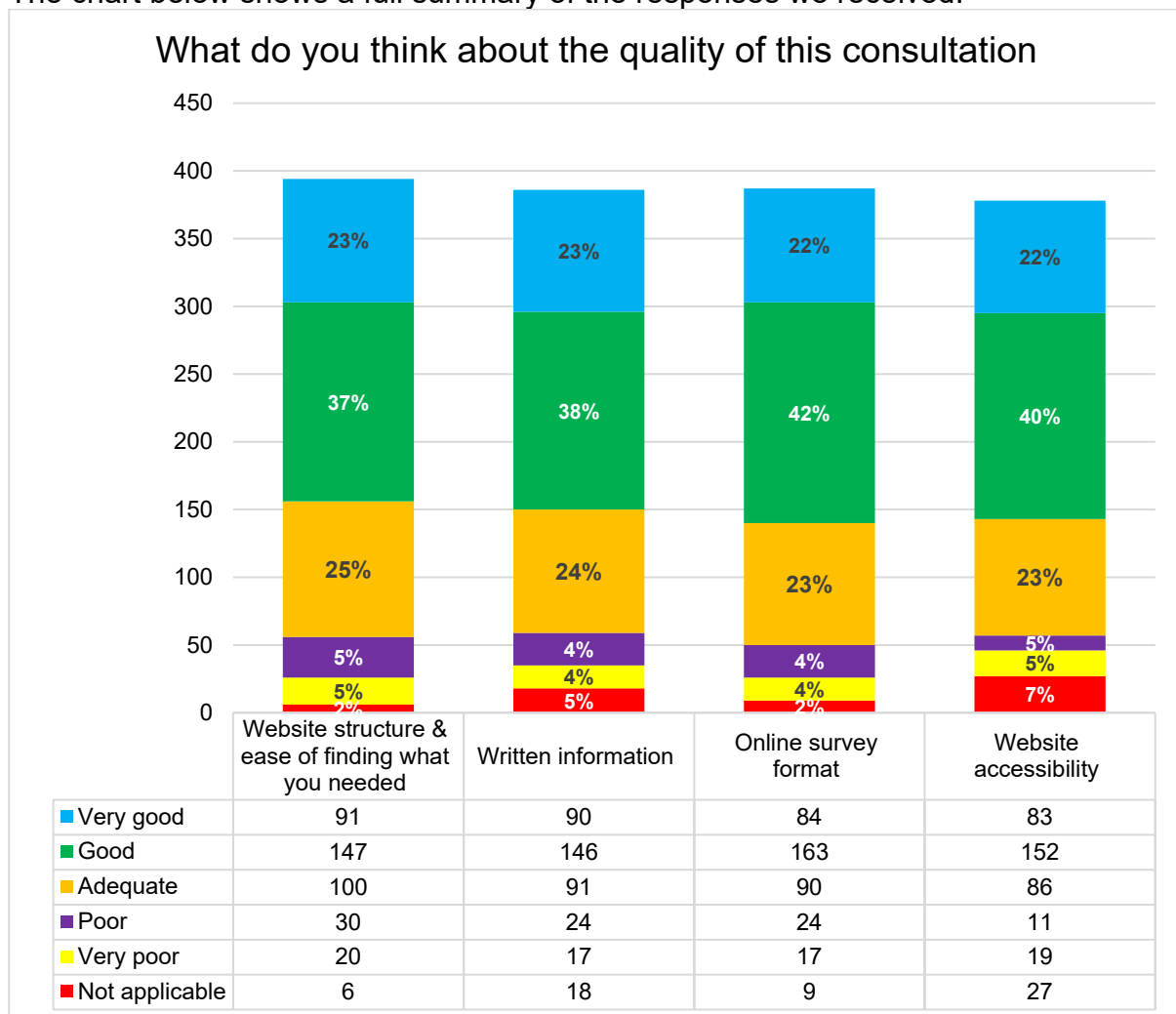


Figure 1: What do you think about the quality of the consultation

4.2.2 Issues commonly raised

We gave people the opportunity to give us their comments and feedback in a text box. 108 people provided their comments. Some of these comments related to the consultation content and have been analysed under section 4.1. The themes from responses to this question are summarised below.

| Comments | Total |
|---|-------|
| Web anchor links not working | 9 |
| Consultation material clear and easy to understand | 8 |
| Decisions already made/consultation is tick box exercise | 7 |
| Survey not clear/comments about questions | 6 |
| Consultation not publicised widely enough | 6 |
| Not enough technical information | 3 |
| Appreciate being consulted | 3 |
| Why no 'motorist' option in question 2? | 2 |
| Too much information/difficult to understand | 2 |
| Poor quality consultation | 1 |
| Why are demographic questions needed? | 1 |
| Didn't like registration form | 1 |
| Web text not clear | 1 |
| No information about cost of living impacts | 1 |
| Have your say website difficult to find - should be easily accessible from main TfL website | 1 |

4.3 Stakeholder responses

We received 52 responses from organisations we have classified as stakeholders and they are listed below. All stakeholder replies have been read in full by the project team and the comments that were made have been used to inform our decision making process.

4.3.1 Overview

There was broad support from stakeholders for the principle of DVS and the HGV Safety Permit Scheme but concern was raised about elements of the proposed PSS and the timescales. The top ten issues raised were as follows:

| Theme | Stakeholders |
|--|--------------|
| Concern about the practicality of sensors on articulated trailers given cabs use multiple trailers and the costs of installing, maintaining and licensing across multiple trailers | 19 |
| Need clarification on what current equipment will remain valid/or not under new PSS/concerned about removal of current kit and wasted investment by industry to date | 17 |
| Unable to provide meaningful feedback as specification details were not provided/A detailed specification is required based on required performance | 17 |
| Unrealistic timescales - insufficient time to procure, fit and test and/or concerns about availability of equipment and fitting technicians | 15 |
| Detrimental to haulage industry/Concerned about costs to install and/or enforce or that the IIA has not adequately identified the costs to industry | 15 |
| The requirements should lie with HGV manufacturers rather than operators so that these improvements are built into new vehicles/against the principle of retrofitting | 14 |
| Needs coordinating with other regulations and schemes (i.e. FORs or EU regs e.g. UNECE 151 and 159 - for example sensor detection distance must be consistent between UNECE and PSS) | 11 |
| Phased or different approach needed for 0 Star and one to twoStar Vehicles/It should only apply to new registrations | 10 |
| TfL needs to provide pedestrian and cyclist education campaign on road safety | 10 |
| Request for on-line permit checker facility | 10 |

A full list of issues raised by stakeholders, along with the numbers who raised it, are available in Appendix B and issues raised by more than two stakeholders are also recorded in section 4.1 and 4.2 of this report.

The written summaries of the stakeholder replies are available in Appendix D.

4.3.2 Stakeholder by category

Transport Related Interest Groups & Charities

Hounslow Cycling

London Cycling Campaign

Royal Society for the Prevention of Accidents

Walk And Cycle London CIC

Vehicle Manufacturers

DAF Trucks Ltd

Montracon Ltd

Renault Trucks UK and Ireland

Scania Great Britain Ltd

Volta Trucks

Volvo

Operators

Culina Group

Day Group Ltd

DFDS Logistics Ltd

ELB Partners

Hamblion Transport Ltd

Hawkins Logistics Limited

Hiltons Distribution Ltd

Kilnbridge Group

Maritime Transport Ltd

Ocado Operating Ltd

O'Donovan Waste Disposal Ltd

R Swain & Amp Sons Ltd

Saint-Gobain

Stef-Langdons

Wincanton Holdings Ltd

Equipment Manufacturers

Autowatch UK Limited

Brigade Electronics

Fleet Focus

Reversing Made Easy

Spillard Safety Systems Ltd

Trade Body

AICES

Brewery Logistics Group

British Beer & Pub Association

Bundesverband Güterkraftverkehr Logistik und Entsorgung (BGL)

Construction Plant-hire Association

Logistics UK

Mineral Products Association

Road Haulage Association (RHA)

Society of Motor Manufacturers and Traders (SMMT)Transport en Logistiek Nederland (TLN)

Business

Sir Robert McApline

DHL

FM Conway

John Lewis

Royal Mail

Tarmac

UPS

Local/Regional Government

LB Hammersmith & Fulham

LB Lewisham

LB Redbridge

Westminster City Council

Elected Representatives

Caroline Pidgeon AM

4.4 Stakeholder Meetings

During the consultation period the project team received 11 requests from stakeholders to discuss the proposals and also regularly attended TfL's weekly freight stakeholder phone call sessions with a variety of representatives of the freight industry. The 11 meetings were with:

- Logistics UK London Freight Council
- Mercedes
- DHL
- Society of Motor Manufacturers and Traders (SMMT) - (Members meeting)
- TfL Freight Forum
- RHA
- Beer and Pub Association
- RHA Southern England
- CLOCS Safety Forum
- SMMT (Board)
- RTM Motor Magazine

The key issues that were raised across these meetings can be found in Appendix F.

4.5 Petitions and campaigns

We did not receive any petitions or campaigns.

Appendix A: Our response to the main issues raised

Below are our responses to the most common issues raised by respondents to the consultation.

| Issue | Response |
|--|--|
| Support | |
| Good idea/support principle of DVS Phase 2 and/or PSS proposals | <p>We note these comments and support.</p> <p>London led the way by launching the world's first Direct Vision Standard in 2019, and since then we have seen reductions in the number of collisions where vision is a contributing factor. Our primary aim must always be to reduce collisions and improve road safety. In doing so, we are always mindful of the costs to industry and time needed to fit new equipment.</p> <p>We have read and noted areas of concerns that have been raised during the consultation process. These are detailed in this document along with our position in response to them.</p> |
| Support as will improve road safety, especially for cyclists and pedestrians and will reduce fatalities | |
| Good start but proposals must go further/are too limited/should be implemented sooner/ Support making PSS components mandatory | |
| Support principle of DVS or HGV Safety Permit but have concerns with PSS proposals | |
| Criticism about proposals - General | |

| | |
|---|--|
| Poor idea/do not support the proposal | We launched DVS in 2019 and since then we have seen a reduction in fatal collisions where vision is a contributing factor. These have reduced by 50 per cent (from 12 to six) between 2018 and 2021 and have halved again between 2021 and 2023 (down from six to three). |
| It will have little or no impact on safety/fatalities | This indicates that DVS and the HGV Safety Permit Scheme, alongside other road danger reduction measures such as improved driver training, are having a positive effect. However, we must not become complacent. In order to reach the Mayor's goal of Vision Zero, where no one is killed or seriously injured on London's road network by 2041, we need to go further and the new PSS will help us achieve that goal. |
| Lack of evidence to demonstrate Safe System benefits | <p>Research undertaken by Loughborough University as part of the review into the HGV Safety Permit Scheme showed that elements such as Camera Monitoring Systems (CMS) can eliminate the blind spots at the side of a vehicle. Loughborough's research showed that CMS can detect up to three times as many vulnerable road users than if it were not installed.</p> <p>Moving off Information Systems (MOIS) can detect vulnerable road users at the frontal blind spot of HGVs. By requiring the installation of this system, Loughborough University's research showed we can reduce collisions when an HGV moves off from rest. All elements of the PSS are recommended for inclusion as there is good evidence to suggest they will eliminate collisions where vision is a contributory factor.</p> |
| Does not address risky driver behaviour | <p>The PSS aims to improve vehicle safety of zero to two star rated vehicles. The PSS seeks to influence driver behaviour through the use of sensors and cameras which offer better information to inform a driver's actions. This should aid driver decision-making when travelling on the road network.</p> <p>There are a variety of existing driver training schemes which already exist, and the HGV Safety Permit Scheme does not seek to replicate them. HGV drivers are amongst the most well-trained users on the road network, and we highly recommend continued training for all road users</p> |

| | |
|---|--|
| <p>Criticism of consultation process (e.g. Mayor or TfL do not listen)</p> | <p>Through our consultations we seek to listen to the feedback provided and consider this a vital part of our decision-making process. A consultation is not a referendum on a binary question, but a process which assists us in making the best-informed decision by listening to those impacted by our proposals, and considering their feedback in the wider context.</p> <p>Following this consideration, we may decide to alter some of our proposals based upon feedback, as is this case with this consultation, where we have made recommendations for change in response to some of the issues that have been raised.</p> |
| <p>Should be set at an international level</p> | <p>The work we have undertaken with manufacturers has already seen the EU incorporate direct vision into safety standards. EU regulation 2019/2144, which came into effect in 2022, requires all 27 member states to consider direct vision from HGV cab windows as a tool to reduce fatalities. The European Commission expects that this, along with other safety measures being introduced, will save an estimated 25,000 lives by 2038.</p> <p>In addition, the United Nations Economic Commission for Europe (UNECE) has cited DVS as a best practice example for how countries across Europe can reduce road deaths. It also uses the experience of London as a show case. As DVS influences design and regulation beyond London, the expected benefits will also extend far beyond the original scheme.</p> |
| <p>Changes are unnecessary - existing regulations and practices already cover these standards and time should be allowed for these to come into effect.</p> | <p>UNECE Regulation 151 (Blind Spot Information System for the Detection of Bicycles) was published November 2021 and UNECE Regulation 159 (Moving Off Information System for the Detection of Pedestrians and Cyclists), published in June 2021, both of which are incorporated into the technical specifications that form part of the PSS and will become a standard feature in new vehicles from 2024. However, these regulations will apply to new vehicles and the PSS is designed to drive up safety standards for all vehicles while these features take effect.</p> |

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| Just a money making scheme for TfL | DVS and the HGV Safety Permit Scheme are designed to raise safety standards in London. We do not charge HGV operators for any part of this scheme and obtaining a permit is free. We continue to invest in safety schemes for Londoners and consider the cost implications to operators. |
| This introduces yet more bureaucracy | The PSS will be evidenced and enforced under similar conditions as the existing Safe System, meaning there will be a similar level of administration. To improve our systems for users we will commit to seek improvements to the time it takes to receive confirmation of a permit after application and provide a vehicle look up tool to enable operators to establish which vehicles in their fleet have permits. As a minimum, this would be for single vehicle searches with potential to expand to multi vehicle search functionality. |
| Concern its pushing older HGV drivers into early retirement | <p>The new PSS will introduce requirements which aim to reduce driver workload and improve the user's experience. Any sensor system must be active, which will reduce any false negatives for drivers and the use of CMS alongside mirrors will also reduce driver workload.</p> <p>The Independent Impact Assessment (IIA) into the PSS noted <i>"organisations were generally in favour of the proposals and support systems that will make vehicles safer for all road users including the drivers themselves"</i>.</p> <p>We have also not seen any evidence that the PSS or policies designed to prevent collisions will adversely impact upon HGV driver retention.</p> |
| Neutral comments | |
| Standards need to be imposed equally on domestic and foreign vehicles | The HGV Safety Permit Scheme, and the PSS will be applied to UK and non-UK vehicles equally. The new PSS also recommends applying an audio warning for all vehicles when making turning manoeuvre on their nearside. Currently this does not apply to vehicles which are left-hand drive. |

| Specific negative comments on PSS proposals | |
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| General | |
| <p>Need clarification on what current equipment will remain valid/or not under new PSS/concerned about removal of current kit and wasted investment by industry to date</p> | <ul style="list-style-type: none"> • We understand the need for greater technical specifications and these will be released in summer 2023. All new technical specifications will be performance based and clearly communicated to the industry along with a revised Guide for Operators. • We appreciate the concerns raised about replacing existing equipment. In some cases it may be possible to upgrade equipment already installed, such as sensors, rather than replace it. However, this is dependent upon the type of equipment already installed. • Technical specifications were not included in the initial consultation as we needed to establish the principles of the PSS before confirming equipment standards. This is the same approach we took when developing and consulting on the first safe system. |
| <p>Unable to provide meaningful feedback as specification details were not provided/A detailed specification is required based on required performance</p> | |
| <p>Needs coordinating with other regulations and schemes (i.e. FORS or EU regs e.g. UNECE 151 and 159 - for example sensor detection distance must be</p> | <p>TfL is working with FORS to implement the proposed PSS standardisation of vehicle safety within the Silver category.</p> |

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| <p>consistent between UNECE and PSS)</p> | <p>We have worked with the European Union and United Nations to include direct vision in future policy decisions so that direct vision standards can be applied equally across the UK and EU. The PSS suggests equalizing all elements fitted to vehicles regardless of their country of origin.</p> <p>UNECE Regulation 151 (Blind Spot Information System for the Detection of Bicycles) was published November 2021 and UNECE Regulation 159 (Moving Off Information System for the Detection of Pedestrians and Cyclists), published in June 2021, both of which form part of the PSS but will become a standard feature in new vehicles from 2024. The PSS is designed to increase safety standards while these features take effect.</p> <p>The PSS sensor ranges will be consistent with UNECE specifications which will assist with standardisation of vehicle safety across the UK and EU. Although the UNECE proposals are welcome the UK is no longer bound by EU regulations. In order to ensure that London has the highest safety standards, we felt it appropriate to enhance our standards which closely mirrors regulations 151 and 159.</p> |
| <p>Concerns about quality of technology/reliability</p> | <ul style="list-style-type: none"> • Loughborough University has conducted extensive in lab and on-site research to ensure the most effective equipment is recommended for inclusion within the PSS. Equipment recommended for inclusion, such as MOIS or sensor systems, have undergone live experiments to ensure they are fit for purpose. Research conducted by Loughborough University concluded that the quality of sensors used was critical to the effectiveness of the sensors performance which is why we have mandated the use of sensors which are active. More information on the research can be found in the Loughborough Research Report. • We will publish detailed technical specifications and a guide for operators in summer 2023 which will give further details on equipment. These will set out the range and detection accuracy which aim to prevent non-compliant products being fitted to vehicles. |
| <p>Concern about detection accuracy of products currently available on the market and how TfL proposes to stop these entering the market</p> | |

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| Concerned about time loss due to installation and maintenance. | <ul style="list-style-type: none"> The PSS has been developed in co-operation with freight stakeholders and we are working closely with the wider industry to inform our decision making. The time required to install the suggested PSS equipment is likely to be less than a day and could be programmed when a vehicle undertakes its usual maintenance work. All equipment suggested within the PSS is widely available on the market, and from 2024 will be installed at the point of manufacture for new vehicles. As the equipment is widely available this should reduce costs should it become damaged. Having listened to the view of the freight industry and its request for more time to buy, test and fit any equipment we will recommend offering a three-month grace period ending on 31st January 2025 for operators of eligible zero, one and two star rated vehicles to comply with PSS requirements. The grace period will only be offered to those operators which supply evidence showing that vehicles have an appointment with fitters to install PSS equipment. The potential for additional time should it be needed may reduce price inflation in the cost of equipment. We have not seen any evidence from either phase 1 implementation, or from stakeholders, that policies designed to improve vehicle safety have inflated the price of such equipment. |
| Modifications /technology can be expensive to maintain/repair. | |
| Concerned about price inflation due to potential parts shortages. | |
| Concerns about driver distraction/cognitive overload | <p>The PSS seeks to reduce driver workload through advances in technology. Elements such as replacing some mirrors with CMS or ensuring that sensor systems can distinguish between vulnerable road users and street furniture are intended to reduce driver workload.</p> <p>Some false positive readings from sensors that cannot distinguish between humans and street furniture have led drivers to switch off some existing systems. The PSS will eliminate these issues and improve the overall driver experience.</p> |
| Mirrors/Camera Monitoring | |
| More precise CMS (and blind spot) definition required | A definition of a blind spot was given in the consultation materials and CMS that are compliant with EU regulation 46 will be accepted. We understand the need for greater technical specifications and will publish them in summer 2023. |

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| Concern about ability of long-sighted drivers to adequately see off-side camera screens | All HGV drivers have to undertake regular medical examination with higher eyesight requirements than those of non-vocational drivers. In addition, equipment should be placed at reasonable positions within the cab to meet the users needs. |
| Near-side sensors & MOIS | |
| Concern about the practicality of sensors on articulated trailers given cabs use multiple trailers and the costs of installing, maintaining and licensing across multiple trailers | <p>We understand the issues with articulated trailers and having carefully listened to the concerns of industry. We have amended the proposal so that this will become a recommendation, not a compulsory element.</p> <p>Detailed technical specifications will be published in summer 2023.</p> |
| Clarification on whether sensors will be required on other trailer types (drawbar) and/or other types of towed equipment | <p>New equipment will not have to be fitted to a drawbar or other towed equipment.</p> |
| Concerned whether/or questioning how retrofit MOIS and BSIS equipment will be compliant with R151/159 and/or suggesting BSIS and MOIS should only be mandated on vehicles built to UNECE regs | Vehicles can only be approved to R151/159, not a sub-system or component. It is possible to require systems that meet the same technical performance when fitted to a vehicle independently applying the same technical requirements as R151/159 and the details of this will be available in the technical specifications which will be published in summer 2023. |

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| Definition of an 'active sensor' is required | The principal definition of an “active sensor” was set out in the consultation document e.g. that any sensor must be able to identify and classify a human as a different object to static street furniture to enable different warning strategies in each case. |
| Vehicles fitted with Autonomous Emergency Braking should be exempt from requiring MOIS | <p>AEB only activates if a vehicle is travelling above around 10kph but MOIS activates from 0 km/h. We aim to eliminate collisions which occur from a vehicle moving off from rest (e.g. 0 km/h).</p> <p>AEB would not be able to alert the driver to the presence of VRUs in a blind spot right in front of the vehicle, for example when it is stationary at traffic lights. Replacing the requirement of MOIS for those vehicles with AEB would therefore have a negative impact on road safety.</p> |
| AI camera technology should be included in specification as suggestion that it is more accurate than proximity sensors | The requirement related to blind spot sensors is performance based and does not prescribe the technology that must be used to achieve that performance. For example, a warning must be issued when a VRU is detected in a zone to the nearside to the rear of the front of the vehicle, regardless of the vehicle length. This could mean both AI and radar systems will be considered acceptable if they meet the performance criteria. |

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| Suggest far reaching side scanners positioned on cabs is more practical | |
| Concerned will create inconsistent regulation between zero to two and three plus star vehicles | <p>When DVS phase 1 was launched we announced that from October 2024, we would raise the DVS requirement to enter London from one star to three stars.</p> <p>The PSS does not seek to address a difference between the star rating of vehicles, but seeks to improve overall safety of vehicles with zero to two star rated levels of direct vision. Although some lower star rated vehicles will have additional sensors, those rated as three stars or above may choose to fit additional equipment and will have better direct vision.</p> <p>We will review the HGV Safety Permit Scheme in 2028 and aim to keep improvements to technology under review.</p> |
| Audio Warnings | |

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| Concern about noise pollution | The noise levels of audio warnings are typically set between 65 and 85 decibels, which is within the range of accepted noise levels as described by the Noise Abatement Society. Drivers will also have the ability to turn off audio warnings when operating in urban areas between 22:00 and 07:00. |
| Concerns about changing legislative environment | The law does not prevent the instillation of audio warnings on vehicles, but we will ensure any proposals made now or in the future are in accordance with the law. |
| Signage | |
| Text size needs defining to ensure consistent application | There are no plans to alter the signage within the current scheme as there is no evidence that by doing so it will have any safety benefit. We will keep this under review and may choose to alter at the 2028 HGV Safety Permit Scheme review should wider evidence of this issue become available. |
| Suggestions for the PSS | |
| Driver training should be included (awareness of VRUs and how to use equipment) | <p>The direct vision requirements solely relate to the vehicle. We therefore decided that the PSS, which acts as a mitigation should the required direct vision threshold not be achieved, should also solely relate to the vehicle.</p> <p>There are a variety of existing driver training schemes which already exist and this Scheme does not seek to replicate them. HGV drivers are amongst the most well trained on the roads, and we highly recommend continued training for all drivers.</p> <p>We will continue to encourage the highest standards of safe driving in the freight and servicing sector, both through our own programme of work as set out in our Freight and Servicing Action Plan and by calling on the Department for Transport to make Safe Urban Driving a compulsory part of the Driver Certificate of Professional Competence.</p> |

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| Should include automated speed limiting technology/ Should include automatic braking technology | <p>Our primary aim must always be to reduce collisions and improve road safety. In doing so, we are always mindful of the costs to industry and time needed to fit new equipment.</p> <p>Loughborough University presented a range of additional items for possible inclusion into the PSS. Each of these technologies were assessed against the key five principles of:</p> <ol style="list-style-type: none"> 1. Suggested elements should aim to reduce road danger and improve safety 2. There should be robust evidence about the effectiveness and safety benefits of PSS components 3. Components should be readily available to the market and be industry recognized 4. They should be retrofittable to existing vehicles 5. They should not be cost-prohibitive. <p>Where technologies did not align with the five principles, these were excluded from the PSS composition. This included, but was not limited to several examples of automatic braking technology:</p> <ul style="list-style-type: none"> • Intelligent Speed Assistance (ISA). ISA is a vehicle safety feature that informs drivers of the current speed limit and, when needed, acts as a speed limiter. This element was not included as evidence shows that the most common types of collisions between HGVs and vulnerable road users where vision is a contributory factor occur at very low speeds. • Autonomous Emergency Braking (AEB). AEB is a system that keeps track of the road ahead and will automatically halt the vehicle if the driver fails to take action. This feature was not included as there is very limited market availability for retrofit. This could be considered in future if it becomes more widely available. • Fatigue monitoring systems. These use cameras to monitor driver reactions and sound a warning if drivers begin to fall asleep at the wheel. This technology was not included as there is insufficient evidence of its safety benefits to date. • Passenger side lower door windows can be included in the DVS star rating where approved by the Vehicle Manufacturer (and where the appropriate Computer Aided Design data is available). This has the potential to increase the volume of visible space by approximately four to nine per cent. However, while a lower door window has the potential to increase an HGV's star rating, it will not do so in all instances. The ability to increase a star rating will be dependent on the configuration of the HGV and where it lies between the star rating boundaries. For these reasons this has not been included in the PSS. • Repeat indicators along the side of vehicles. There is no evidence that these have increased safety benefits, but we will continue to keep this under review. • Reversing sensors. The majority of fatal collisions occur when a vehicles is turning left or moving off from rest. There is no evidence that adding this as a requirement will reduce these types of collisions. <p>A further review into the HGV Safety Permit Scheme and the PSS and its outcomes are planned for 2028, when this scheme will have been in place for almost a decade.</p> |
| Should include repeat indicators along the entire side of the vehicle | |
| Should introduce reversing sensors | |
| Should include lower door windows | |

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| The requirements should lie with HGV manufacturers rather than operators so that these improvements are built into new vehicles/against the principle of retrofitting | <p>We have developed the PSS working with vehicle and equipment manufacturers and some vehicle manufacturers already offer vehicle models with PSS-level equipment fitted. UNECE regulations which come into force in 2024 will also require vehicle manufacturers to include elements of the suggested PSS.</p> <p>In time, as more newly built HGVs enter the market there will be less of a need to retrofit equipment. The IIA also noted that “<i>some operators did point out that retrofitting was preferred to the procurement of new vehicles due to the associated costs</i>”.</p> <p>We will accept evidence from vehicle manufacturers which have built PSS elements into their vehicles. The PSS will require operators to supply evidence that the PSS has been fitted to their vehicles if they are rated zero to two star rated.</p> |
| Subsidy grant should be available to help with costs | There are no plans to provide a grant to aid with implementation of the PSS. Plans to raise the star rating from one to three stars in October 2024 have been publicly communicated since October 2019 giving the industry five years to ready itself for this change. |
| Should introduce a single standard for approved equipment (e.g. Kite mark) | All equipment specified will be required to meet the specification published by TfL when the requirements for the PSS are confirmed in summer 2023. |
| Should introduce system to communicate to VRUs that sensors have picked them up | <p>MOIS and sensor systems alert the driver of a vehicle to the presence of a vulnerable road user, such as those who walk and cycle, so that the driver may take action to avoid a collision.</p> <p>Effective technology to warn both the driver and a vulnerable road user was not suggested by Loughborough University when it developed the PSS. There is no evidence that such technology is currently available on the market.</p> |

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| | <p>We continue to keep developments in technology under review and, should equipment be produced which can facilitate this warning we may consider it as part of our planned review of the HGV Safety Permit Scheme in 2028.</p> |
| Comments about timescales | |
| Unrealistic timescales - insufficient time to procure, fit and test and/or concerns about availability of equipment and fitting technicians | <p>Every year more than 2,000 people are killed or seriously injured on London's streets. People from more deprived areas, some ethnic minorities, disabled people, children and older people are disproportionately affected by road danger. We are determined to make London's streets safer and reduce these road traffic injury inequalities.</p> <p>Our goal is that we reach vision zero, where no one is killed or seriously injured on London road network, by 2041 and the PSS is a vital part of that aim.</p> |
| Disagree with PSS launch date - should be introduced later | <p>Our plans to raise the minimum star rating for HGVs over 12 tonnes to enter and operate in Greater London along with a proposed review into the existing Safe System were first announced in 2019.</p> |
| Insufficient advance notice is impacting on future vehicle procurement | <p>We consider that this is still the appropriate date to commence phase 2 of the scheme, but acknowledge that it may not be possible for all vehicles to be replaced or retrofitted by this date due to availability of components and / or capacity of fitters.</p> <p>Therefore, to give the freight industry sufficient time to buy, fit and test any new equipment TfL will recommend offering a three-month grace period, ending on 31st January 2025 for operators of eligible zero, one and two star rated vehicles to comply with PSS requirements.</p> <p>The grace period will only be offered to those operators which supply evidence showing that vehicles have an appointment with fitters to install PSS equipment. For zero star vehicles, only vehicles which already have permits (and meet current safe system requirements) will be eligible so as to protect the safety benefits of the current scheme.</p> |

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| | <p>We are working with the industry to set out guidance and technical specifications to help industry prepare for the PSS and procure equipment needed and further details will be published in summer 2023</p> |
| <p>Phased or different approach needed for zero and one to two Star Vehicles/It should only apply to new registrations</p> | <p>Zero, one and two star rated vehicles have lower levels of direct vision and we will seek to apply the new PSS requirements to all vehicles in this group. This is to ensure we continue to improve safety standards and eliminate fatal collisions where vision is a contributory factor as soon as possible.</p> |
| <p>Suggestion for new launch date/enforcement date (the most frequent suggestion was a two year extension to 2026)</p> | <p>In order to give the freight industry sufficient time to buy, fit and test any new equipment TfL will recommend offering a three-month grace period ending on 31st January 2025 for operators of eligible zero, one and two star rated vehicles to comply with PSS requirements.</p> <p>We are recommending a three-month grace period as this is consistent with our approach to Phase 1 and we consider it offers sufficient time for the industry to become compliant. However, this will be kept under review. The grace period will only be offered to those operators which supply evidence showing that vehicles have an appointment with fitters to install PSS equipment.</p> |

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| Disagree with PSS launch date - should be introduced sooner | The Mayor outlined the date for the second phase of DVS in October 2019. The freight industry needs sufficient time to buy, fit and test any new equipment and we believe the existing minimum timeframes are important to accommodate that requirement. |
| Support proposed timescales for introduction | There has been no evidence that the freight industry could accommodate a faster launch date than October 2024 which was established in 2019. |
| Comments about wider impacts of the proposals | |
| Detrimental to haulage industry/Concerned about costs to install and/or enforce or that the IIA has not adequately identified the costs to industry | <p>DVS and the PSS are designed to reduce collisions involving HGVs and VRUs. Improved safety standards are a benefit to all stakeholders, including the freight industry.</p> <p>The PSS will apply to vehicles rated zero to two stars. When Phase 1 of DVS was launched in October 2019, we set out then that the scheme was progressive and that standards would be tightened from October 2024, in order to further reduce collisions where vision is a contributing factor.</p> <p>The average cost of the new PSS is estimated to be around £1,500 and the Integrated Impact Assessment (IIA) showed that the financial cost to operators is limited when compared to the costs associated with collisions involving HGVs.</p> <p>While there is a cost to businesses (as well as the public sector for implementing an operating the scheme), the costs of an operator's HGV colliding with someone walking or cycling are likely to be far higher in terms of disruption to the business, including police investigations and coroner's court attendance, loss of use of the vehicle and driver, increased insurance costs and potential reputational damage etc.</p> <p>Most important of all is the very real pain and anguish for people affected by the collision that might have been avoided: the victim, the driver, their families, friends and colleagues.</p> |

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| Scheme will cost businesses - concerns it will increase delivery costs/costs will be passed down to customers | The average cost of the new PSS is estimated to be around £1,500 and the Integrated Impact Assessment (IIA) showed that the financial cost to operators is limited when compared to the costs associated with a collision. In addition, there is no evidence that we have seen that any costs associated with the PSS, or the original Safe System, are passed to customers. |
| Concern could interrupt deliveries | <p>DVS and the PSS are designed to reduce collisions involving HGVs. We consider that fewer collisions on the London road network will improve overall reliability of delivery services for all Londoners.</p> <p>The time taken to fit equipment to a vehicle is expected to be minimal and could be undertaken in less than a working day. We therefore do not believe that this will adversely affect deliveries if this work is well planned.</p> <p>In order to give the freight industry sufficient time to buy, fit and test any new equipment TfL will recommend offering a three-month grace period ending on 31st January 2025 for operators of eligible zero, one and two star rated vehicles to comply with PSS requirements. The grace period will only be offered to those operators which supply evidence showing that vehicles have an appointment with fitters to install PSS equipment.</p> |
| Concern about greater costs (and availability) for specialist equipment required on Dangerous Goods carrying vehicles to meet DVS standards/there are some specialist vehicle types that do not easily comply with the requirements (e.g. HGV | <p>Some vehicles with specialist characteristics are either fully or partially exempt from the HGV Safety Permit scheme, the need to be DVS-rated and the PSS.</p> <p>Those vehicles which are exempt are listed here.</p> |

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| breakdown/recovery vehicles) | |
| General Suggestions for DSV/HGV Safety Permit | |
| Restrict HGV use to certain hours | HGVs over 18 tonnes are already restricted to certain hours of operation through the London Lorry Control Scheme (LLCS). However, there are no plans to restrict freight vehicles from operating in Greater London based on the size of the vehicle. |
| Enforce low speed limits on HGVs | There are no plans to place time or speed limits on HGVs accessing the Transport for London Road Network (TLRN) as speed limits are already applied to all vehicles. TfL owns and operates five per cent of London's road network, so the majority of restrictions are set by London Boroughs. Some Boroughs further restrict HGVs through Local Traffic Neighbourhood (LTN) schemes, Zero Emission Zones (ZEZ) and height or weight restrictions on their road networks. |
| Ban HGVs from certain streets or areas/ Ban or reduce HGVs from London | |
| Introduce distribution centres where cargo can be moved across on to compliant vehicles/Vehicles that deliver to these centres could be exempt | DVS and the PSS are designed to improve safety in HGVs over 12 tonnes. Constructing or introducing distribution centres as part of the DVS and the PSS project falls outside the scope of this scheme. However, as set out in the Mayors' Freight and Servicing Action Plan we recognise the important role consolidation has to play in achieving our goals of reducing congestion and improving air quality. |

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| | <p>We recently launched our Cargo Bike Action Plan which seeks to utilise consolidation to make deliveries in urban centres. In addition, we promote the use of Construction Consolidation Centres across London and opportunities for mode shift within the supply chain.</p> |
| Encourage use of rail and river freight | <p>The Mayor, through his Freight and Servicing Action Plan, has set out a number of actions to increase the use of rail and water-borne freight.</p> <p>TfL has already conducted successful trials of light goods by river and through the Mayors' Transport Strategy, Policy 16, is committed to ensuring more goods are transported by rail and in 2021 TfL worked with DfT to produce London's first rail freight strategy since 2007 to aid mode shift from road to rail.</p> |
| Safety Permit Scheme should be extended to all commercial vehicles | <p>There are no plans to extend the HGV Safety Permit scheme to other vehicles as part of this proposal. We have targeted our interventions at those vehicles which have been disproportionally involved in fatal collisions with vulnerable road users and have the poorest levels of direct vision.</p> |
| Suggestions - to achieve Vision Zero policy makers must also focus on VRUs | |
| TfL needs to provide pedestrian and cyclist education campaign on road safety | <p>The Mayor is committed to ensuring there are no fatal or serious collisions on London's roads by 2041. To meet this goal the Mayor has set out his plans in his Vision Zero Action Plan progress report .</p> <p>The Vision Zero Action Plan has four pillars of action: safe speeds, safe streets, safe vehicles, safe behaviours. Our proposals to eliminate road deaths focus on actions such as lowering traffic speeds to 20 mph, completing our safer junctions programme and rolling out cycle and motorcycle training.</p> |
| Doesn't address issue of cyclist/scooter/pedestrian behaviour | <p>We use a combination of engagement, education, training and enforcement measures to improve all road users' behaviour and make our streets safer. This includes funding and working closely with the Metropolitan Police Service Roads and Transport Policing Command and the City of London Police. The police will take enforcement action against people cycling who disregard road rules and put themselves and other at risk. However, our priority,</p> |

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| Introduce cycling permits/licensing | <p>together with Metropolitan Police Service, is the behaviours and vehicles that cause the greatest harm. The enforcement action is complemented by education, engagement and training activity, targeted at both people cycling and other road users.</p> <p>For example, TfL and London boroughs fund provides funding to London boroughs to deliver Bikeability and adult and children cycle training, designed to give people the confidence and skills to cycle on the roads. Cycle Skills training across Greater London. Bikeability is 'cycling proficiency' for the 21st century and is designed to give children and young people the skills and confidence to ride their bikes on London's roads.</p> <p>For adults, the majority of London boroughs offer free Cycle Skills sessions to anyone who lives, works or studies in London.</p> <p>Road safety education is also provided to school children through our award-winning STARS programme.</p> <p>At present there are no plans to introduce licencing for cycles, as this issue can only be mandate by national government.</p> |
| More space is needed for cyclists (e.g. segregated cycle lane) | <p>We continue to work closely with local boroughs to create space for cycling across the city. This includes rapidly expanding the high-quality Cycleway network, transformative junction improvement to reduce road danger and local traffic reduction schemes such as Low Traffic Neighbourhoods or School Streets building a strategic network for cycling in London, transforming town centres and reducing traffic on residential streets.</p> <p>We have more than trebled the size of the Cycleway network since 2016, More than 260km 250km of high-quality cycle routes have been delivered since May 2016. Where we and the boroughs have expanded the Cycleway network, cycling risk (number of collision per million journeys) has gone down.</p> <p>The need to create space on London's roads for walking and cycling has become even more important since the coronavirus pandemic began, with record numbers of Londoners walking and cycling to make essential journeys.</p> <p>We continue to work with our partners to build more segregated cycle lanes and expand the Cycleway network.</p> <p>Our overall strategy and our actions to improve cycling can be found in the our Cycling Action Plan.</p> |
| Comments about permit application process | |

| Current issues | |
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| Concerns about the time taken to apply for permit | |
| <p>Frustrating that operators have to re-register when purchasing second hand vehicles and</p> <p>System too slow in recognising new vehicle and private plate registrations</p> | <ul style="list-style-type: none"> • We acknowledge the issues some users have experienced when applying for permits and we are seeking to remove some of these barriers as part of Phase 2. To improve the system, we will commit to seek improvements to the time it takes to receive confirmation of a permit after application and provide a vehicle look up tool to enable operators to establish which vehicles in their fleet have permits. As a minimum, this would be for single vehicle searches with potential to expand to multiple vehicle search functionality. Work is underway to establish when these items can go live, and we will keep industry stakeholders updated on progress through Freight Forums and working groups. • Those operators applying for permits for three to five star rated vehicles will be approved without the need to supply evidence. We will continue to improve our systems throughout 2023, 2024 and beyond to improve the user experience. • Average daily compliance to the HGV Safety Permit scheme is currently at 94 per cent and road-side spot checks of vehicles also reports increasing compliance. Therefore, we consider the existing trust based system to be working well. We will seek to undertake a full review of the HGV Safety Permit scheme in 2028 and will may re-examine this element. Should any changes be recommended as a result of that review we will give the freight industry as much notice as possible to prepare. |
| Multiple vehicle permit application too reliant on trust | |
| Requests – permit checker | |
| Request for on-line permit checker facility | <p>We acknowledge the issues some users have experienced when applying for permits and we are seeking to resolve these as part of Phase 2. To improve the system, we will commit to seek improvements to the time it takes to receive confirmation of a permit after application and provide a vehicle look up tool to enable operators to establish which vehicles in their fleet have permits. As a minimum, this would be for single vehicle searches with potential to expand to multi vehicle search functionality.</p> |

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| <p>Other permit checker comments included:</p> <ul style="list-style-type: none"> - Whole fleet look up is needed - Requests for speedier data updates as delays mean vehicles can't be used - Ability to track permit application progress. - TfL need to implement guaranteed service levels for permit applications/queries. | <p>We will seek to improve our systems throughout 2023, 2024 and beyond to improve the user experience. We are currently working to establish what is feasible to be achieved by the time we launch Phase 2. We aim to keep stakeholders updated on progress through Freight Forums and working groups.</p> |
| <p>Should be able to apply for permit using chassis number (VIN) rather than vehicle registration</p> | <p>There are no plans to allow the use of a chassis number (VIN) in place of VRN as part of the permit application process.</p> <p>This is because the enforcement process uses ANPR cameras which read the VRN and checks whether the vehicle has a permit. OEMs use the VIN to identify the vehicle as most HGVs are bespoke to an individual order, and once the vehicle is registered with the DVLA from that point on, the VRN is used for enforcement purposes.</p> |
| Requests - evidence | |
| <p>Clarification required on how existing compliant Safe System equipment will be certified</p> | <p>Certifying existing equipment will be addressed by including a specification in the PSS standard and operators will be required to provide evidence for this. Equipment fitted by operators can be self-certified or by the OEM.</p> <p>In order to ensure the highest safety standards, we will continue to require operators to provide photographic evidence of safety equipment as standard. Our records show that, on average, 94 per cent of in scope vehicles have a permit in place.</p> |
| <p>Photographic evidence of Safe System/branded letter heads are not robust</p> | |

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| <p>enough as evidence of adequate compliance</p> | <p>This shows that operators have largely joined the scheme, supporting our safety objectives. We also carry out roadside spot checks of vehicles on a regular basis which aim to ensure full compliance of the HGV Safety Permit conditions.</p> |
| <p>Clarification required on (or suggestion for) how equipment fitted by operators will be certified/</p> <p>TfL needs to inspect and certify installing/fitting companies</p> | <p>We will continue to accept evidence from operators by correspondence to demonstrate that the PSS has been fitted correctly and will release technical specifications in summer 2023 which will give a greater level of detail on the proposed elements of the PSS.</p> |
| <p>Other PSS evidence comments included:</p> <ul style="list-style-type: none"> - Manufacturers fitting MOIS and BSIS that are compliant with REGs 151 and 159 should be regarded as compliant with the PSS without further certification requirements - Remove the need for photographic evidence and/or move to a trust and enforcement system over provision of upfront evidence - There is too much burden on vehicle manufacturers to provide evidence | <ul style="list-style-type: none"> • The PSS will require a similar level of proof to the current Safe System and there are no plans to remove the requirement to provide photographic evidence. We will accept correspondence from manufacturers as a form of proof, which we expect will make the process as simple as possible. • Current levels of average daily compliance rates are at 94 per cent, which indicates that the existing level of proof required works well. • The level of evidence for the PSS will be similar to the existing Safe System so we don't expect this to place an undue burden on manufacturers, some of whom already fit the elements of the PSS as standard. The majority of the evidence required will be self-certification and we will accept OEM correspondence as proof of compliance for new elements such as MOIS and sensor systems. However, we continue to work with stakeholders and will keep these elements under review. • Fatal collisions where vision is a causation factor have been falling since the introduction of DVS and the HGV Safety Permit Scheme and compliance is at very high levels. In order to ensure the highest safety standards, we will continue with this approach and ensure that each vehicle has an individual safety permit. |

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| <p>- Large fleet operators with a strong track record in compliance should be able to provide a sample check of their vehicles and have a single permit issued per company.</p> <p>- How will quality between systems installed by vehicle manufacturers versus retrofit be guaranteed - TfL should inspect and certify 3rd party installers to ensure quality</p> | <ul style="list-style-type: none"> We carry out road-side checks as part of our enforcement operations which ensure those systems and the equipment which are installed meet the required standard. For this reason we will continue to ask operators to self-certify some elements of the PSS. |
| Concerned about TFL's capacity to manage volume of authentication requests | We are working to ensure that our people and back-office systems will be able to process the expected number of permit applications. |
| Comments about enforcement process | |
| Need more resources to undertake enforcement/not enough enforcement | <p>Thank you for your comment. Enforcement is vital to ensuring compliance, which has been shown to be high.</p> <p>Enforcement of the DVS and the HGV Safety Permit Scheme is undertaken by roadside spot checks. The new PSS will require the same level of enforcement as the existing Safe System.</p> |

| | |
|--|--|
| | We operate under financial constraints and have allocated an appropriate level of enforcement resource to this scheme but continue to keep compliance under review. |
| Concerns about how foreign vehicles are enforced | <p>Non UK-registered vehicles are enforced through a penalty charge notice in the same way as UK-registered vehicles. There are no plans to change this approach.</p> <p>We also advertise the DVS scheme in European publications to raise awareness and reduce non-compliance of non-UK registered vehicles.</p> |
| Develop option for public to report non-compliant vehicles | Members of the public cannot visually determine the star rating of a vehicle, nor identify whether that vehicle holds a valid HGV Safety Permit. As such it is not possible to visually confirm whether or not a vehicle is compliant with the requirements of the scheme. |
| Comments about 2028 review date | |
| Sensible timeframe for review | These comments are noted. |
| Do not review again/Review should be later | We will review the HGV Safety Permit Scheme in 2028, as this will be five years after the review of 2022/23. Should any changes be recommended as a result of that review we will give the freight industry as much notice as possible to prepare. |

| | |
|--|---|
| | <p>We consider that this is a sufficient timeframe to monitor the outcomes of the PSS given the speed of technological change, but we will keep the operation of the HGV Safety Permit under review at appropriate intervals.</p> |
| <p>International standards need to have bedded in before further revisions</p> | <p>We intend to review the HGV Safety Permit Scheme again in five years, and the next review is planned for 2028.</p> <p>Should any changes be recommended as a result of that review we will give the freight industry as much notice as possible to prepare.</p> <p>We consider that this is a sufficient timeframe to monitor the outcomes of the PSS given the speed of technological change, but we will keep the operation of the HGV Safety Permit under review at appropriate intervals.</p> <p>UNECE standards will have been required at the point of manufacture for four years.</p> |
| <p>Needs to include adequate notice period</p> | <p>Should any changes be required for the HGV Safety Permit Scheme from 2028, we aim to give as much notice as possible to stakeholders.</p> |
| <p>Needs to be sooner</p> | <p>We will review the HGV Safety Permit Scheme in 2028, as this will be five years after the review of 2022/23. We consider that this is an appropriate timeframe to monitor the outcomes of the PSS as we need time for technology to develop as well as consider the impacts upon the freight industry</p> |

| Comments about star ratings | |
|---|---|
| Should be five star minimum | The Mayor set out his policy of raising the DVS standard to three stars by October 2024. There are no plans to raise the DVS threshold to five stars at this time. We will consider this further when we conduct our review of the HGV Safety Permit Scheme in 2028. |
| Limited supply of three star and above vehicles | <p>All HGV manufacturers build and sell three, four and five star rated vehicles. We are monitoring the supply chain situation but do not believe there is a shortage of supply.</p> <p>Evidence from industry stakeholders which came from this consultation suggests that the time between ordering a vehicle and its delivery is typically around 18 months. These lead in times are considered usual for HGVs and do not suggest a limit of supply.</p> |

Appendix B: Full Code Frame & Demographics Results

| | Public | Stakeholder | Total | % Total |
|--|--------|-------------|-------|--------------|
| SUPPORT Proposals - General | | | | |
| Good idea/support principle of DVS Phase 2 and/or PSS proposals | 144 | 16 | 160 | 50% |
| Support as will improve road safety, especially for cyclists and pedestrians and will reduce fatalities | 14 | 2 | 16 | 5% |
| Support proposals but with caveats | | | | |
| Good start but proposals must go further/are too limited/should be implemented sooner | 10 | 3 | 13 | 4% |
| Support principle of DVS or HGV Safety Permit but have concerns with PSS proposals | 2 | 9 | 11 | 3% |
| Criticism about proposals - General | | | | |
| Poor idea/do not support the proposal | 16 | 0 | 16 | 5% |
| Does not address risky driver behaviour | 12 | 1 | 13 | 4% |
| Criticism of consultation process (e.g. Mayor or TfL do not listen) | 13 | 1 | 14 | 4% |
| Should be set at an international level | 1 | 8 | 9 | 3% |
| It will have little or no impact on safety/fatalities | 6 | 2 | 8 | 2% |
| Changes are unnecessary - existing regulations and practices already cover these standards and time should be allowed for these to come into effect | 4 | 4 | 8 | 2% |
| Just a money making scheme for TfL | 4 | 0 | 4 | 1% |
| Lack of evidence to demonstrate Safe System benefits | 0 | 4 | 4 | 1% |
| Concern it will push older HGV drivers into early retirement | 1 | 0 | 1 | less than 1% |
| This introduces yet more bureaucracy | 1 | 0 | 1 | less than 1% |
| Neutral comments about the proposals | | | | |
| Other comments/question about proposals | 1 | 0 | 1 | less than 1% |
| Standards need to be imposed equally on domestic and foreign vehicles | 0 | 1 | 1 | less than 1% |
| Specific Negative comments on Progressive Safe System proposals | | | | |
| General | | | | |
| Need clarification on what current equipment will remain valid/or not under new PSS/concerned about removal of current kit and wasted investment by industry to date | 8 | 17 | 25 | 8% |

| | | | | |
|---|----|----|----|--------------|
| Unable to provide meaningful feedback as specification details were not provided/A detailed specification is required based on required performance | 7 | 17 | 24 | 7% |
| Concerns about driver distraction/cognitive overload | 10 | 9 | 19 | 6% |
| Concerned about time loss due to installation and maintenance | 8 | 4 | 12 | 4% |
| Needs coordinating with other regulations and schemes (i.e. FORS or EU regs e.g. UNECE 151 and 159 - for example sensor detection distance must be consistent between UNECE and PSS) | 0 | 11 | 11 | 3% |
| Modifications/technology can be expensive to maintain/repair | 1 | 6 | 7 | 2% |
| Concerns about quality of technology/reliability | 1 | 3 | 4 | 1% |
| Support making PSS components mandatory | 1 | 0 | 1 | less than 1% |
| Mirrors/Camera Monitoring | | | | |
| More precise CMS (and blind spot) definition required | 1 | 6 | 7 | 2% |
| Concern about ability of long sighted drivers to adequately see off side camera screens | 0 | 1 | 1 | less than 1% |
| Near-side sensors & Moving off Information Systems (MOIS) | | | | |
| Concern about the practicality of sensors on articulated trailers given cabs use multiple trailers and the costs of installing, maintaining and licensing across multiple trailers | 8 | 19 | 27 | 8% |
| Concern about detection accuracy of products currently available on the market and how TfL proposes to stop these entering the market | 6 | 8 | 14 | 4% |
| Concerned about price inflation due to potential parts shortages | 6 | 3 | 9 | 3% |
| Concerned whether/or questioning how retrofit MOIS and BSIS equipment will be compliant with R151/159 and/or suggesting BSIS and MOIS should only be mandated on vehicles built to UNECE regs | 0 | 9 | 9 | 3% |
| Concerned will create inconsistent regulation between two and three star plus vehicles | 0 | 6 | 6 | 2% |
| AI camera technology should be included in specification as suggestion that it is more accurate than proximity sensors | 1 | 4 | 5 | 2% |
| Suggest far reaching side scanners positioned on cabs is more practical | 1 | 1 | 2 | 1% |
| Definition of an 'active sensor' is required | 1 | 1 | 2 | 1% |
| Clarification on whether sensors will be required on other trailer types (drawbar) and/or other types of towed equipment | 0 | 2 | 2 | 1% |
| Vehicles fitted with Autonomous Emergency Breaking should be exempt from requiring MOIS | 1 | 0 | 1 | Less than 1% |
| Audio warnings | | | | |

| | | | | |
|---|----|----|----|--------------|
| Concern about noise pollution | 3 | 0 | 3 | 1% |
| Concerns about changing legislative environment | 0 | 2 | 2 | 1% |
| Signage | | | | |
| Text size needs defining to ensure consistent application | 0 | 3 | 3 | 1% |
| Suggestions - for the PSS | | | | |
| Driver training should be included (awareness of VRUs and how to use equipment) | 13 | 4 | 17 | 5% |
| The requirements should lie with HGV manufacturers rather than operators so that these improvements are built into new vehicles/against the principle of retrofitting | 0 | 14 | 14 | 4% |
| Subsidy grant should be available to help with costs | 6 | 3 | 9 | 3% |
| should introduce system to communicate to VRUs that sensors have picked them up | 6 | 1 | 7 | 2% |
| Should introduce a single standard for approved equipment (e.g. Kite mark) | 0 | 5 | 5 | 2% |
| Should include automated speed limiting technology | 2 | 2 | 4 | 1% |
| Should include automatic braking technology | 1 | 2 | 3 | 1% |
| Specific suggestion for a product or details of what should be included in the technical specification | 1 | 1 | 2 | 1% |
| Should include repeat indicators along the entire side of the vehicle | 0 | 1 | 1 | less than 1% |
| Should introduce reversing sensors | 1 | 0 | 1 | less than 1% |
| Should include lower door windows | 1 | 0 | 1 | less than 1% |
| Comments about timescales | | | | |
| Unrealistic timescales - insufficient time to procure, fit and test and/or concerns about availability of equipment and fitting technicians | 16 | 15 | 31 | 10% |
| Insufficient advance notice is impacting on future vehicle procurement | 5 | 5 | 10 | 3% |
| Phased or different approach needed for zero Star and one to two Star Vehicles/It should only apply to new registrations | 0 | 10 | 10 | 3% |
| Disagree with PSS launch date - should be introduced later | 1 | 7 | 8 | 2% |
| Suggestion for new launch date/enforcement date (the most frequent suggestion was a two year extension to 2026) | 2 | 4 | 6 | 2% |
| Disagree with PSS launch date - should be introduced sooner | 3 | 0 | 3 | 1% |
| Support proposed timescales for introduction | 0 | 1 | 1 | less than 1% |
| Comments about wider impacts of the proposals | | | | |

| | | | | |
|--|----|----|----|--------------|
| Detrimental to haulage industry/Concerned about costs to install and/or enforce or that the IIA has not adequately identified the costs to industry | 25 | 15 | 51 | 12% |
| Scheme will cost businesses - concerns it will increase delivery costs/costs will be passed down to customers | 21 | 2 | 26 | 7% |
| Concern could interrupt deliveries | 1 | 1 | 2 | 1% |
| Concern about greater costs (and availability) for specialist equipment required on Dangerous Goods carrying vehicles to meet DVS standards/there are some specialist vehicle types that do not easily comply with the requirements (e.g. HGV breakdown/recovery vehicles) | 2 | 0 | 2 | 1% |
| General Suggestions for DVS/HGV Safety Permit | | | | |
| Restrict HGV use to certain hours | 18 | 3 | 21 | 7% |
| Enforce low speed limits on HGVs | 8 | 0 | 8 | 2% |
| Ban HGVs from certain streets/areas | 6 | 2 | 8 | 2% |
| Only allow smaller goods vehicles into Central London | 6 | 0 | 6 | 2% |
| Ban or reduce HGVs from London | 5 | 0 | 5 | 1% |
| Encourage use of rail and river freight | 3 | 1 | 4 | 1% |
| Introduce distribution centres where cargo can be moved across on to compliant vehicles/Vehicles that deliver to these centres could be exempt | 1 | 2 | 3 | 1% |
| Expand the boundary of the safety scheme to cover all outer London boroughs | 1 | 0 | 1 | less than 1% |
| Safety Permit scheme should be extended to all commercial vehicles | 1 | 0 | 1 | less than 1% |
| Suggestions - To achieve Vision Zero policy makers must also focus on VRUs | | | | |
| TfL needs to provide pedestrian and cyclist education campaign on road safety | 37 | 10 | 47 | 15% |
| Doesn't address issue of cyclist/scooter/pedestrian behaviour | 35 | 2 | 37 | 11% |
| More space is needed for cyclist (e.g. segregated cycle lane) | 20 | 7 | 27 | 8% |
| Introduce cycling permits/licensing | 13 | 1 | 14 | 4% |
| Comments about permit application process | | | | |
| Current issues with the system | | | | |
| Concerns about the time taken to apply for permit | 1 | 5 | 6 | 2% |
| Frustrating that operators have to re-register when purchasing second hand vehicles | 0 | 3 | 3 | 1% |
| System too slow in recognising new vehicle and private plate registrations | 1 | 2 | 2 | 1% |
| Multiple vehicle permit application too reliant on trust | 1 | 1 | 2 | 1% |
| Requests | | | | |
| Request for on-line permit checker facility | 1 | 10 | 11 | 3% |

| | | | | |
|---|----|---|----|--------------|
| Clarification required on how existing complaint SS equipment will be certified | 6 | 5 | 11 | 3% |
| Other PSS evidence comments included: - Manufacturers fitting MOIS and BSIS that are compliant with REGs 151 and 159 should be regarded as compliant with the PSS without further certification requirements - Remove the need for photographic evidence and/or move to a trust and enforcement system over provision of upfront evidence - There is too much burden on vehicle manufacturers to provide evidence - Large fleet operators with a strong track record in compliance should be able to provide a sample check of their vehicles and have a single permit issued per company. - How will quality between systems installed by vehicle manufacturers versus retrofit be guaranteed - TfL should inspect and certify 3rd party installers to ensure quality | 0 | 9 | 9 | 3% |
| Concerned about TfL's capacity to manage volume of authentication requests | 5 | 4 | 9 | 3% |
| Support any improvement of the permit application process | 1 | 6 | 7 | 2% |
| Photographic evidence of SS/branded letter heads are not robust enough as evidence of adequate compliance | 2 | 5 | 7 | 2% |
| The application process works well | 3 | 1 | 4 | 1% |
| Should be able to apply for permit using chassis number (VIN) rather than vehicle registration | 0 | 4 | 4 | 1% |
| Other permit checker comments included: - Requests for speedier data updates as delays mean vehicles can't be used - Ability to track permit application progress. - TfL need to implement guaranteed service levels for permit applications/queries. | 0 | 4 | 4 | 1% |
| Whole fleet look up is needed | 0 | 4 | 4 | 1% |
| Clarification required on (or suggestion for) how equipment fitted by operators will be certified | 0 | 4 | 4 | 1% |
| Comments about enforcement process | | | | |
| Need more resources to undertake enforcement/not enough enforcement | 5 | 2 | 7 | 2% |
| Concerns about how foreign vehicles are enforced | 2 | 1 | 3 | 1% |
| Develop option for public to report non-compliant vehicles | 2 | 0 | 2 | 1% |
| TfL needs to inspect and certify installing/fitting companies | 0 | 1 | 1 | less than 1% |
| Comments about 2028 review date | | | | |
| Sensible timeframe for review | 13 | 6 | 19 | 6% |
| Do not review again/Review should be later | 3 | 4 | 7 | 2% |
| International standards need to have bedded in before further revisions | 0 | 7 | 7 | 2% |

| | | | | |
|--|---|---|---|--------------|
| Needs to include adequate notice period | 3 | 2 | 5 | 2% |
| Needs to be sooner | 2 | 0 | 2 | 1% |
| International Standards need to have bedded in before further review | 0 | 1 | 1 | less than 1% |
| Comments about star ratings | | | | |
| Should be five star minimum | 3 | 1 | 4 | 1% |
| Support moving minimum standard to three stars | 2 | 2 | 4 | 1% |
| Limited supply of three star and above vehicles | 0 | 1 | 1 | less than 1% |
| Other | | | | |
| Out of Scope | 6 | 0 | 6 | 2% |

Demographic Questions Results

| | | |
|-----------------------------------|-----|------|
| Please tell us your gender | | |
| Gender neutral/Agender | 2 | 1% |
| Man | 264 | 76% |
| Non-binary | 1 | 0% |
| Trans man | 0 | 0% |
| Trans woman | 0 | 0% |
| Woman | 56 | 16% |
| I use a different term | 0 | 0% |
| Prefer not to say | 24 | 7% |
| Total | 347 | 100% |

| | | |
|---|---|----|
| Please tell us your ethnic group | | |
| Asian or Asian British – Bangladeshi | 1 | 0% |
| Asian or Asian British – Chinese | 2 | 1% |
| Asian or Asian British – Indian | 3 | 1% |
| Asian or Asian British – Other | 2 | 1% |
| Asian or Asian British – Pakistani | 1 | 0% |
| Black or Black British – African | 6 | 2% |
| Black or Black British – Caribbean | 0 | 0% |
| Black or Black British – Other | 2 | 1% |
| Mixed/Dual Heritage – Mixed Other | 1 | 0% |
| Mixed/Dual Heritage – White and Asian | 2 | 1% |
| Mixed/Dual Heritage – White and Black African | 2 | 1% |
| Mixed/Dual Heritage – White and Black Caribbean | 2 | 1% |

| | | |
|-------------------------------------|-----|------|
| Other Ethnic Group | 3 | 1% |
| Other Ethnic Group – Arab | 0 | 0% |
| Other Ethnic Group – Kurdish | 0 | 0% |
| Other Ethnic Group – Latin American | 0 | 0% |
| Other Ethnic Group – Turkish | 1 | 0% |
| White – British | 212 | 64% |
| White – Irish | 8 | 2% |
| White – Other | 50 | 15% |
| Prefer not to say | 11 | 3% |
| Gypsy, Roma or Irish Traveller | 0 | 0% |
| Do not wish to disclose | 23 | 7% |
| Total | 332 | 100% |

| What age group are you? | | |
|-------------------------|-----|------|
| Under 15 | 1 | 0% |
| 16-20 | 3 | 1% |
| 21-25 | 8 | 2% |
| 26-30 | 22 | 6% |
| 31-35 | 18 | 5% |
| 36-40 | 30 | 9% |
| 41-45 | 32 | 9% |
| 46-50 | 36 | 11% |
| 51-55 | 45 | 13% |
| 56-60 | 39 | 11% |
| 61-65 | 32 | 9% |
| 66-70 | 28 | 8% |
| 71+ | 18 | 5% |
| Prefer not to say | 30 | 9% |
| Total | 342 | 100% |

| Do you consider yourself to be disabled as defined by the Equality Act 2010? | | |
|--|-----|------|
| Yes | 38 | 11% |
| No | 278 | 80% |
| Prefer not to say | 30 | 9% |
| Total | 346 | 100% |

Appendix C: Consultation Materials

Stakeholder email

From: TfL Have Your Say
Sent: 14 February 2023 13:35
To: TfL Have Your Say
Subject: Making London's lorries safer - proposals for changes to the HGV Safety Permit Scheme

Dear Stakeholder

Today we launched a consultation on our proposals to create a Progressive Safe System (PSS) as part of the HGV Safety Permit Scheme. Its aim is to further reduce the risk that heavy goods vehicles (HGVs) over 12 tonnes pose to vulnerable road users, such as people walking and cycling.

In 2019 the Mayor launched the world leading Direct Vision Standard (DVS) and HGV Safety Permit Scheme as part of his Vision Zero commitment to eliminate deaths and serious injuries from London's roads by 2041. It became enforceable in March 2021. DVS tackles road danger at its source by minimising HGV blind spots which contribute to many tragic deaths and life-changing injuries.

Early results show the number of fatal collisions involving HGVs and vulnerable road users where vision was a contributory factor have halved since 2018. But we must not be complacent. In order to reach the Mayor's Vision Zero target, we need to go further.

In October 2024, the DVS requirements of the HGV Safety Permit Scheme will increase from one star to three stars. At the same time, we propose to introduce a PSS for vehicles not meeting that standard.

The PSS will build on the requirements of the 2019 safe system, and take into account advances in technology. We would like to hear your views on our proposals.

Please go to our consultation webpage: <https://haveyoursay.tfl.gov.uk/making-londons-lorries-safer> to find out more and tell us your views. Your feedback will help inform the development of PSS requirements. You have until 3 April 2023 to give us your views.

Please share this information with others in your networks who might be interested in taking part.

If you have any questions please email haveyoursay@tfl.gov.uk with 'Making London's lorries safer' in the subject line.

We look forward to hearing from you.

Yours faithfully

Christina Calderato
Director of Transport Strategy & Policy
Transport for London

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- For updates on specific projects, please visit that project page on [Have your say](#) and subscribe to 'Stay Informed'

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- Reply to this email stating in the subject heading "all communications"

CRM email



Dear Jon,

Today we launched a consultation on our proposals to make lorries safer in London. We propose to upgrade the current Safe System as part of the HGV Safety Permit scheme, and we want to hear your views on our recommendations.

Its aim is to further reduce the risk that large lorries (Heavy Good Vehicles over 12 tonnes) present to vulnerable road users, such as people cycling or walking.

The Mayor launched the Direction Vision Standard (DVS) and HGV Safety Permit scheme in 2019. The DVS measures how much an HGV driver can see directly through their cab windows and indicates the level of risk to vulnerable road users near the vehicle.

Early results show the number of fatal collisions involving HGVs and vulnerable road users where vision was a contributory factor have been halved since 2018, but in

order to reach the Mayor's Vision Zero target for road danger, we need to do more.

[Visit our consultation website](#) to find out more and tell us your views. Your feedback will help inform the development of the Progressive Safe System requirements.

The consultation is open until 3 April 2023.

Yours sincerely,

Christina Calderato
Director of Transport Strategy & Policy



MAYOR OF LONDON



TfL sets out plans to further improve lorry safety in London

14 February 2023

Proposals would build on and improve the existing HGV safety permit scheme, reducing the level of risk to vulnerable road users such as people walking and cycling

- Data shows that fatal collisions involving HGVs where vision is cited as a contributing factor halved from 12 in 2018, the year before the scheme was introduced, to six in 2021
- The proposals include requirements for vehicles to be fitted with cameras to eliminate any remaining blind spots on the passenger side, as well as audio warnings about intended manoeuvres
- TfL is asking people to have their say on the plans, with a consultation now open until 3 April

"Enabling more Londoners to walk and cycle safely is a top priority for the Mayor and it's at the heart of our plans for a greener and more sustainable London for everyone."

Will Norman

London's Walking and Cycling Commissioner

Transport for London (TfL) is asking people to have their say on proposals to improve lorry safety in London, by making changes to London's pioneering Direct Vision Standard (DVS) and HGV safety permit scheme. Data from 2018 to 2020 showed HGVs were involved in nearly half of fatal collisions involving people cycling and 19 per cent of collisions involving people walking. The proposed changes are designed to improve the safety standards of HGVs operating in the capital, further reducing the risks to vulnerable road users such as people walking and cycling.

TfL's HGV safety permit scheme, first introduced in 2019, requires all operators of HGVs weighing more than 12 tonnes to apply for a free permit to operate in London. Data shows that fatal collisions involving HGVs where vision is cited as a contributing factor halved from 12 in 2018, the year before the scheme was introduced, to six in 2021.

A permit is granted if the vehicle meets the minimum DVS star rating, which is based on how much the driver can see directly through their cab windows. Ratings range from zero stars (the lowest rating with poor direct vision) to five stars (the highest rating with excellent direct vision). Vehicles that do not meet the minimum requirements, currently one star, must already have or fit the 'Safe System'. This is a series of vehicle safety measures, such as mirrors, sensors and cameras, which are designed to reduce the risks that HGVs present to people walking and cycling.

TfL is now asking people to have their say on recommendations to enhance the current Safe System, taking into account new and emerging technology or safety equipment that was not previously available. Moving to a new Progressive Safe System is vital to TfL's and the Mayor's continued efforts to meet the Vision Zero goal of eliminating all deaths and serious injuries from London's transport network by 2041. TfL estimates that these new safety requirements will be applied to around 165,000 vehicles, which is 90 per cent of the existing fleet operating in London.

Proposed changes to the Safe System include:

- Updating existing guidance on the use of mirrors and mirror-replacement Camera Monitoring Systems (CMS)
- The requirement for CMS fitted on vehicles to eliminate any remaining blind spots on the passenger side
- Sensors ensuring full coverage down the passenger side of all vehicles to detect vulnerable road users. They must not activate in relation to roadside furniture or stationary vehicles
- Moving Off Information Systems (MOIS) fitted to the front of a vehicle to prevent collisions at the frontal blind spot zone when a vehicle moves off from rest
- Audio warnings fitted to all vehicles, including those with left hand drive to ensure all vehicles operating in London have the ability to warn of an intended manoeuvre

TfL is asking people to have their say on the changes and a consultation is now open until 3 April 2023. Feedback will help to inform and finalise the development of the Progressive Safe System requirements.

Fatal collisions involving HGVs and vulnerable road users where vision was a contributory factor have halved since 2018, down from 12 to six, falling from eight in 2020 to six in 2021, the first year of DVS enforcement. The overall number of serious collisions involving HGVs has also reduced over the same period from 39 to 17.

Will Norman, London's Walking and Cycling Commissioner said "Enabling more Londoners to walk and cycle safely is a top priority for the Mayor and it's at the heart of our plans for a

greener and more sustainable London for everyone. Data shows that our world-leading Direct Vision Standard is playing an important role in reducing the level of risk posed by HGVs to people walking and cycling in the capital.

"Every death and serious injury on our roads is a tragedy and it's clear that there is still more work to do, which is why TfL is now asking Londoners to have their say on the next phase of plans which would strengthen HGV safety measures even further."

Christina Calderato, TfL's Director of Transport Strategy and Policy, said: "It's crucial that all vehicles using London's roads have safety at the forefront of their design and our world-first Direct Vision Standard has helped to significantly improve lorry safety. We will continue to take every possible measure to eradicate deaths and serious injuries from our roads, which is why we are proposing to enhance the safe systems for HGVs. All feedback to our consultation is important to developing the best possible set of requirements and I'd encourage everyone affected to take part."

Victoria Lebrech from Action Vision Zero said: "TfL should be commended for the Direct Vision Standard Scheme. The risk that HGVs pose to people walking and cycling is unacceptable, and it will not be possible for London to prevent death and injury on its roads until HGV blind spots are eliminated.

"I personally lost a leg when the driver of a skip lorry turned left across my path in 2014, and I'm certain that the crash would have been prevented had the driver's vehicle been a five star vehicle. Many people have been killed and seriously injured since my crash, and I'm grateful to TfL for its commitment to preventing these crashes happening in the future."

More information about TfL's Direct Vision Standard, including the one on year report, can be found [here](#)

The consultation is open until 3 April 2023 and can be completed at <https://haveyoursay.tfl.gov.uk/making-londons-lorries-safer/>

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Consultation Survey

Making London's lorries safer - proposals for changes to the HGV Safety Permit Scheme

Have Your Say Transport for London

Making London's lorries safer - proposals for changes to the HGV Safety Permit Scheme survey

Once you have read more about our proposals, please share your views by completing this survey. Your views are important to us and will help inform PSS requirements.

Once you have completed your response, please return it to us at:

FREEPOST TFL HAVE YOUR SAY (no stamp needed)

Or by email to: haveyoursay@tfl.gov.uk

If you prefer, you can call the consultation telephone line on 020 3054 6037 to request a call back so we can record your feedback for you.

You have until **3 April 2023** to give us your feedback.

Please note responses to the survey may be made publicly available after the consultation has closed, this would typically be in the form of a report on the results of the consultation exercise, but any personal information will be kept confidential. Your personal information will be properly safeguarded and processed in accordance with the requirements of privacy and data protection legislation. For further information, you can view our privacy policy at <https://haveyoursay.tfl.gov.uk/privacy>

Q1. Please let us know any comments you have on our proposals for the progressive safe system and changes to the HGV safety permit scheme application.

When commenting please:

- a) Let us know your views on the effectiveness of the proposals for improving vehicle safety
- b) Let us know if you have any suggestions for further improvements or alternative solutions
- c) Let us know if there are any impacts we have not identified and what impacts the changes may have on you or your organisation
- d) Let us know your views on whether the areas of the HGV safety permit scheme application process we are reviewing will improve the user experience
- e) Let us know your views on our proposal to review the HGV safety permit scheme in 2028

Q2. Please select the which of the following respondent types best describes you:

(Choose any one option)

- ☐ An HGV operator
- ☐ An HGV driver
- ☐ A business
- ☐ A business that employs HGV operators
- ☐ An HGV manufacturer, dealer, body builder or other type of organisation involved in the manufacture or supply of vehicles
- ☐ A Government Organisation
- ☐ A transport related interest group or charity
- ☐ An industry trade or other association
- ☐ A road user - cyclist/walking
- ☐ A road user - other
- ☐ Other (please specify)

Making London's lorries safer - proposals for changes to the HGV Safety Permit Scheme

Have Your Say Transport for London

Q3. Can you please confirm if you are responding as an individual or as an official representative of an organisation (e.g. interest group, charity or trade body).

(Choose any one option)

- ☐ As an individual
☐ As an official representative of an organisation

Q4. If you are responding as an official representative of an organisation then please provide your organisation name below.

Q5. How did you hear about this consultation? Please select the main way by which you heard.

(Choose any one option)

- ☐ Received an email from TfL
☐ Received a letter from TfL
☐ Read about it in the press
☐ Social media
☐ Saw it on the TfL website
☐ Other (please specify)

Q6. What do you think about the quality of this consultation (for example, the information we have provided, any printed material you have received, the website and questionnaire etc.)?

| | Very good | Good | Adequate | Poor | Very poor | Not applicable |
|---|-----------|------|----------|------|-----------|----------------|
| Website structure & ease of finding what you needed | | | | | | |
| Written information | | | | | | |
| Online survey format | | | | | | |
| Website accessibility | | | | | | |

Q7. Do you have any further comments about the quality of the consultation material?

Your contact details:

Name:

Address:

Email address:

Appendix D: Summary of Stakeholder replies

This section provides summaries of the feedback we received from stakeholders. We sometimes have to condense detailed responses into brief summaries. The full stakeholder responses are always used for analysis purposes.

Transport Related Interest Groups & Charities

Hounslow Cycling

Hounslow Cycling think the proposals will improve safety but do not think they go far enough. They call for stricter regulation of where and when HGVs can operate in London. On trunk roads, where operation can not be limited, they want to full segregation of cyclists from traffic, ASLs (with strict enforcement) and advance cycle lights with the time extended from five to ten seconds.

London Cycling Campaign

LCC shares the view that by improving lorry design, notably by increasing the driver's 'direct' vision and moving away from lorries with extensive 'blind spots,' we can reduce the number of collisions in London and contribute to the target of no people killed or seriously injured on our roads by 2041 (the Mayor's 'Vision Zero'). They note that the new proposals to raise the standard of 'mitigation measures' (the Progressive Safe System), which must be fitted to all lorries entering London that fail to meet the three-star standard, is essential to reduce road risk from HGVs that don't have adequate driver vision.

They welcome all the proposals for the PSS but think that innovation, new technology and training could further reduce the risk of collision. In particular they would like to see:

- Repeat indicators
- Automatic Emergency Braking (AEB)
- Intelligent Speed Adaptation (ISA)
- The government-approved driver training module Safer Urban Driving (SUD) has been completed by more than 50,000 drivers and it would benefit all drivers if it was made a compulsory element of their/companies' Certificate of Professional Competence (CPC).
- Telematics (camera and IT systems that monitor driver and vehicle) are used by some operators already to ensure both efficient and safe operations and to protect drivers in the event of claims.

LCC also call on TfL to set a date for a further review of the Progressive Safe System with the aim of updating the measures that non-three-star-compliant vehicles must meet and suggest consideration of technologies such as Automatic Emergency Braking.

Royal Society for the Prevention of Accidents (RoSPA)

RoSPA strongly agrees with TfL's proposals for changes to the HGV permit scheme, given that historically, heavy goods vehicles (HGVs) have been disproportionately involved in more fatal collisions with vulnerable road users than other motor vehicles. They note that although the first phase of the (DVS) has seen a reduction in the number of collisions in which direct vision was deemed a contributory factor, this trend is now beginning to flatline and suggest it is vital that we do not become complacent.

They note their support for the new requirements of the PSS and the benefits they could bring. They support the principle of reviewing the DVS scheme in 2028, as technology is constantly emerging, and to reduce the number of collisions, it is vital that fleets take advantage of new safety technologies. RoSPA hope that some systems, such as intelligent speed adaption, will be more readily available for retrofit and can be considered in the next phase.

Walk And Cycle London CIC

Walk and Cycle London CIC welcome the proposals but have concerns about the cost of enforcement. They are also concerned that the proposals do not help behaviour change and question how they support the 2022 changes to the hierarchy of road users. They are concerned we are relying too much on technology as the fix and not on a programme of behaviour change for HGV drivers and call for Safe Urban Driving courses to be compulsory. They are also concerned that sensors are only expected to see a small adult female and ask what is being done to ensure children cyclists are considered – especially given the other policy initiatives encouraging uptake of family cycling. They raise a number of questions about the physical size, operation and positioning of sensors and whether they could present a potential injury risk to cyclists. They also seek assurances that the scheme applies to skip/caged/small rigid lorries.

Trade Body

AICES

AICES supports the Mayor's Vision Zero ambitions and the aim of eliminating all serious injuries from London's streets by 2041. However, they do not support the proposals for the Progressive Safe System and have concerns that if the proposals are pursued, industry will be stretched financially to implement standards which are not certain to improve safety. They also do not believe that vehicles standards should be set at a city level as this creates an increased risk of regulatory fragmentation and ask that TfL should align to global standards such as UNECE

Notwithstanding the above position, should TfL continue to pursue the Progressive Safe System (PSS), AICES would be preferable for it to apply to new vehicles at the point of procurement, as this would enable quality assurance and safer outcomes. If TfL does progress with a retrofit requirement, AICES believes the deadline for compliance should be pushed back to allow industry enough time to adapt and suggest that TfL has not adequately addressed the concerns in the Integrated Impact Assessment that timescales are problematic due to ongoing supply chain and skill challenges.

AICES call for the standard for the PSS to be as specific as possible with certified equipment to avoid market variations and future retrofit requirements. With regards to

the current proposals, AICES is very concerned that passive sensors that were fitted to zero starred vehicles during phase 1 of DVS will now have to be replaced with active sensors, despite previous assurances from TfL that equipment fitted in good faith during phase 1 of the scheme would not be rendered obsolete. They are also concerned about requirements to fit sensors to trailers, which would be costly and present a number of operational complications making it problematic to implement.

They would support the introduction of a lookup tool and additional ways of improving and automating the process, both of which they suggest are very overdue. They call for further Industry engagement to ensure that changes genuinely meet the needs of users, including removing the requirement for photographic evidence. AICES notes that the consultation suggests linking the evidence of the process to FORS and would like to stress that FORS is an independent standard that should not set the precedent for how a regulatory authority determines compliance.

AICES are concerned to learn that the new permits will be valid until 31 January 2030 only, at which point the standard will be reviewed as this creates uncertainty which impacts on investment, especially in vehicles with cleaner technologies. They are concerned that in relation to DVS and the PSS, timelines and outcomes are being driven by previously set commitments without a balanced assessment of the best way forward, both from a cost and proportionality perspective but also, and more importantly, from the perspective of ensuring the very highest safety standards.

Brewery Logistics Group

The Brewery Logistics Group support proposals to improve vehicle safety for all commercial modes of transport. However, they think that vehicle manufacturers need to take the lead to make the improvements before the vehicles come to the market. They suggest retrofitting equipment to new vehicles seems backward looking and suggest TfL and the freight industry should be lobbying for one HGV standard from all manufacturers before 2028.

British Beer & Pub Association

The British Beer & Pub Association support the principals of improving safety with regard to commercial vehicle operation, but they note that there are challenges faced by commercial businesses in regard to operational costs, especially as some continue to recover from the impacts of the pandemic. Considering the proposed costs of the proposed changes, the Association urge TfL to consider that companies will operate vehicle fleets of different ages, adding complexity and cost when retrofitting the required systems to vehicles. They suggest that engagement with companies that retrofit vehicles should be fully accommodated as part of the impact assessment. They add that further operational cost is unwelcome when there are financial pressures from a number of inputs, such as energy and fuel cost volatility and supply chain impacts.

They ask TfL to reconsider the timings for implementation of the proposals, to ensure the deadline allows businesses within the vehicle supply chain, including retrofitters, sufficient time to prepare for the full range of required changes. They note that coach builders and vehicle fitters do not appear to be considered within the consultation and this has not allowed TfL a full understanding of the supply chain in relation to purchase

and specification of new vehicles. They also raise concern that TfL's timeline is in alignment with the wider EU level requirements for HGVs. Although this alignment is sensible, they note it is unclear whether domestic legislation will be updated in the same timescale. They note there is little mention of domestic legislation or enforcement within the consultation documents, therefore they question whether the proposed deadline is realistic.

The association state that manufacturers are making space for the necessary technology to be installed but they will not necessarily undertake this work themselves, which will lead to further cost and time pressure to ensure vehicles meet the necessary specification. They note particular concern for companies being unable to operate older vehicles in Greater London, which would impact day-to-day operations and have severe consequences on the hospitality sector. They raise that it is unclear whether manufacturers and fitters are resourced to meet the required specifications, therefore the deadline must allow for preparation and they are concerned that responsibility is being focused on primary manufacturers only.

The association also raise concern that the extent of additional monitoring systems such as alarms could add distraction and pressure to drivers and have unintended consequences. They urge TfL to consider and mitigate against this risk.

Bundesverband Güterkraftverkehr Logistik und Entsorgung (BGL)

The BGL is the leading association for road haulage, logistics and waste disposal in Germany and they note their support for the Road Haulage Association's DVS consultation response and the requests it makes.

The BGL note that it is difficult to respond on the effectiveness of the PSS proposals because the consultation documents do not provide specifications on how the new changes will be met.

In principle, the required vehicle safety systems should be based on the EU regulations for the approval of vehicles for road use (in particular, reference should be made here to REGULATION (EU) 2019 as with this regulation, the latest assistance/safety systems will be mandatory for all (commercial) vehicles to be registered in the EU). BGL recommend that requirements for equipping vehicles should be addressed to the manufacturers of commercial vehicles and not to the operators. They feel that retrofitting safety equipment can be problematic in terms of function and effectiveness and note that for retrofit solutions and for standard equipment, it is important that these are based on UN-ECE regulations and do not conflict with the type-approved functions of the vehicle.

They call on TfL to invest in programs that educate other road users too, especially vulnerable road users such as pedestrians and cyclists, on how to use roads safely. As well as investing in re-designing road crossings - through spatial and signals separation and ensuing good sight lines. Consideration should also be given to route optimisation for major construction suites and to make them binding as part of the planning approval.

BGL also call for TfL to consider special exemptions for oversee vehicles that drive directly from motorways to certain industrial companies or logistics hubs as the level of

interaction with VRUS is lower and risk lower. In addition, they ask that for the examination of what proportion of collisions are caused by trucks registered abroad and whether extensive retrofits for foreign vehicles are therefore justified in principle.

Construction Plant-hire Association

The Construction Plant-hire Association (CPA) recognise that safety is paramount and is the guiding ethos for their industry. However, they note that as the Direct Vision Scheme develops, it is important that the proposals maintain balance between improvements in technology and what can realistically be expected of the industry when looking at the improvements that have already been made. They suggest that if London is to remain a viable and attractive place for the construction industry to operate in and invest, then TfL must find a balance between existing policies and ensuring construction, and especially plant-hire, companies can operate and meet the needs of their clients and customers.

They note the impact of the scheme in the reduction in fatalities, as well as the high degree of compliance and organisational responsibility. They feel the current proposals ignore the progress the industry has already made and could in some cases, limit operability and entry to the marketplace. In particular, they highlight the findings of the IIA which acknowledged concerns about availability of equipment, especially given the short timescales involved. As well as questioning the current data set and whether it can be used to justify the need make changes to the current SS.

They recognise the need for monitoring and improvements to safety schemes, but they suggest it is premature to bring forward the PSS and feel the current proposals do little in the way of recognising the work already undertaken. They would like assurances that the implementation of the PSS will be fair and proportionate and will allow industry to comply without penalising operators who have installed equipment to improve vision. They are also concerned about whether the measures proposed in the PSS will remain complaint in years to come.

They also call for an on-line permit checker.

Logistics UK

Logistics UK state that since the introduction of DVS, their members have invested significant resource into new vehicles and/or the Safe System equipment required to achieve the permit for operations in London. They are proud of the reduction in collisions but suggest further data is required to enable a more rounded picture of the impact of the scheme on road safety improvements.

Logistics UK are disappointed that technical specifications were not released in the consultation and feel that the lack of specifications leaves operators unable to say if current kit will remain compliant in the future. They recommend that operators should not be required to remove kit, purchased and installed in good faith for the current Safe System.

Logistics UK supports the five key principles that underpin the PSS but suggest that the proposals do not match each of the five and more work is therefore needed. They

suggest TfL must avoid any amendments to CMS and sensor specifications that could result in devices already purchased and installed in from being required to be removed and replaced with material built to a different specification. In addition, they note that tractor units rated three star or above will not need the PSS, and therefore the new requirement for sensors that cover the nearside of the tractor unit and semi-trailer, the 'articulated vehicle', will also not apply. DVS is based on the direct vision of the driver in the vehicle cab, so Logistics UK ask that a tractor unit that does not meet the three star standard in 2024 should only have to meet the sensor requirement for the tractor unit, to give the driver the same vision as that of a three star rated or above, vehicle. They also question the requirement to have sensors on trailers both from maintenance and practical application and suggest this could create significant barriers to use. They recommend that TfL should only mandate sensors on vehicles built to the new UNECE regulations and believe that the section on Sensors does not meet the two of the five key principles that underpin the PSS and should be reviewed again. They also call for MOIS to only be mandated on vehicles built to the new UNECE regulations.

Logistics UK also ask TfL to consider the impact of cognitive overload on drivers from additional safety equipment and call for a balance to be struck to ensure that any additional equipment fitted to vehicles is an enhancement to safety and does not become an in-cab distraction.

Logistics UK are concerned about the timeframe given the volume of affected vehicles, the availability of technicians and the potential fleet downtime and ask TfL to consider offering grace periods for fleets which can demonstrate that they need more time to fit the PSS. In addition, they call for compliance to be monitored through enforcement rather than overburdensome front end demonstration, e.g. the submission of photographs, and request a 'look up tool' to aid operators to know which vehicles have a permit.

Any future review needs to allow international standard changes to come through to the market before any further changes to the system are made. Logistics UK call on TfL to liaise with vehicle manufacturers to ensure that the roll-out of the new UNECE standards continue to match the DVS, so that vehicle operators can be confident that all vehicles they purchase will be able to be used within London.

Mineral Products Association

MPA strongly supports the goal of reducing road deaths and believes the freight industry can be proud of the significant improvements they have made in recent years. MPA concerns with the proposals are on the basis of practicality. Having invested significantly in new and retrofit solutions to meet the first iteration of DVS they are concerned that this may need to be removed and replaced. The standard set by the PSS needs to be outcomes based rather than too tightly specified to particular technology, which will continue to develop faster than standards can possibly keep pace with. They suggest that making allowances for systems installed to exceed the mandatory requirements in the current guidance that may be marginally out of the specification for the new guidance would be a sensible way to allay industry concerns and reduce the administrative burden.

MPA also question the feasibility of the October deadline given the capacity in the market to retrofit and suggest the priority should be on those vehicles that do not have

any system fitted, and would suggest a grace period for systems fitted to meet the “should” provisions in the current guidance.

They note that sensors for articulated vehicles is a complex area and whilst they recognise the logical need to develop this area the practical challenges are significant.

They also raise issue of user experience notably member’s concerns about the burden of having to submit extensive photographic evidence and suggest there is an opportunity to streamline processes between FORS silver and DVS which have equivalent requirements, so it should be possible for one to automatically qualify for the other.

They also note their support for two key points in the Logistics UK submission. Firstly, TfL should establish a lookup tool. Secondly, to urge TfL to continue pressing standards at international level (UNECE), which will be much more effective at supporting the market to deliver solutions at lower cost than city-level regulations which substantially increase the risk of divergent standards in different areas.

Road Haulage Association (RHA)

The RHA supports aims and spirit of Vision Zero within which the DVS scheme sits and are committed to promoting the highest safety standards in the freight sector and will continue to work with TfL on practical measures that improve road safety. However, they note that roads are used by a variety of users and that to reach Vision Zero will require a whole system approach. They call for awareness programmes that educate pedestrians and cyclists on how to use shared road space safely and investment in safe road infrastructure.

The RHA remain concerned about whether the implementation date of October 2024 is achievable and ask TfL to consider delaying the implementation date. This is principally to allow:

- a. TfL to publish specifications setting out how the new requirements can be met;
- b. the market to develop to enable all businesses (including small operators) to meet the new requirements fairly and equally;
- c. measures being put in place to ensure there are sufficient technicians to fit the required equipment.

The RHA confirms it supports the principles of the PSS but is concerned that the decision not to publish the specifications as part of the consultation means it is not possible for them to assess if it is either practical or achievable. They suggest the IIA is too generalised as does not adequately assess the cost impact on small businesses and ask that TfL takes into account the latest reports published by the RHA on the general cost pressures facing the haulage industry. In addition, the RHA have identified three further impacts they feel TfL have not adequately addressed. The first is whether technical solutions actually exist to meet all the new requirements. In the absence of published specifications, they ask TfL to provide clarity on:

- whether the requirement for sensors to be fitted to articulated trailers is feasible and asks that TfL ensures that its specifications accommodate these operational realities.

- what the actual retrofitting requirement is - the RHA would like assurances that retrofitting of existing kits will be kept to an absolute minimum. They feel it is not acceptable for TfL to expect scrapping of existing kits if fixes can be developed. They would also like assurances that sufficient capacity exists to allow all businesses to apply these fixes before October 2024.

The second impact is that the timescales for ensuring compliance by October 2024 look unachievable. As TfL have issued 191,000 permits to lorries entering London, this would mean nearly 15,000 lorries per month would potentially need to have equipment fitted.

The third impact is that TfL must ensure a healthy market develops that allows operators to choose between kit providers. They feel TfL has not carried out adequate appraisal of equipment availability; whether there are sufficient technicians to fit the equipment; and what the impact could be of c.500 lorries a day being out of operation due to fitting.

The RHA welcome the plan to provide an on-line facility enabling operators to check their permit's status. They also welcome the proposal to link the evidence requirements with the FORS scheme in order to streamline bureaucracy, provided a requirement to be FORS accredited is not imposed. However, they insist TfL must clarify how it will validate that new and existing kits already fitted on to a lorry meet the new PSS requirements. They ask that validation processes are user-friendly and bureaucracy minimised. They recommend that clear routes for operators to access support from TfL are advertised, with TfL implementing guaranteed service levels and response times; and that operators provide a "declaration" certifying compliance rather than providing photographic evidence.

They welcome a review in 2028 but suggest it must be evidence-based and consider the international requirements.

Society of Motor Manufacturers & Traders (SMMT)

SMMT note that Vision-related accidents involving trucks and VRUs must be reduced further, and the installation of the latest vehicle technology can play a part. However, they feel it is just one piece of a complex safety puzzle and call for Policymakers to place equal focus on the skills and behaviour of all road users (through education and enforcement), and also the maintenance and design of road infrastructure.

SMMT are concerned by the introduction of city-specific technical requirements for commercial vehicles and call for the design of the TfL PSS to take into consideration existing legislation established under the UNECE framework. They state that a major challenge for vehicle manufacturers comes from the lack of standardisation that currently exists in the DVS and Safe System.

SMMT are disappointed that TfL have opted to consult on the principles only, rather than the detail of the changes to the PSS. Without the technical specifications it is impossible to determine the cost implications and burden for wider industry. They feel this brings into question how robust the IIA can be. SMMT believes the PSS requirements should be based on standards which include measurable performance

criteria, against which new technologies and systems can be designed, assessed, certified, and enforced. They believe TfL should maintain a technology neutral approach in defining the PSS.

They also call for a re-think about the implementation date, noting that the ongoing impact of the global semi-conductor shortage. As well as other regulatory burdens which places limits on the aftermarket systems suppliers and their ability retrofit system installations. They also note concern about the scale of vehicles affected with upward of 200,000 requiring the installation of new systems by October 2024. SMMT does not agree that existing SS permits should be automatically invalidated on 24th October 2024 – especially given the volume of vehicles affected and the investment to date in current Safe System technologies. They call for TfL to consider bringing forward flexibilities or transitional measures to ease the pressure and provide early clarity to the industry. Their suggestions include a time extension to current (valid) safety permits, or to mandate the PSS to only new permit applications, or to consider a delay to the PSS introduction further than October 2024.

They also believe that changes should be made to the DVS processes to improve the customer experience and functionality, and to remove administrative burden from vehicle manufacturers. They call for modifications to the online 'Vehicle Checker', so that operators can search for their vehicle using the Vehicle Identification Number (VIN), or the Vehicle Registration Mark, and for a short enforcement grace period for newly registered vehicles.

They support the linking of the evidence process for the permit with the Fleet Operator Recognition Scheme (FORS) but are concerned about the size of the administrative burden on manufacturers, if they are required to provide a letter headed statement specific to each individual VIN. The issues are similar also for system installers.

A summary of their specific feedback on the PSS:

Mirrors & CMS – They agree with updating the guidance to allow use of both systems, However, without publishing the definition of blind spot they are unable to say whether it will be possible for manufacturers or installers of CMS to completely eliminate remaining vehicle blind spots at the nearside for every vehicle type and driver configuration.

Sensors & MOIS: They ask that vehicles already type approved to R151 and R159 must be deemed as compliant with the PSS, without any further modifications. They suggest it is not possible to approve a retrofit BSIS system according to UN Regulation R151 and MOIS with R159. They also request that TfL publish a specification for retrofitted systems that allows the key performance parameters defined in R151 & R159 to be demonstrated in the absence of component level standards. SMMT are concerned the terminology and imagery used by TfL may be somewhat misleading to operators. TfL refers to 'sensors' and often uses imagery showing what appears to be 4 or 6 sensors fitted to the nearside of a vehicle. Some AI systems may not require sensors to be fitted down the side of the vehicle. SMMT suggest TfL should define the

area the equipment needs to cover (based on the performance parameters of R151 or R159) and name the equipment a 'side detection system' rather than 'sensors'.

In addition, SMMT is concerned by the impracticalities and overall achievability of installing sensor systems on semi-trailers. This is because trailers are designed to be totally interchangeable with the towing vehicle and are usually owned by a separate company to the towing vehicle. They are also unclear as to the justification for this, as this is not an alternative for the direct vision of a three star vehicle, as the direct vision is only recognized in front of the eyes of the driver, and not to the side and full length of the trailer. They would also like clarification on whether the same requirements will apply to drawbar trailers, or only semi-trailers.

Warning of intended manoeuvre - SMMT asks that TfL seeks guidance from the relevant policy teams at the DfT and DVSA, to ensure that requirements under the PSS remain compliant with all relevant and applicable legislation.

Warning Signage – They feel the current guidance for warning signage is ambiguous and open to inconsistent application, so they ask text size or visibility distance is included.

Transport en Logistiek Nederland (TLN)

The organisation state that the effectiveness of the proposals for improving vehicle safety should not only be the responsibility of the driver, but of all road users, therefore they suggest investment in training pedestrians, cyclists and children about blind spots. They state that equipment should be available at low costs and if equipment is unavailable due to supply chain issues, then the deadline should be postponed. They suggest that the registration process should be easily accessible for foreign hauliers, as previously this has been difficult. Additionally, they note that not all foreign hauliers are aware of the obligations for permit registration, therefore request lenience in these instances instead of issuing immediate fines.

Vehicle Manufacturers

DAF Trucks LTD

DAF state they take the safety of all road users, and in particular VRUs, extremely seriously and have invested in safety systems to better protect VRUs. However, they note that road safety is complex and includes many factors and they are concerned that TfL in focusing on one and not all (such as VRU behaviour, road infrastructure and enforcement etc) will not achieve their aim.

DAF note their frustration at the lack of technical specifications provided in the consultation. They are concerned that the current system has a lack of definition regarding the performance, testing and technical which has led to a broad interpretation

of the requirements and quality of equipment fitted. They recommend that any changes to the current system should ensure absolute clarity in the performance requirements, testing and certification. In addition, without this definition they state that it is difficult to predict the technical feasibility or cost of compliance which they feels undermines the validity of this consultation.

DAF operate in the UK and EU would ask that all proposals regarding safety equipment should aim to meet a standard as already defined in European law and adopted within the UK. Before the introduction of the DVS PSS, DAF trucks will commence installing equipment that meets the requirements of the General Safety Regulations (GSR11). They ask that that any vehicle having MOIS or BSIS systems approved to UN Regulations 151 and 159 should be deemed to achieve compliance with the PSS without further testing or certification. In addition, they ask that no further equipment should be required to avoid potential duplication of information or cognitive overload for the driver. They are concerned that as the definition of blind spot has not been included within the proposal or its assessment criteria, they are unable to say whether it will be possible for manufacturers or installers of CMS to completely eliminate remaining vehicle blind spots at the nearside for every vehicle type and driver configuration.

DAF is concerned by the impracticalities and overall achievability of installing sensor systems on semi-trailers (and drawbar trailers). They also question the justification for side detection to cover the entire rear of the trailer as this would mean the requirement would be more than is required for a three star vehicle.

They recommend TfL work with DfT and DVSA to ensure that audio warning requirements remain compliant with all relevant and applicable legislation and also that TfL design a standard for warning signage and allow the French 'Angle Morts' signage.

They suggest the draft compliance approach for MOIS and CMS is flawed, as aftermarket BSIS and MOIS are unable to be approved to regulation R151 or R159. This is because these regulations apply at the vehicle homologation level only and not for separate systems or components. They suggest this could be addressed by using comparable requirements as those already set out under UNECE legislation in order that the system can be deemed as compliant for the PSS. These systems are also unable to be fitted prior to registration due to the possibility of infringing the vehicle type approval, forcing installation post registration. In addition, the requirement to retrofit systems post registration could restrict the immediate availability of vehicles, as those awaiting equipment cannot be used in the DVS zone. DAF suggest such issues will place burdens on the aftermarket systems suppliers, vehicle suppliers and vehicle operators and the scale and pace of equipment retrofit will be challenging for the industry. There also further pressures such as the global semi-conductor shortage, capacity of fitting technicians and the sheer volume of affected vehicles, which brings into question the feasibility of the October 2024 date.

DAF call for a phased approach, with roll out to new vehicles first and a longer period for existing permit holders in recognition of the investment operators have made in the current system. They also ask that vehicles approaching end-of-life are excluded as the fitment of new PSS is just not viable and will mean that such vehicles will no longer be able to operate in the DVS zone. They also ask that better information and comms is made available to overseas operators.

DAF note their concerns with the administration of the current system, in particular the burdens it places on operators and the issues with the system using VRM rather than VIN and call for an on-line search function via VIN, as well as a grace period from the date of registration / entering service to help eliminate some of the frustrations caused by the vehicles not being found within the TfL database. They also do not believe it is proportionate for manufacturers to supply an OEM headed statement specific to each individual VIN, especially considering the volume of other enquiries DAF deal with as part of the Direct Vision Standard (i.e. ratings requests and permit problems). They recommend the provision of data via spreadsheet of PSS compliance by virtue of vehicle approval, where a vehicle is GSR11 compliant this could be added to the weekly provided data as meeting the criteria for PSS without any individual declaration.

Montracon Ltd

Montracon are broadly supportive of the proposals. However, they state the timeline is too ambitious, especially given there are currently no products available in the market to meet R151 standards for O3 or O4 category vehicles.

Renault Trucks UK and Ireland

Renault Trucks suggest the overall scheme is flawed, as using both DVS criteria, which most lorries do not meet, and retrofitting equipment means no single standard is applicable to all vehicles. They think this results in different degrees of protection for VRUs, with the PSS providing greater protection.

They question why CMS, especially given its potential to remove blind spots, is not applied to all vehicles regardless of their star rating. They also ask how CMS relates to an articulated /drawbar combination when a blind spot is created during the turn? They also challenge the requirement about the positioning of CMS monitors as precludes options for centrally mounted systems.

They also ask why the PSS requirement for sensors to extend the full nearside (including the trailer) is required when this goes well beyond the range detection of three to five star vehicle. In addition, they challenged the practical achievability and enforcement of sensors on trailers and ask whether the same requirement will be applied to drawbar trailers and other ancillary pieces of machinery.

They call for a defined standard against which warning signage can be designed. They suggest we are creating a dual standard where OEM systems meet type approval requirements, but third party retrofit only requires self-certification. Self-certification does not constitute proof of compliance and cannot therefore be considered equivalent. They also question the validity of self-certification and challenge how this can be considered adequate representation of a standard as it does not constitute proof of compliance. They also ask how roadside enforcement officers would be able to distinguish between OEM & qualifying retro-fit systems and those that are not recognised. Renault also object to the burden being placed on manufacturers to provide OEM headed statement as they feel this is manually intensive requirement.

They recommend we focus on defining a 'standard' irrespective of star rating. And call for TfL to prescribe minimum performance-based criteria, a test protocol against which performance can be measured to prove compliance and a requirement for assessment against the test criteria by an appointed independent third party technical service.

They question the timeframe and availability of components and ask whether we have considered a delayed introduction, period of grace or for it only to apply to newly registered vehicles.

They call for TfL to better resource the administration of the scheme to speed up timeframe for vehicle ratings and request that zero to two star vehicles self-certify to reduce the burden on manufacturers. Renault report that operators (especially overseas) are confused by the differing requirements between DVS and PSS and ask for simplification and a flow chart to assist comms.

Renault support the principle of reviewing the scheme in 2028 but request that standards rely on new legislation applying to future registrations and the gradual replacement of older fleets rather than retrospective application.

Scania Great Britain Ltd

Scania Great Britain Ltd agree the proposals will help to improve road safety. However they have concerns about side sensors. They question whether the requirements align with European legislation. They also note that the expectation that trailers will have it fitted is unrealistic as it's unlikely systems in tractor units and on trailers will be cross-compatible. They are also concerned about the scale, cost and lead time for the retrofit required, especially in updating current passive systems to active. They are concerned about TfL's capacity to manage permit applications and that OEM's will have to deal with customer frustration about delays or rejections.

They make a number of further suggestions including that we align with European legislation and implementation dates; that we only require PSS on new vehicles; and that we implement auto-accreditation, aligned with European certificates (for example, if a truck has new GSR certificate, then its automatically granted a TfL permit). They also call for at least 18 month notice period of confirmed changes.

They make a number of suggestions to improve the permit application process including the ability to search for ratings and permits and to track the progress of an application. Permits should be applied for using chassis number only as registration numbers can change over life of vehicle and permits should be searchable on chassis numbers. They also call for the link-up time between TfL and DVLA to be quicker

Volta Trucks

Volta Trucks is a pan-European business founded in 2019, focused on accelerating to net zero by designing and manufacturing battery electric trucks for urban freight. They suggest that as the UK gets closer to the end of sale of new non-zero emission trucks, it provides an opportunity for truck manufacturers to design vehicles that have enhanced driver direct vision as the restrictive nature of incorporating an internal combustion

engine disappears. They call for TfL to expand the current five star ratings for DVS so that newer vehicles can achieve a higher rating.

They support reviewing the scheme in 2028 as having set timescales provides certainty for both operators and manufacturers.

They are pleased to note TfL's commitment to address some of user experience issues and functionality of the application process. They ask for the removal of the administrative burden from vehicle manufacturers and enable the DVLA or TfL itself to resolve issues relating to the operator and vehicles such as star rating or safety permit enquiries. An on-line checker would help to facilitate this and for it to work on VIN not registration.

Volvo

Volvo fully support of SMMT's consultation response. In particular they note that 90% of incidents are due to human error (be that driver, cyclist or pedestrian) and that the development of safer trucks is not the only answer. Both training an awareness for VRUs and driver development also need consideration.

They support the addition of side sensors and MOIS on brand new trucks that meet the standard requirements on ECE 151 and 159 respectively. However, they are concerned about whether retrofit systems can meet regulations 151 and 159. They are disappointed by the lack of specification detail in the consultation materials and would like to see the definition of clear performance criteria of what the system is expected to achieve. They also disagree with the requirement for manufacturers to supply letter headed paper and suggest that TfL could use the conformity of production or statement of compliance against the VIN number.

They note that the sensor requirements will create two safety schemes, with vision requirements for three star vehicles being less than a two star truck with the PSS. They also disagree with requiring trailers to have sensors and suggest it is not achievable in terms of both cost and practicality. Given the investment in retrofitting to date they advocate that the PSS should only apply to new registrations.

They do not feel the current timeline is achievable given notice periods and material shortages and question whether TfL can manage processing the volume of new permits required.

They would like assurances that the inspection and fitment of OEM systems will be the same as for third party fitment on the existing fleets. They do not feel photograph evidence is sufficient to demonstrate that a vehicle meets the standard or has been fitted correctly. To ensure compliance, they suggest TfL need to inspect and certify the companies that are installing these new items to ensure a conformity of production and a certificate of conformity. They would also like the star rating to be allocated to the VIN and note concern about the time manufacturers currently have to spend on the DVS scheme administration. They call for TfL data to be updated more frequently.

Whilst Volvo note the importance of keeping schemes under revision. They suggest that 2028 review may not be required as the system should be phased out when

harmonized EU direct vision and possible holistic NCAP safety assessments for the complete vehicle become available.

Operators

Culina Group

Culina Group would like to see more detailed data about the benefits DVS has delivered. They are concerned that specifications have not been provided, as this makes it challenging for them to assess the impact, feedback on the best design and allow vehicle manufacturer opportunity to build requirements in. They do not feel that there is a sufficient notice period. They are concerned about the costs and would like to see financial support to help the industry comply. Without this they are concerned that operators will have no option but to pass the costs onto customers. They do not support reviewing the system again in 2028, as this would represent a potential third change in ten years.

Day Group Ltd

Day Group Limited questioned the data measuring the success of the current scheme and feel that the impact of Covid on traffic levels has not been properly accounted for. They would like to see more data before any further changes to the HGV safety permit are implemented. They are also concerned about the availability of vehicle components and they feel 2028 for a future review is too soon. They call for more engagement with the entire European vehicle manufacturing market to ensure requirements are incorporated during design and relies less on aftermarket fitting. They would welcome any improvements to the permit application process.

DFDS Logistics Ltd

DFDS Logistics Ltd support the principles of the PSS but are concerned that the absence of specifications mean they are unable to judge whether the equipment is available in sufficient quantities and feel there is a real risk that both technology and funding will not be available by October 2024. They ask that proposals are amended to focus on tractor units then move onto trailers to make it more achievable.

Their submission supports the concerns raised by the RHA including:

- Calls for investment in road safety education programmes for VRUs
- Concerns about whether efficient operations can be maintained if large quantities of lorries are taken off the road for the equipment to be fitted (potentially up to 15,000 vehicles a month)
- Calls for TfL to make clear how existing kits can comply with the new standards, with any retrofitting limited to minor modifications to make existing kits compliant
- Concerns that a supply shortage of required equipment may cause price inflation.
- Welcome the provision of an on-line permit checker but want to know how TfL will validate that existing kits already fitted on to a lorry meet the new requirements. In particular, they seek clarification on:

1. what evidence will be required and in what format and by what means?
2. how fraudulent applications are spotted and rejected?
3. how missing paperwork relating to existing kits is accommodated?
4. availability of TfL staff to assist with queries and resolve processing problems?

They welcome the planned review of the scheme in 2028. But ask that it is evidence based, considers any safety equipment that is fitted as standard on new vehicles and the causation of any road casualties.

ELB Partners

ELB Partners questioned the validity of the consultation process and whether feedback would genuinely be considered.

Hamblion Transport Ltd

Hamblion Transport Ltd are concerned that the timeframe for implementation is too tight and request a delay. They are concerned about the cumulative impact of equipment causing a distraction for drivers. They are concerned about the costs of installation and maintenance and would welcome funding to support operators. They would like to see work to improve the visibility of VRU's for example flags or lights to make Santander hire bikes more visible. For future reviews they suggest TfL needs to better consider the impact of major changes on operators.

Hawkins Logistics Limited

Hawkins Logistics support the principle of DVS. They are concerned about the potential for increased operating and maintenance costs and would like to see an accompanying education campaign for VRU as well as increased education about road safety in schools, colleges and universities. They would like to see improvements to the application process and think areas outlined will help to achieve this. They support the principle of reviewing the scheme in 2028.

Hiltons Distribution Ltd

(Hilton's provided three responses which we have summarised into one submission)

Hilton's support the principle aims of DVS and also the need to periodically review the HGV Safety Permit but feel that the changes need to be manageable and realistic. They are concerned that the forward notice periods are inadequate – especially for future star boundaries – which is impacting on vehicle procurement. They are concerned about the sensory overload for drivers and would also like to see more focus on educating cyclists and pedestrians.

They support use of mirror cameras on the nearside but they feel offside camera screen sizes can cause safety issues for drivers who require reading glasses for screen work.

They have concerns about the use of active sensors on trailer units. Both in terms of cost implications for small/medium sized operators but also the practicality, given cabs use multiple trailers, and question whether there would be a universally applied solution. They are concerned that this would mean trailers would also require permits

which could greatly increase the number of permits required. They also question TfL's capacity to process that volume of permit applications. They suggest the alternative of a further reaching side scanning system on the nearside to cover the trailer. They feel the use of these would remove the restriction of what trailer and unit combinations may be used.

Kilnbridge Group

Kilnbridge Group do not believe the proposals should go ahead and state that DVS 1 has improved the safety of Londoners, but these proposals go too far. They state that the cost and downtime needed to have extra systems fitted will have a negative impact as drivers will be overloaded with warnings and more distracted due to the additional sensors. They raise concern that these sensors will continue to warn drivers when stationary at traffic lights. They suggest that cyclists and pedestrians need to share responsibility for road safety as well as HGV drivers. They add that the driver might try to turn off the warnings if they are being distracted which would defeat their objective.

Maritime Transport Ltd

Maritime Transport Ltd are committed to promoting the highest safety standards and support the principles established in the PSS. However, solutions to these principles must be practicable and available and they note that investment in vehicle safety technologies needs to be accompanied by an education awareness programme for VRUs on how to use shared road space safely.

They are concerned that the lack of technical specifications makes it hard for them to judge whether equipment is available in sufficient quantities to meet the new requirements and support the issues raised by the RHA namely practicality of the suggested implementation date; the likelihood for inflationary pressures due to equipment shortages; the challenges for the operation of sensors on trailers; and that retrofitting is limited to minor modifications. As well as seeking clarification on how TfL will validate existing fitted kits that meet the new requirements.

They welcome the plan to review the DVS scheme in 2028. But ask that the review be evidence-based and consider safety equipment fitted as standard on new vehicles and the causation of any road casualties.

Ocado Operating Ltd

Ocado Operating Limited agree that direct vision should be the ultimate aim. However, they note that there are only a limited number of manufacturers which make three star and above vehicles. Many hauliers are now refusing to cover London as they query the benefits of the expense. They support the aim of vision zero and note that despite an increase in VRUs there has been a reduction in fatalities which points to the success of the current scheme, and they suggest there might be a case to delay the introduction of the PSS to 2026 to allow more manufacturers to launch DVS compliant models.

They are concerned about the cost to date to install the current system and the maintenance and reliability issues with current technologies which have had impact on

operating costs. To fit further equipment would represent further costs and they are concerned about restrictions to new vehicle and electronic component supplies.

They also have concerns about the technical feasibility of fixing sensors on trailers. They support the MOIS and the principle of right-turn audible turning warnings – though note their concerns about reliability pitfalls given issues with left turn warning on current SS.

O'Donovan Waste Disposal Ltd

O'Donovan Waste Disposal Ltd suggest that the cyclists that the new camera monitoring system would pick up would already be picked up by the current nearside sensors and camera systems. Regarding the nearside sensors, they suggest that it would be extremely challenging to introduce sensors on the sides of trailers, as trailers get swapped over between tractor units and companies so there could be two incompatible systems in operation. They also suggest that the requirements for sensors to cover a two metre width would mean too many alerts for drivers.

In regards to MOIS, they suggest that Class V1 mirrors already allow the driver to see 'red' pedestrians, and add that it is a weak argument to suggest that drivers might not use the mirrors.

They argue that it is unreasonable and disproportionate to expect hauliers to incur the costs of these proposals when they have recently invested in new safety devices. They suggest that introduction by October 2024 is not realistic due to costs and supply chain issues. They add that there is no mention of the new requirements being aligned with the FORS standard requirement.

R Swain & Amp Sons Ltd

R Swain & Amp Sons Ltd would like to see changes to the permit application process. They would like to understand why operators have to re-register second hand vehicles they purchase. They would also welcome an on-line permit checker function.

Saint-Gobain

Saint-Gobain feel the current scheme works well. They suggest the next phase should focus on 'Driver Training' over further technology, to ensure drivers have the necessary competence to correctly operate the equipment.

Stef-Langdons

Stef-Langdons are concerned that the industry is already experiencing a high rise in operating costs. They are worried about a shortage of available parts and engineers. They are concerned that if we proceed with the proposals a large number of hauliers may not survive or may refuse to deliver in London.

Wincanton Holdings Ltd

Wincanton Holdings Ltd have made considerable investment to ensure their fleet is compliant. They suggest the data on the scheme looks like the benefits are minimal. They state that Construction and Use regulations and EU derived standards are recognising that VRU safety has to be designed into all vehicles and this is, albeit slowly, affecting vehicle designs. To minimise the cost impact upon the industry, Wincanton urge that the Phase 2 roll-out be held-over, and allow general vehicle safety enhancement through the normal channels to take place. They are concerned the proposals will add even further cost to operating in London which will have to be borne by the consumer.

They are concerned about operational reliability of cameras to eliminate nearside blind-spots. Whilst side sensors may be accepted for a rigid vehicle, they suggest that the application to a trailer is virtually unworkable and must not be included. They note that MOIS are about to become standard as part of EC standards, and would urge that this not be applied retrospectively as again proprietary fitment is costly and unreliable. They suggest it is far better to await the roll out from truck OEMs as planned regardless as to DVS.

Wincanton urge that the implementation be delayed, until at least 2026, as market conditions for the haulage industry is currently very challenging, and given the lack of truck technicians, any retrospective fitment will likely be unachievable within the proposed timescale.

They raise a number of complaints with the implementation and on-going administration of Phase 1 DVS and call for an urgent overhaul, and a system implemented that it fit for purpose and this be achieved before any Phase 2 implementation is allowed to proceed.

Equipment Manufacturers

Autowatch UK Limited

Autowatch recommend the use of AI camera technology to be used as an alternative to side detect sensor systems. They suggest it is more accurate than existing ultrasonic or radar sensor side detect systems, which they feel should now be phased out.

Brigade Electronics

Brigade supports the concept of the Direct Vision Standard and other schemes that aim to remove blind spots and protect vulnerable road users. They have a number of concerns and suggestions for the PSS proposals. They recommend the inclusion of 360 CMS systems and raise concerns about the proposed detection lengths for sensors and MOIS as it contradicts the current reg 151 and 159 requirements. They recommend proposals should meet the spec of 159 regs OR the specification set out in the proposals and NOT both because they contradict each other. In addition, they also question how sensor equipment could be enforced on trailers. They also provided

detailed suggestions for what should be included in the technical specification for CMS/Sensors/MOIS.

Brigade raise a number of concerns about permit evidence. They suggest that aftermarket test criteria needs to be clarified as they are concerned that an assumption has been made that GSR (which is for whole vehicle homologation) can be applied at component level. There is currently no test for GSR at component level. Brigade advocate for product certification in a UK qualified test house and for an aftermarket / component technical standard be created for 151 and 159 (specifically for DVS).

Brigade also suggest a phased approach is required in order to manage demand and a shortage of fitters, and recommend that current DVS safe permits fitted in 2022, 2023 or 2024 would have an extension beyond Oct 2024 to 2025/2026. They would also like to see reference to professional installation of equipment to ensure that devices are installed to an acceptable standard.

Fleet Focus

Fleet Focus support the intentions of the proposed changes but have concerns that the practical application of some elements may lead to an ineffective deployment. They support addition of MOIS sensors but call for clarity in specs to ensure they are fitted appropriately. Due to the nature of articulated vehicle use the requirement for sensor is unachievable unless both cab and trailer have fitted the same equipment.

They are concerned that the requirement to keep records of camera footage is not required to aid with accident investigation. Similarly, they question why the PSS has opted for sensor over AI technology for nearside and front collision avoidance. They are concerned that the proposals have been unduly influenced by one supplier. They challenge the implication that there is insufficient data on this technology when it is widely utilised across the industry.

They raise concerns about volume of systems leading to sensory overload. They advocate use of AI camera monitoring which they feel provides a more accurate detection and displays the situation facing the driver in a clear visual way which covers the entire blind spot through one piece of technology.

They support the revision of the scheme in 2028 and request that the research is extended to a diverse spread of all trade and supplier organisations.

Reversing Made Easy

Reversing Made Easy are concerned about the requirement for sensors to be fitted to the nearside of trailers. Cab units often work with a variety of trailers so are concerned about the practicality of the proposal, given cab and trailer sensor equipment could be incompatible.

Spillard Safety Systems Ltd

Spillard Safety Systems Ltd question the accuracy of proximity sensors and would like to see AI camera technology included in the specification as these are more accurate at detecting the human form.

Business

Sir Robert McApline

Sir Robert McApline support the principle of the HGV Safety Permit and the need for the Safe System to be updated with new innovations/technologies. However, they are concerned that these changes will impact 90% of existing fleet operators. They are concerned as to whether there are sufficient numbers of fitting technicians and available equipment to upgrade affected vehicles by October 2024 and whether the costs of upgrading will deter small operators from serving London. They feel this could lead to issues with the availability of compliant vehicles and that any limits to the pool of compliant hauliers might lead to cost inflation. They call for a simpler visible way to demonstrate compliance, such as something similar to the FORS sticker. They support the planned review date of 2028.

DHL

DHL supports the “vision zero” ambition of the Mayor of London to reduce road deaths in London to zero by 2041. Improving the safety of road users is a key priority for DHL as they state they work to ensure our operations are safe and sustainable and they have invested to ensure their full compliance with DVS Phase 1.

They are concerned that the current proposals for the PSS does not create a robust safety standard and suggest it needs to be as specific as possible outlining what equipment should be fitted onto vehicles to ensure the desired safety impacts are achieved. They note evidence of shortcomings in lower end equipment for the current SS. They note that passive sensors are a good example of this and that under the new proposals industry is being asked to strip out equipment that has been fitted in good faith under DVS 1, to be replaced with different equipment, where again the specifications are vague. They recommend that TfL identify performance specifications that ensure safety outcomes and then guarantee that the proper, effective, and certified equipment is being fitted to vehicles. This would also give confidence to industry that equipment being fitted to vehicles would not be effective or rendered obsolete in such a short timeframe.

DHL are also concerned about the requirement for sensors to ensure full coverage down the nearside of all vehicles means that sensors will need to be fitted to trailers. They state it is not possible to see how this can be achieved as it does not reflect the reality of how trailers are used or operated and raises issues about compatibility for systems between tractor units and trailers. Given the volume of trailers impacted this could also put great stress on the industry to be able to retrofit fleets in time for October 2024.

DHL are concerned that there is not sufficient time between the requirements being finalised to the proposed implementation date and note the IIA's assessment that industry is facing both material (with semiconductor and parts) and skills shortages, which are currently leading to long lead times for new equipment. An issue further compounded by the volume of vehicles that will require retrofitting. In addition, DHL are

concerned that there has been no reassurance that 'active' sensor equipment will be widely available.

They also feel no consideration has been given to certainty of investment and fleet management. Operating life cycles are often between five to eight years, which means the vast majority of vehicles that will be on the road in 2024 are already on the road today. Often these need to be used for around six years to ensure a return on investment. By setting a precedent where an authority can continually change standards, which then require a retrofit of fleets, it is impossible for fleet managers to make sound investment decisions. Given the concerns they have outlined DHL strongly recommend that the PSS not be retrospectively applied to the current fleet. Especially when considering the wider developments around HGV safety and direct vision at UNECE level that will ensure safety continues to improve. They also suggest a sunset clause where invested trucks already fitted with DVS Phase 1 equipment are exempt for five years.

UNECE Regulation 151 covers the requirement for side sensors, UNECE Regulation 159 covers the requirement for the Moving Off Information System, both of these will be mandatory from 2024. The new UNECE regulation for Direct Vision, will be mandatory for new designs for 2024 and all types in 2029. DHL are concerned that the Integrated Impact Assessment makes no mention of this wider regulatory change and basis is assessment of positive impact as if the PSS is in a regulatory vacuum. DHL note that Vision Zero is a target for 2041 and there is nothing to suggest that the target won't be achieved through the increased rigorous safety standards that are naturally progressing through UNECE regulations, which will likely supersede the Progressive Safe System.

FM Conway

FM Conway support the principle of making London's road safer but they noted their concern about the cumulative impact of added technologies on sensory overload for drivers. They are also concerned about the start date, especially given the volume of affected vehicles and the worldwide shortage of parts and components. They are also concerned that manufacturers are not aware of our proposals, especially regarding MOIS. And they call for TfL to consider dispensation for operators if they are unable to meet the deadline.

John Lewis

The John Lewis Partnership continues to support the Mayor's 'Vision Zero' approach to road danger reduction. However, they are concerned that the equipment specification has not been provided. This has meant they are unable to assess whether their current equipment will remain compliant in 2024 and does not allow them to future proof fitted items. They ask that equipment already fitted should be allowed to continue, to avoid its removal and time/cost of fitting new equipment.

The Partnership are concerned about the achievability of fitting sensors to trailers and are also concerned that data provided still shows potential "blind spots" in certain areas and turning situations. They also note that tractor units rated three star or above will not need the PSS, and therefore the new requirement for sensors that cover the nearside of

the tractor unit and semi-trailer will also not apply. They suggest a tractor unit that does not meet the three star standard in 2024 should only have to meet the sensor requirement for the tractor unit, to give the driver the same vision as that of a three star rated, or above, vehicle. They also ask that TfL only mandate MOIS on vehicles that have been built to the new UNECE regulations

They would like to see a DVS fleet 'look up tool' for operators to check if a vehicle has a permit, along with a move to a system of trust and enforcement rather than relying on an initial submission of photos, which they suggest is very time consuming.

They are concerned about a further review in 2028 and ask that ongoing changes to the international safety standards should be viewed and understood before any UK changes are made that affect the DVS scheme. They also ask that TfL continue to liaise with vehicle manufacturers to ensure that the roll-out of the new UNECE standards continue to match the DVS, this will allow for the relevant, approved equipment to be fitted online at the point of manufacture.

Royal Mail

Royal Mail support the need to make London's roads safer with the forthcoming DVS Phase Two proposals but ask that a number of points are considered in the implementation. They note that the first phase has been enforced for less than two years and want the next set of measures introduced in a proportionate, evidence-based way that will benefit road users and allow HGV operators to upgrade their fleet in a proportionate and necessary manner. In particular, they ask that the new PSS specifications should build on the upgrades already put in place during Phase One, so that vehicle operators are not forced to remove and upgrade HGVs that were already retrofitted in the last two years to meet DVS standards. They also call for the Specifications to be defined and consulted upon before introduction

Royal Mail believe the October 2024 implementation date is ambitious (both in terms of available equipment and installation labour) and ask for more time to allow businesses to secure the necessary funds and upgrade their vehicles and to minimise downtime of their fleet.

Royal Mail would also like to see TfL introduce a tiered approach to permitting. For example, large fleet operators should be able to provide a sample check of their vehicles and have a single permit issued per company. This could be underpinned by random spot checks of HGVs operating within a companywide permit by TfL to ensure compliance. They also suggest that the purpose of a vehicle and the nature of its typical journeys should also be reflected in the permitting system. They also call for the permitting system to be sufficiently resourced to provide HGV operators with timely permits and suggest one way to reduce the resource burden on TfL and HGV operators would be to remove the need for upfront submission of photos of every vehicle and move towards a more trust-based scheme, as mentioned above.

Royal Mail also request an easy to use online permit checking tool is introduced.

Tarmac

Tarmac agrees with updating existing guidance on the use of mirrors and mirror-replacement Camera Monitoring Systems (CMS) as technology has improved to allow the use of both systems. However, whilst they support the principle of CMS eliminating remaining nearside blind spots and MOIS for the frontal blind spot zone, they are concerned about the supply chain and suggest a phased approach is needed. Additionally, they have significant concerns around the practical implications of installing side sensor equipment on trailers and note that this does not allow for recent technological developments that have superseded the proposal. They would also support improvements the scheme application process for operators.

UPS

UPS note that they are fully committed to ensuring their vehicles are maintained to the very highest standards of safety and are fully compliant with Phase 1 of DVS. They welcome the Mayor's aim to eradicate all deaths and serious injuries caused by road collisions by 2041. They note their support for the responses submitted by AICES and Logistics UK, of which UPS is a member.

The key point they emphasise is concern about the lack of technical specifications, as this has made it hard to understand the full impact and cost of fitting equipment. They request that given the investment to date and off-road time for installation, any new equipment that needs fitting should only apply to newly registered vehicles. It should not apply to vehicles that they have already made compliant in phase 1.

They do not support the application of sensors on trailers due to the flexible nature of their use between cabs and also around the country.

They also call for an extension to the implementation date and suggest two year's notice to allow for planning and implementation. They note some concern about a review in 2028 which could result in a third phase of investment within a ten year period and would suggest any review would only apply to newly registered vehicles.

Local/Regional Government

London Borough of Hammersmith & Fulham

The borough state that the proposals are sensible and raise their strong support that blind spots will be eliminated with new technology. They question how sensitive the movement sensors are and whether they sensors would be able to sense cyclists, or how the sensor will work for arctic lorries when turning the cab of their HGV. They raise a number of questions about the sensors placement, potential protrusions and whether it will work when the HGV is moving or stationary.

They also raise whether children will be picked up within the improved pedestrian visibility systems, noting that the smallest size a sensor is expected to see is 'small adult female'. They raise concern that children cycling along the roads without designated cycling infrastructure to keep them separated from HGV traffic. The borough question whether the proposed measures will encourage more active travel, especially

by bike and whether the proposals will encourage behaviour change in HGV drivers. They raise that these standards need to be accompanied by more cycling infrastructure on the roads so that cyclists and HGV drivers are not sharing road space.

The borough questioned how much these systems will cost HGV companies and drivers and asked how TfL will enforce non-compliance of these standards. They note their concern that fitting lorries with further technology will reinforce that driving is the favoured transport mode and that the bigger the vehicle the more rights that road user has. They believe this could dissuade people from choosing to cycle or walk. They note that the consultation did not include proposals to ensure fewer HGVs on the roads around commuting and school times. They note their key concern is that adding technologies does not change behaviour or make individual drivers safer, it just reinforces reliance on technology and the expense of encouraging other road users to choose active travel.

London Borough of Lewisham

The borough stated their support for the proposals to make improvements to the HGV Safety Permit Scheme, noting their shared aim to reduce Killed and Serious collisions and achieve Vision Zero ambitions. They suggested that the strengthening of the Safety Permit Scheme will likely result in fewer deaths and serious injuries involving vulnerable road users.

In particular, the borough supported the measures for improving indirect vision to inform drivers of the presence of vulnerable road users and the measures to warn other road users of the intended manoeuvres of HGVs. They added that they will support any other significant emerging technologies to strengthen the HGV Safety Permit Scheme if they become available prior to the next review date in 2028.

London Borough of Redbridge

L.B. Redbridge supports the changes proposed by TfL to further reduce the risk heavy goods vehicles (HGVs) over 12 tonnes pose to vulnerable road users. However, they request that TfL and the Mayor of London make funding available to the operators of public sector fleets involved in the provision of statutory services in London, to enable them to meet the requirements of the PSS.

Westminster City Council - Cllr Paul Dimoldenberg

Westminster City Council support the changes to the PSS and the proposed timescales. They recognise the need to prioritise safety as some 40% of journeys in the AM peak in Central London are believed to be undertaken by essential delivery vehicles and that Westminster faces the highest number of vulnerable collisions of any other London Borough.

Elected Representatives

Caroline Pidgeon AM, on behalf of the Liberal Democrat London Assembly Group

The Liberal Democrat London Assembly Group strongly support introducing the proposed recommendations to enhance the current Safe System.

Whilst these can all be retrofitted, they would also like see manufacturers encouraged to build these into future vehicles. They support the extension of audible warnings to both sides of the vehicle and ask that these are repeated along the entire side of the vehicle, as these would alert other road users to the HGV's turn even when the vehicle may be in an outer lane as the driver manoeuvres to turn left. They would also like TfL to go further and consider including:

- Automatic Emergency Braking
- Intelligent Speed Adaptation
- Mandating the government-approved driver training module 'Safer Urban Driving'

They also call on TfL to also consider other measures such as limiting HGV operating hours, utilising the river for freight and developing consolidation centres to manage the transportation of goods in London more efficiently.

Appendix E: List of Stakeholders consulted with

| Freight List | Other Regulatory Bodies | London Boroughs |
|---|---------------------------------------|----------------------|
| DAF | Environment Agency | Barking and Dagenham |
| Abacus Transtex | Met Police | Barnet |
| Abel & Co | Traffic Commissioner | Bexley |
| Addison Lee | London TravelWatch | Brent |
| ADM Mailing Ltd | Department for Transport | Bromley |
| Aerodyne Global Ltd | DVLA | Camden |
| Aggregate Industries | | City of London |
| Agility Free Solutions | VRU Groups | Croydon |
| Air Liquide | 20s Plenty | Ealing |
| ALD Automotive | Action on Disability and Work UK | Enfield |
| Allison Transmission UK | Action on Hearing Loss | Greenwich |
| Anderson Grant | Action Vision Zero | Hackney |
| Angel Trains Ltd | Active Travel Academy | Hammersmith & Fulham |
| APC UK | Age UK | Haringey |
| Apollo Vehicle Research | All Party Parliamentary Cycling Group | Harrow |
| APP Web Plant Hire | Asian People's Disability Alliance | Havering |
| APT Controls | Attitude is Everything | Hillingdon |
| AS Watson (Health & Beauty UK Ltd) | Best Bike Training //Cycletastic | Hounslow |
| ASDA | bikeXcite | Islington |
| ASDA Stores | BlindAid | Kingston |
| Association of Vehicle Recovery Operators | Brake | Lambeth |
| Astra Vehicle Technologies | British Blind Sport | LBTH |
| Atkins Global | British Cycling | Lewisham |
| Axle Haulage | British Motorcycle Federation | Merton |
| Axle Haulage Ltd | Campaign for Better Transport | Newham |
| B C WILES & SON LTD | Campbell's | RBKC |
| B2B Surge | Cross River Partnership | Redbridge |
| Babcock International | CTC | Richmond |
| Ballard | Cycle Confidence | Southwark |
| Barclays Asset Finance | Cycle Systems | Sutton |
| Baxleltd | Cycle Training UK (CTUK) | Waltham Forest |
| BD Auto | Cycling UK | Wandsworth |
| Bid food | cycling4all | Westminster |
| Biffa Waste Services | Cyclists in the City | London Councils |
| Billingsgate tenant | Cyclists Tourist Club (CTC) | |
| Bmm Energy Solutions LTD | DABD (UK) | Regional |
| BOC Fuels | DeafBlind UK | GLA - Transport Team |

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|---|--|---|
| Borough Market | Disability Alliance | London Assembly Members |
| BPF | Disability Horizons | London MPs |
| BPR Group | Disability Rights UK | |
| BR Saunders | Disabled Persons Transport Advisory Committee | Other |
| Brakes Group | Dogs for Good | Aldgate BID |
| Brewery Logistics Group | European Dysmelia Reference Information Centre | ALDI |
| Brewing, Food & Beverage Industry Suppliers Association | Evolution Cycle Training | Apollo Vehicle Research |
| Brit European | Eyes For Success | Argall BID |
| British Beer and Pub Association | Greater London Forum for Older People | Asda |
| British Gas | Guide Dogs for the Blind Association | Association of Town Centre Management |
| British Land | Inclusion London | Baker Street Quarter Partnership |
| British Vehicle Rental and Leasing Association | Independent Disability Advisory Group | Be Richmond BID |
| BVRLA | Leonard Cheshire | Bee Midtown BID |
| BYD | Living Streets | Better Bankside BID |
| BYD UK | London Cycling Campaign | Bexleyheath Town Centre BID |
| C40 | London Fire Brigade (LFEPA) | Blue Bermondsey BID |
| Calor | London Older People's Strategy Group | Brakes Group |
| Canary Wharf Group | London Road Safety Council | Brewery Logistics Group |
| Carousel Logistics | London Vision | Brewing, Food & Beverage Industry Suppliers Association |
| Cartwright Group | Motorcycle Action Group | British Association of Removers |
| CECA | Motorcycle Industry Association (MCIA) | British Beer & Pub Association (BBPA) |
| Cemex | National Autistic Society | British Land |
| Cemex UK Operations | National Federation of the Blind | Brixton BID |
| Cenex | National Motorcyclists Council (NMC) | Camden Town Unlimited |
| Centre for Sustainable Road Freight | Office for Disability Issues (DWP) | Carousel |
| Charge Engineering | One Place East | Central London Freight Quality Partnership |
| Child Accident Prevention trust | Parliamentary Advisory Council for Transport Safety | Chartered Institute of Logistics and Transport (CILT) |
| CILT | philip kemp cycle training | Cheapside Business Alliance |
| City Scaffolding | President National Federation of the Blind of the UK | City of London Police |
| Clear Channel | PrioritEyes Ltd | Clear Channel UK |
| Clipper Logistics | Queen Elizabeth's Foundation for Disabled People | Confederation of British Industries |

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|--|---|---|
| CLOCs | Research Institute for Disabled Consumers | Co-op |
| Close Brothers Asset Finance | RNIB | Cross River Partnership |
| CNG Fuels | Road Danger Reduction Forum | DHL |
| CNH Industrial | Road Safety GB | DPDgroup UK |
| Co-operative Group | Road Safety Markings Association | EDF Energy |
| Cold Chain Federation | Roadpeace | ELB Partners |
| Commercial Group | Royal Association for Deaf People | Euston Town Unlimited |
| Commercial Vehicle Franchise for DAF Trucks--Greenhous DAF | Royal London Society for Blind People | Federation of Small Businesses |
| Consultant Ryder | Royal Society for Blind Children | Federation of Wholesale Distributors (FWD) |
| Cool Van | Scope | Fitzrovia Partnership |
| Coop | Sense | Fowler Welch |
| Creative Industries Federation | South East London Vision | Freight Transport Association |
| Cross River Partnership | South Herts Plus Cycle Training | Future Wood Green BID |
| Cummings Ltd | Stay Safe | GeoPost UK |
| Dachser | Stop Killing Cyclists | HA Boyse and Son |
| Daf Trucks | Stroke Association | Hammermith BID |
| DAF Trucks Limited | Sustrans | Hampstead Village BID |
| DAF Trucks Ltd | | Harrow BID |
| Daimler | Team Margot | Hatton Garden BID |
| Deepstore Records Management | The Association of Guide Dogs for the Blind | Heart of London BID |
| Dennis | The Royal Association of Deaf People (RAD) | Ilford BID |
| Dennis Eagle | Thomas Pocklington Trust | IN Streatham BID |
| DfT | Trailblazers, Muscular Dystrophy UK | IN West Ealing |
| DHL | Transport Associates Network (Ann Frye) | Institute Of Couriers |
| DHL Supply Chain | Transport for All | Interested passenger |
| DiaryCrest | Walk London | John Lewis Partnership |
| Doddle | Wheels for Wellbeing | Kelly Group |
| Dore to Door Specialist Handling Ltd | Whizz Kidz | Kimpton Industrial Park Proprietors Association |
| DPD Group | Alzheimer's Society | Kingston First |
| DSM (Distribution Services Management) | Brake | London Ambulance Service |
| Eezehaul Logistics | | London Association of Funeral Directors |

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| Emiss | Clients & Contractors | London Chamber of Commerce and Industry (LCCI) |
| Emsol | Thames Tideway Tunnel | London Fire and Emergency Planning Authority |
| Energy Saving Trust | HS2 | London Fire Brigade |
| Environment Agency | Network Rail | London First |
| EO Charging | Costain | London Riverside BID |
| Erith | FM Conway | Loomis UK |
| Europcar | TKJV | Loughborough Design School |
| Eurovia UK | Conway | Love Uxbridge |
| Event Concept | Tarmac | Love Wimbledon |
| Evo-Group/Truline | CEMEX | Make it Ealing BID |
| Excalibre Technologies Ltd | MACE | Marble Arch London |
| Federation of Small Business | Travis Perkins Group | Marks & Spencer |
| Federation of Small Businesses | Balfour Beatty | Martin-Brower UK |
| Federation of Wholesale Distributors | Carillion | McDonalds PLC |
| Fedex | Interserve | Mcdonnell transport |
| Flannery Plant Hire | Kier Group | Metropolitan Police |
| Fleetcor | Morgan Sindall | Metropolitan Police Service |
| FM Conway | Amey UK | MITIE |
| Ford Motor Company | Gallaford Try | National Grid |
| Ford Transport Operations | Laing O'Rourke | Network Rail |
| FORS | Keller | New West End Company (BID) |
| Frigoblock | Bam | NHS Property Services |
| Fruit 4 London | Lsg | Office Depot |
| FSB | Skanska | Orpington First |
| GAP Group | Willmott Dixon | Positively Putney BID |
| GasCorp Holdings | Day Group | Purley BID |
| Gasrec | Sir Robert McAlpine | Railfuture Ltd |
| Gnewt Cargo | Wates | Reynolds |
| Greater London Hire | Vinci UK | Road Haulage Association |
| Green Freight Europe/EST | J Murphy | Road Haulage Association LTD |
| Greenstick Energy | Lakeside 1 | Royal College of Nursing |
| Grundon Waste Management | O'Donovan Waste Disposal | Royal Mail Parcel Force |
| Guest Trucks | Travis Perkins | Sainsbury's Supermarkets |
| H2gogo industries | Powerday | Sidcup Partners |
| HA Boyse and Son | SIG | South Wimbledon Business Area |
| Heathrow Airport | Speedy Services | Southbank Partnership |
| Heathrow Truck Centre Ltd | Keltbray | STMGROUPLTD |
| Hermes | L Lynch Plant Hire | Stratford Original BID |
| Hotchkiss Ltd | Erith | Successful Sutton BID |
| Howdens | Bam Nuttall | Team London Bridge |
| HS2 | Crossrail | Thames Water |

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| ICE | Berkeley Homes | The Co-operative Group |
| Iceland | Land Securities | The Northbank London |
| Ikea | Brookfield Muliplex | This is Clapham |
| Imagineline | | TKMaxx |
| Imperial College London | | TNT |
| Innogy | | Transport Research Laboratory |
| Innovate Uk | | Try Twickenham BID |
| Institute of Couriers | | UK Power Networks |
| IRTE/SOE | | UPS |
| ITM Power | | Vauxhall One |
| Iveco | | Warburton |
| J Coffey Plant Ltd | | We Are Waterloo |
| Jay Transport | | West Norwood & Tulse Hill BID |
| John Lewis | | Willow Lane BID |
| JouleVert | | |
| Keltbray | | |
| Keolis | | |
| KFC UKI | | |
| Kilnbridge | | |
| Knights of Old | | |
| KNK Group | | |
| Kuehne + Nagel | | |
| L Lynch Plant Hire & Haulage Ltd | | |
| LDV | | |
| Link Group | | |
| Living Sreets | | |
| Logistics UK | | |
| London Calling | | |
| London Fire Brigade | | |
| Loughborough Design School | | |
| Low Carbon Vehicle Partnership | | |
| LowCVP | | |
| Lyreco | | |
| M A Ponsonby Ltd | | |
| MAG | | |
| Magtec | | |
| MAN | | |
| Maritime Transport | | |
| Marks & Spencer | | |
| Martin Brower | | |
| McGrath Group | | |
| McNicholas | | |
| Mercedes Benz | | |
| Met Police | | |

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| Mineral Products Association | | | | |
| MITIE | | | | |
| ML Power Systems | | | | |
| MMAPP Haulage Contractors Ltd | | | | |
| Mobile Mini | | | | |
| Morrisons | | | | |
| Muni-serv | | | | |
| MWW Ltd | | | | |
| National Franchised Dealers Association | | | | |
| National Grid | | | | |
| NHS | | | | |
| Nomad Power | | | | |
| NRG Fleet Services Ltd | | | | |
| O' Donavan Waste Disposal | | | | |
| Ocado | | | | |
| Octopus Energy Services Limited | | | | |
| O'Donavan Waste Disposal | | | | |
| Organic Power / Biomethane Ltd | | | | |
| Parkinsons UK | | | | |
| Parsons Brinkerhoff | | | | |
| Pizza Express | | | | |
| PLA | | | | |
| Pod Point Ltd | | | | |
| Prestige Cars and Couriers | | | | |
| Pret a Manger | | | | |
| Professional Recovery Operators Federation | | | | |
| Prohire | | | | |
| Ramblers | | | | |
| Reliagen Holdings Ltd | | | | |
| Renault | | | | |
| Renolds | | | | |
| Restore Datashred | | | | |
| Rexel | | | | |
| RFG | | | | |
| Riverford | | | | |
| Road Haulage Association | | | | |
| Route Monkey | | | | |
| RS Connects | | | | |
| Ryder | | | | |
| sainsburys | | | | |
| Saints Transport | | | | |

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| SBS | | | | |
| Scania | | | | |
| Scarab-Sales | | | | |
| Serco | | | | |
| Shell | | | | |
| Shredstation | | | | |
| Siemens Financial Services Ltd | | | | |
| Simply Waste Solutions | | | | |
| Sims Milling Services | | | | |
| Sir Robert Alpine | | | | |
| Skanska | | | | |
| Sky | | | | |
| Society of Motor Manufacturers & Traders | | | | |
| SOLT | | | | |
| South West Truck & Van | | | | |
| Specialist Fleet Services | | | | |
| Tarmac | | | | |
| Tesco | | | | |
| Tevva Motors | | | | |
| The Co-Operative Group | | | | |
| The First Mile | | | | |
| The Linde Group | | | | |
| The Regional Training Centre | | | | |
| The Society of Golden Keys | | | | |
| Thermo King | | | | |
| Tideway | | | | |
| TJ Hammond Transport | | | | |
| TKMaxx | | | | |
| TNT | | | | |
| Top Flight Couriers | | | | |
| Tracsis | | | | |
| Traffic Angel | | | | |
| Transport Focus | | | | |
| Travis Perkins | | | | |
| Truck Align | | | | |
| Trucking Magazine | | | | |
| Trueline | | | | |
| UK Warehousing Association | | | | |
| UKHospitality | | | | |
| UKLPG | | | | |
| UKPN | | | | |
| United Utilities | | | | |
| UPS | | | | |

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| VansA2Z | | | | |
| Veolia | | | | |
| Volta Trucks | | | | |
| Voltia | | | | |
| Volvo | | | | |
| VVPLC | | | | |
| W. Howard Ltd | | | | |
| Walls and Celings | | | | |
| Warbutons | | | | |
| Wego Carbon Neutral Couriers | | | | |
| West End (Chinatown) Tenants Association | | | | |
| West Midlands ITA | | | | |
| WestTrans | | | | |
| Whirpool Coorporation | | | | |
| Wilcox Commercial Vehicles | | | | |
| William Hain Ltd | | | | |
| William Jackson Food Group | | | | |
| Wincanton | | | | |
| WJ | | | | |
| WM Morrisons Supermarkets | | | | |
| XPO | | | | |

Appendix F: Themes from Stakeholder Meetings

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| Issues Raised |
| Criticism about proposals - General |
| Criticism of consultation process (e.g. Mayor or TfL do not listen) |
| Lack of evidence to demonstrate Safe System benefits |
| Neutral comments about the proposals |
| Standards need to be imposed equally on domestic and foreign vehicles |
| Specific Negative comments on progressive Safe System proposals |
| Need clarification on what current equipment will remain valid/or not under new PSS/concerned about removal of current kit and wasted investment by industry to date |
| Unable to provide meaningful feedback as specification details were not provided/A detailed specification is required based on required performance |
| Concern about the practicality of sensors on articulated trailers given cabs use multiple trailers |
| Concern about detection accuracy of products currently available on the market and how TfL proposes to stop these entering the market |
| Definition of an 'active sensor' is required |
| Suggestions - for the PSS |
| Should introduce a single standard for approved equipment (e.g. Kite mark) |
| Comments about timescales |
| Unrealistic timescales - insufficient time to procure, fit and test and concerns about availability of vehicle components/fitting technicians |
| Phased or different approach needed for zero Star and one to two Star Vehicles/It should only apply to new registrations |
| Disagree with PSS launch date - should be introduced later |
| Suggestion for new launch date/enforcement date (the most frequent suggestion was a two year extension to 2026) |
| Comments about wider impacts of the proposals |
| Concerned about costs to install and/or enforce or that the IIA has not adequately identified the costs to industry |
| Suggestions - To achieve Vision Zero policy makers must also focus on VRUs |
| TfL needs to provide pedestrian and cyclist education campaign on road safety |
| Doesn't address issue of cyclist/scooter/pedestrian behaviour |
| Comments about permit application process |
| Current issues with the system |
| Concerns about the time taken to apply for permit |
| System too slow in recognising new vehicle and private plate registrations |
| Requests |
| Request for on-line permit checker facility |
| Clarification required on how existing compliant Safe System equipment will be certified |

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| <p>Other PSS evidence comments included:</p> <ul style="list-style-type: none"> - Manufacturers fitting MOIS and BOIS that are compliant with REGs 151 and 159 should be regarded as compliant with the PSS without further certification requirements - Remove the need for photographic evidence and/or move to a trust and enforcement system over provision of upfront evidence - There is too much burden on vehicle manufacturers to provide evidence - Large fleet operators with a strong track record in compliance should be able to provide a sample check of their vehicles and have a single permit issued per company. - How will quality between systems installed by vehicle manufacturers versus retrofit be guaranteed - TfL should inspect and certify 3rd party installers to ensure quality |
| Concerned about TFL's capacity to manage volume of authentication requests |
| Whole fleet look up is needed |
| Clarification required on (or suggestion for) how equipment fitted by operators will be certified |

Requirements for fitting the Progressive Safe System: Blind Spot Information Systems (BSIS) (Sensors and Camera Monitoring Systems)

I. Rationale

- I.1. This specification is aimed at aftermarket systems intended to enable the legacy fleet to obtain an HGV Safety Permit. Vehicles already approved to UNECE Regulation 151 are considered to have a BSIS likely to be more effective than one designed for this specification, and are therefore treated as compliant with this BSIS requirement.
- I.2. Vehicles which have lower levels of direct vision carry a greater risk of allowing Vulnerable Road Users (VRU) to be hidden from view by blind spots in the critical moments before a collision. Lower direct vision vehicles force the driver to rely upon the use of six mirrors, which has a time implication in terms of reviewing multiple mirrors, and a quality implication in terms of the smaller distorted image of a VRU when compared to direct vision. This reduces the capability to use peripheral vision to identify VRUs which is afforded by high direct vision. The detection and driver warning elements of the Safe System required vehicles with low direct vision to have systems that inform the driver of the presence of VRUs in close proximity to the vehicle and actively draw their attention to it. This aims to replace the information that was not received in the form of direct vision. The Progressive Safe System is intended to build on the Safe System and to reflect a higher level of safety ambition in the same manner as improved requirements for direct vision with the new 3-Star threshold.
- I.3 The technologies in the Progressive Safe System are not direct replacements for greater direct vision so cannot and should not be considered as direct substitutes. A digital information or warning system is not as effective at allowing an alert driver to see and correctly identify a VRU as being able to see them with the naked eye. However, part of the benefit of a turn assist system is that it can detect VRUs at the side of the vehicle some distance to the rear of the cab where direct vision is impossible. A turn assist system may also be more effective than direct vision alone at drawing the attention of an inattentive driver. These benefits would be applicable even in vehicles with 5-star direct vision.

- 1.4 For a swift transition to Progressive Safe System technologies, the requirements set out in the following sections have been tailored to both the UK and non-UK specific environment in which they are designed to operate, and the performance of systems currently on the market. These parameters make alignment with existing regulation challenging, in some cases requiring tough performance such as removing the 900mm dead zone directly adjacent to the side of the vehicle in Regulation 151, thereby requiring detection up to the side of the vehicle. This performance-based target goes beyond UN Regulation 151 but is designed to reflect the types of collisions seen in practice in the UK and the technology identified and assessed during the development of this specification.
- 1.5 High-intensity warnings, such as loud audible or other attention-taking warning signals during a driving situation are only justified if the probability for an imminent collision is high. If high intensity warnings are frequently used in situations where the driver is aware of the hazards and/or there is no urgent need for them to act, then it can lead to annoyance, potential cognitive overload, and a lack of trust in the system, and can result in alerts being ignored or switched off. A low intensity information signal (e.g., an amber warning light) can be activated earlier and more frequently without annoying the driver, while still providing useful information to them. For a turn assist system it is appropriate to place the information signal towards the nearside of the vehicle. In addition to alerting the driver, the information should provide some indication of the location of the hazard.
- 1.6 The existing Safe System recommended that systems should only provide the information signal to the driver in response to the presence of a VRU and not a car or a piece of roadside furniture (unless a collision with those items was imminent). It was not made compulsory at the time because few systems were available that could achieve it. This is no longer the case.

2. Definitions

- 2.1. "Blind Spot Information System (BSIS)" means a system to inform the driver of the presence of, or a possible collision with, a Vulnerable Road User (VRU) such as a cyclist or pedestrian at the near side of the equipped vehicle.
- 2.2. "Reaction time" means the time from when the information signal is given to that when a driver has reacted to that information.
- 2.3. "Nearside" means the side of the vehicle nearest to the pavement/road edge on a typical bi-directional road with one lane in each direction. In the UK, the near side of the vehicle is the left side.

- 2.4. "Information signal" means a signal intended to inform the vehicle driver about the presence of a nearby VRU close to the vehicle but not necessarily on a collision course.
- 2.5. "Bicycle" means a combination of a bicycle and rider.
- 2.6. "HMI" means the Human Machine Interface and relates to how the system interacts with the driver in terms of controls, settings, information and warnings.
- 2.7. "Vehicle Master Control Switch" means the device by which the vehicle's onboard electronics system is brought, from being switched off, as in the case where a vehicle is parked without the driver being present, to normal operation mode.
- 2.8. "Vulnerable Road User (VRU)" means an adult or child pedestrian or an adult or child cyclist or a motorcyclist.
- 2.9. "Warning signal" means a signal emitted by the BSIS with the purpose of warning the vehicle driver when the BSIS has detected an imminent collision between the moving vehicle and a VRU in close proximity to the nearside of the vehicle.
- 2.10. "Information or warning signal mode" means the method by which the information or warning signal can be communicated to the driver. These can be:
 - 2.10.1. Visual – meaning a signal that is presented visually only, such as a lamp or symbol
 - 2.10.2. Audible (Tonal) – meaning a signal that uses one or more continuous or intermittent tonal sounds, such as a buzzer, horn, or beeping signal.
 - 2.10.3. Audible (Speech) – means a signal conveyed by the spoken word
 - 2.10.4. Haptic – means a signal that is conveyed by the means of the drivers sense of touch and feel, such as a vibrating seat, steering wheel or pedal.
 - 2.10.5. Multimodal – means an information signal comprising more than one of the above modes.
- 2.11. "Lateral separation" means the distance between the nearside of the vehicle and the VRU, measured when the vehicle and VRU are parallel to each other before any vehicle turn is commenced. The distance is measured between the plane parallel to the median longitudinal plane of the vehicle and

touching its lateral outer edge, disregarding the projection of devices for indirect vision, and the median longitudinal plane of the VRU minus half of the VRU width.

3. Requirements

3.1.1. Vehicles that are approved to UNECE Regulation 151 will be deemed to comply with all of these requirements.

3.1.2. All other vehicles shall be fitted with a Blind Spot Information System that meets the requirements set out in paragraph 3.2 to 3.5 below.

3.2. Functional requirements

3.2.1. The Blind spot Information System shall **inform** the driver about nearby VRUs that might be endangered if the vehicle were to turn so that the driver can choose not to make any turn until it is safe to do so.

3.2.2. It shall also **inform** the driver about approaching VRUs while the vehicle is stationary before the VRU reaches the vehicle front, considering a driver reaction time of 1.4 seconds.

3.2.3. When the Blind Spot Information System identifies that a collision is imminent, for example if the vehicle turns toward the VRU, then it shall **warn** the driver, by means of a different and more urgent warning signal. When a vehicle and a VRU are travelling in the same direction on a parallel path to each other, they can continue to do so for an infinite time without collision even if they are in close proximity. This situation does not constitute an imminent collision.

3.2.4. The information signal shall not deactivate as a result of the vehicle turning away from the VRU trajectory as long as a collision between vehicle and VRU is still possible, in the event that the driver steered back towards the VRU trajectory (i.e., where a vehicle first swings out to the right to make room for a subsequent turn to the left).

3.2.5. The system shall be active and able to issue information signals and warnings irrespective of the activation status of the direction indicators.

3.2.6. The system shall be activated (or reactivated in the case of failure) upon each activation of the vehicle master control switch. The default status

shall be switched on with every key cycle with the system remaining active when the ignition is switched on.

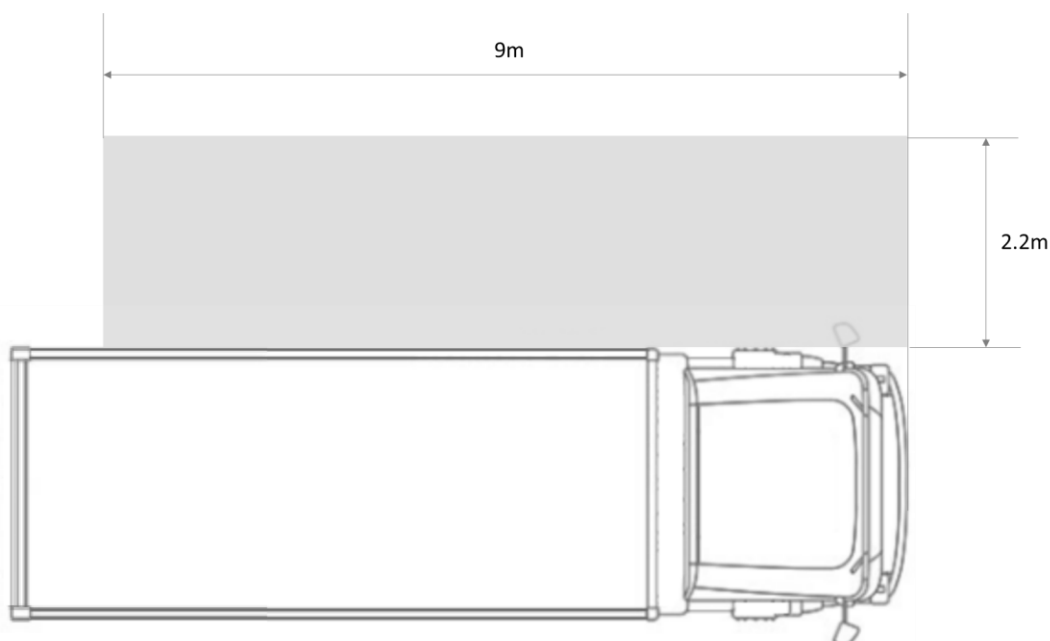
3.2.7. Information signals shall only be given for moving objects whose speeds, trajectory, or other identifiable characteristics (such as size, shape, movement, or combination thereof) indicate that they are a VRU.

3.2.8. The number of false-positive activations due to the detection of static non-VRU objects in near proximity such as cones, traffic signs, hedges and parked cars shall be minimized (see section 5.4). However, a warning signal is permitted if an imminent collision with a static object has been detected.

3.3. Performance requirements

3.3.1. The BSIS shall be active at all vehicle speeds between 0 km/h and 30 km/h for all ambient lighting conditions above 15 lux. It shall detect VRUs including bicycles of all typical sizes and designs at all speeds between 0 km/h and 20 km/h.

3.3.2. The BSIS shall provide information signals whenever it is active and a VRU is detected within the range shown in the diagram below: from the nearside vehicle edge (taken at the widest point, excluding mirrors, auxiliary equipment and super structures above the height of 2m from the ground plane), to 2.2m lateral distance from the vehicle, ranging from the front left corner of the vehicle to at least 9m rear of this point, according to the diagram:



3.3.3. The system shall also be capable of providing collision warnings whenever it is active and a VRU is detected, and the system calculates that a collision is imminent based on the trajectories of the vehicle and/or the VRU.

3.4. Human Machine Interface Requirements

3.4.1. The blind spot information signal shall be a visual signal that is clearly noticeable and easily verifiable by the driver from the driver's seat. This information signal shall be visible in daylight, including in direct sunlight, and at night without causing disabling glare or distraction to the driver.

3.4.2. The device displaying the optical information signal shall be located at the near side of the vehicle at a horizontal angle greater than 30° relative to an axis parallel to the longitudinal median plane of the vehicle and going through the ocular reference point. If the driver's seating position is located on the near side of the vehicle, this value may be reduced.

3.4.3. If there is an increased risk of collision, for example the vehicle commences turning towards a VRU that was previously travelling parallel to the vehicle path, a warning signal shall be issued. The warning shall be a multi-modal signal comprising at least two of the following modes simultaneously: visual signal, audible (tonal) signal, or haptic signal. Where any element of the warning signal uses the same mode as the information signal, then the warning must be substantially different in presentation to the information signal. For example, if both information and warning signals use a visual signal, then the visual signal must look substantially different in respect of colour, continuous or flashing behaviour etc. when used for information or for warning.

3.4.4. It shall, at all times, be clear to drivers of vehicles if the blind spot information system is not working correctly, such as by means of an 'error' or 'fault' visual signal.

3.4.5. The system shall display a permanent error in the event of restricted functionality, a malfunction, (e.g., sensor failure or covering), defective information or warning signalling, partial or complete failure of the system.

3.5. Installation requirements

- 3.5.1. The system shall be installed in such a way that it is not possible for the driver to switch off the system, for example, no main electrical (on/off) switch should be available to the driver.
- 3.5.2. The system shall not adversely affect any safety critical aspect of the function or performance of the base vehicle to which it is installed.
- 3.5.3. Sensors or other means of detection, where the alignment or stability is critical to successful operation in the defined zone, shall be mounted on structures that are essentially rigid and are not liable to movement or vibration in service. Mirror arms that are adjustable in position shall not be considered suitable.
- 3.5.4. No sensors, other means of detection, or other components of the system shall be mounted such that they protrude in a manner that is liable to cause injury risk to a VRU in the event of a collision, or conflict with the type-approval requirements for sideguards, spray suppression or external projections.

4. Recommendations

It is recommended that:

- 4.1.1. Systems comply with as many of the requirements of UN Regulation 151 as possible.
- 4.1.2. When fitted to longer rigids or articulated vehicles, systems with a longer rearward detection zone are used, such that information can be provided in time to avoid collisions with a pedal cyclist at a point just ahead of the rearmost group of tractor unit axles, at least when the speed of the pedal cyclist is no more than 10 km/h in excess of the speed of the HGV (up to a maximum cyclist speed of 20 km/h).

5. Test procedure

- 5.1. The manufacturer shall provide details of the basic design of the system and, if applicable, how it is linked to other vehicle systems. The function of the system including its sensing and warning strategy shall be explained and an operator's manual/handbook shall describe how the operational status of the system is checked, whether there is an influence on other vehicle

systems, and the method(s) used in establishing the situations which will result in a failure warning signal being displayed. The documentation package shall give sufficient information for the test service to identify the type of system and to aid the decision-making on the selection of worst-case conditions.

5.2. Assessment conditions (true positive tests)

5.2.1. The tests shall take place on a flat asphalt or concrete surface.

5.2.2. The vehicle sensors of the blind spot information system shall not be impeded in their functionality by contaminants (e.g., ice/snow) or other means.

5.2.3. Visibility conditions shall allow safe travel at the required travel speeds.

5.2.4. The tests may be carried out in any load condition so long as the axle loads do not exceed the limit specified by the vehicle manufacturer. The manufacturer shall confirm that the function is available in all permissible load states.

5.2.5. The vehicle tyre pressure shall be set according to the specifications of the vehicle manufacturer.

5.3. Static test

5.3.1. The vehicle presented for testing shall be set up on a sufficiently large test area ready to be driven off.

5.3.2. The vehicle under test shall be secured against starting and rolling with the parking brake system or additional mechanical means (wheel chocks etc).

5.3.3. A VRU shall pass through the area covered by the Blind Spot Information System as defined in paragraph 3.3.2, in such a way that the movement is parallel to the longitudinal axis of the vehicle at speeds and lateral separations described in the following table overleaf:

| Test number | Lateral distance | VRU type | VRU speed |
|-------------|------------------|----------|-----------|
| | | | |

| | from nearside vehicle edge (mm) | | (km/h) |
|---|--|------------|------------|
| 1 | 500 ± 200 | Cycle | 7 ± 2km/h |
| 2 | 1100 ± 200 | Cycle | 12 ± 2km/h |
| 3 | 2200 ± 200 | Cycle | 18 ± 2km/h |
| 4 | 300 ± 200 | Pedestrian | 4 ± 2km/h |
| 5 | 1100 ± 200 | Pedestrian | 4 ± 2km/h |
| 6 | 2200 ± 200 | Pedestrian | 4 ± 2km/h |

5.3.4. Compliance with the distance and speed specifications shall be demonstrated using calibrated and traceable measuring equipment, markings on the test area and film documentation. This can be done, for example, by determining speed using a GPS-based measurement system and by observing the VRU path along defined markings.

5.3.5. The test is passed if the presence of the VRU is signalled by the BSIS in all test cases for at least as long as part of the VRU is within the coverage area according to number 3.3.2.

5.3.6. Signalling of the presence of the VRU shall be confirmed with cameras that can determine the delivery of the signal and the respective position of the VRU alongside the vehicle.

This can be done, for example, by using synchronized video capture covering both the internal VRU signal and the external position of the VRU on the test markings.

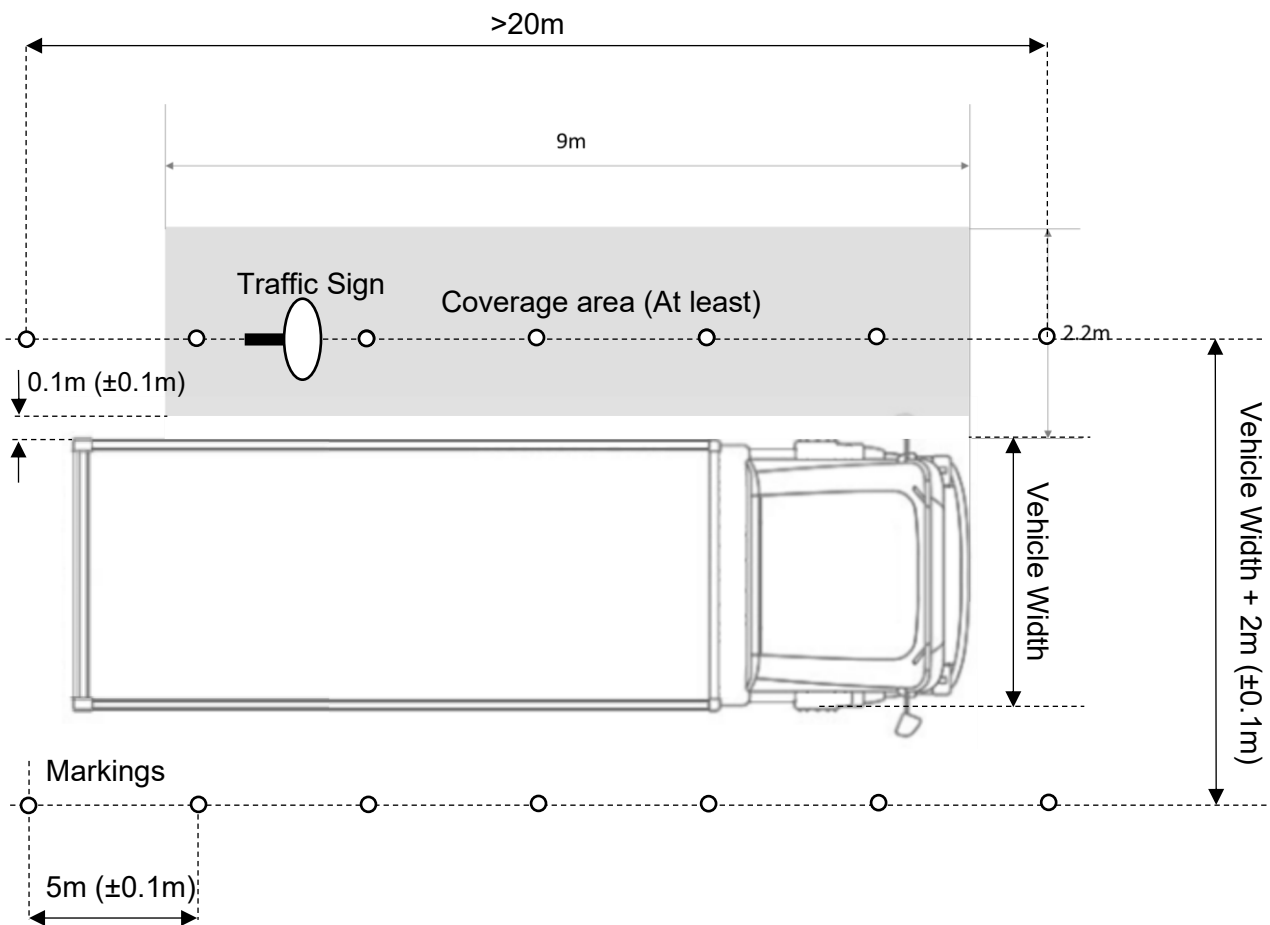
5.4. Assessment conditions (false positive tests)

5.4.1. The vehicle presented for testing must drive at a speed of 10 ± 2 km/h on a sufficiently large test area through the centre of a marked corridor (width: vehicle width + 2 ± 0.1 m, length: 20 ± 0.1 m, distance between markings: maximum 5 ± 0.1 m, marking height: maximum 5 cm).

5.4.2. A sign in accordance with BS EN 12899 1:2007(a) Fixed vertical road signs – fixed signs) shall be attached at a usual height in line with the left-hand

row of markings (test setup see figure below). No other objects or VRUs should be in the covered area. Care must be taken to ensure that the right row of markings and the traffic sign are within the coverage area during the test.

5.4.3. The test is passed if no information or warning signal is issued.



Requirements for fitting the Progressive Safe System: Moving off Information Systems (MOIS)

I. Rationale

- I.1. This specification is aimed at aftermarket systems intended to enable the legacy fleet to obtain an HGV Safety Permit. Vehicles already approved to UNECE Regulation 159 are considered to have a Moving off Information Systems (MOIS) likely to be more effective than one designed for this specification and are therefore treated as compliant with this MOIS requirement.
- I.2. Vehicles which have lower levels of direct vision risk allowing Vulnerable Road Users (VRUs) to be hidden from view by blind spots in the critical moments before a collision than one with higher direct vision. Lower direct vision vehicles force the driver to rely upon the use of six mirrors, which has a time implication in terms of reviewing multiple mirrors, and a quality implication in terms of the smaller distorted image of a VRU when compared to direct vision. This reduces the capability to use peripheral vision to identify VRUs which is afforded by high direct vision vehicles. The detection and driver warning elements of the Safe System required vehicles with Low direct vision to have systems that inform the driver of the presence of VRUs in close proximity to the vehicle and actively draw their attention to it. This aims to replace the information lost in the form of direct vision. The Progressive Safe System is intended to build on the Safe System and to reflect a higher level of safety ambition in the same manner as improved requirements for direct vision with the new 3-Star threshold.
- I.3. The technologies in the Progressive Safe System are not direct replacements for direct vision improvements so cannot and should not be considered as direct substitutes. It can be considered that an information or warning system is not as effective at allowing an alert driver to see and correctly identify a VRU as using direct vision. However, part of the benefit of a Moving Off Information System is that it can detect vulnerable road users in front of vehicles where direct vision is impossible for larger vehicles, and another benefit is that it may be more effective at drawing the attention of a driver that is inattentive (e.g., distracted).
- I.4. Most incidents while moving off result in a collision with the front of the vehicle somewhere between the centre of the vehicle and the nearside edge

of the vehicle, although to some degree collisions can and do occur across the entire vehicle width. The Safe System did not require sensors to be fitted covering the front blind spot of a vehicle. This was only a recommendation. It also did not specify any field of view in this area that should be covered by a sensor system, although camera monitoring systems could be deployed in this area. Through Fleet Operator Recognition Scheme (FORS) gold accreditation it was possible to expect that some vehicles were fitted with frontal sensors.

- I.5. High-intensity **warnings** during a driving situation are only justified if the probability of an imminent collision is high – otherwise vehicle drivers tend to ignore the system alerts and can be irritated or even distracted by them. A low intensity **information** signal can be activated sufficiently early to avoid annoying the driver while still providing useful information. In addition to alerting the driver, the information should indicate the location of the hazard. It is assumed to be possible to design a human-machine-interface for Moving Off Information Systems in a way that does not overload drivers when the information is not needed, for instance by requiring the use of a less intrusive form of signal.
- I.6. Therefore, this requirement requires the activation of an **information** signal to be issued whenever pedestrians or cyclists are within or about to enter the critical blind spot area in front of the vehicle (see section 3.4.1.2).
- I.7. If a collision risk with a VRU in the detection zone becomes imminent, e.g. when the vehicle moves off from rest or prepares to move away (for instance; selecting a forward gear, releasing the foot or parking brake or depression of the throttle pedal), then a higher intensity warning **must** be issued.
- I.8. In order to enable a swift transition to Progressive Safe System technologies, the requirements set out in the following sections have been tailored to both the UK and non-UK specific environment in which they are designed to operate and the performance of systems currently on the market. This specification defines performance requirements based on subject vehicles that are stationary or moving-off from rest in a straight line for speeds of 5 km/h or less. Collision analysis data shows that the provision of information and warnings during these vehicle manoeuvres is appropriate since the signals needs to be present sufficiently early to alert the driver of VRUs in close proximity to the front of vehicles.

2. Definitions

- 2.1. "Moving Off Information System (MOIS)" means a system to detect and inform the driver of the presence of pedestrians and cyclists in the close-proximity forward blind-spot of the vehicle and, if deemed necessary based on manufacturer strategy, warn the driver of a potential collision
- 2.2. "Vulnerable Road User (VRU)" means an adult or child pedestrian or an adult or child cyclist.
- 2.3. "Information signal" means a signal emitted by the MOIS with the purpose of informing the vehicle driver about a VRU in close proximity to the front of the vehicle
- 2.4. "Warning signal" means a signal emitted by the MOIS with the purpose of warning the vehicle driver when the MOIS has detected an imminent frontal collision with a VRU in close proximity to the front of the vehicle.
- 2.5. "Vehicle master control switch" means the device by which the vehicle's onboard electronics system is brought, from being switched off, as in the case where a vehicle is parked without the driver being present, to a normal operation mode.
- 2.6. "Vehicle front" means the plane perpendicular to the median longitudinal plane of the vehicle and touching its foremost point, disregarding the projection of devices for indirect vision and any part of the vehicle greater than 2.0 m above the ground.
- 2.7. "Nearside" means the left side of the vehicle for left-hand traffic.
- 2.8. "Vehicle width" means the distance between the nearside and offside vehicle planes.
- 2.9. "Vehicle plane" means the planes parallel to the median longitudinal plane of the vehicle and touching its most outboard point in the nearside or offside direction, disregarding the projection of devices for indirect vision and any part of the subject vehicle higher than 2.0 m above the ground.
- 2.10. "Nearside separation plane" means the plane parallel to the longitudinal plane of the vehicle and located 0.5 m outboard from the nearside vehicle plane.

- 2.11. "Offside separation plane" means the plane parallel to the longitudinal plane of the vehicle and located 0.5 m outboard from the offside vehicle plane.
- 2.12. "At rest" means a situation where the vehicle is stationary and is not in a condition where imminent movement is likely.
- 2.13. "Potential moving off manoeuvre" means the subject vehicle being stationary, the vehicle master control switch activated, the vehicle in a normal operation mode.
- 2.14. "Low speed manoeuvre" means the subject vehicle being in a normal operation mode, moving forward in a straight line at speeds of below 5 km/h.
- 2.15. "Critical blind spot area" means the area defined by the maximum extent of the nearside and offside separation planes measured laterally and the maximum extent of coverage ahead of the vehicle front measured longitudinally.

3. Requirements

- 3.1. Vehicles that are approved to UNECE Regulation 159 will be deemed to comply with all of these requirements.
- 3.2. All other vehicles shall be fitted with a MOIS that meets the requirements contained in paragraphs 3.5.1 to 3.6 of this specification.

3.3. Functional requirements

3.3.1. When stationary

- 3.3.1.1. The MOIS shall **inform** the driver of the presence of VRUs who are within or about to enter the critical blind spot area (d_w in figure below) in front of a stationary vehicle and that might be endangered if the vehicle were to move off, by means of a visual signal.
- 3.3.1.2. The MOIS shall **warn** the driver of the risk of an imminent collision with VRUs who are within or about to enter the critical blind spot area (d_w in figure below) in front of the vehicle, if the vehicle is in a potential moving off manoeuvre.

3.3.1.3. The MOIS shall not issue a collision warning if the vehicle is in the 'at rest' condition. An information signal is still required in accordance with paragraph 3.3.1.1.

3.3.1.4. The exact parameters that determine if a vehicle has moved from an 'at rest' condition to a 'potential moving off manoeuvre' shall be determined at the discretion of the manufacturer. However, a vehicle that is stationary with either the park brake or the service brake applied shall always be considered 'at rest'.

3.3.1.5. A warning signal shall be maintained only for as long as the conditions specified in paragraphs 3.6.1.3 to 3.6.1.4 below are fulfilled.

3.3.2. *When performing a moving-off manoeuvre*

3.3.2.1. When a vehicle performing a low-speed manoeuvre has already detected a VRU and provided an information or warning signal, the MOIS shall maintain the signal even if the vehicle comes to a standstill. The information/warning signals shall be maintained for as long as the VRU remains in the defined zone in front of the vehicle (3.4.1).

3.3.2.2. The MOIS shall be active and able to issue information signals and warnings irrespective of whether the vehicle is stationary or in motion.

3.3.2.3. The MOIS shall be activated (or reactivated in the case of failure) upon each activation of the vehicle master control switch. The default shall be on with every key cycle with the system remaining active when the ignition is switched on.

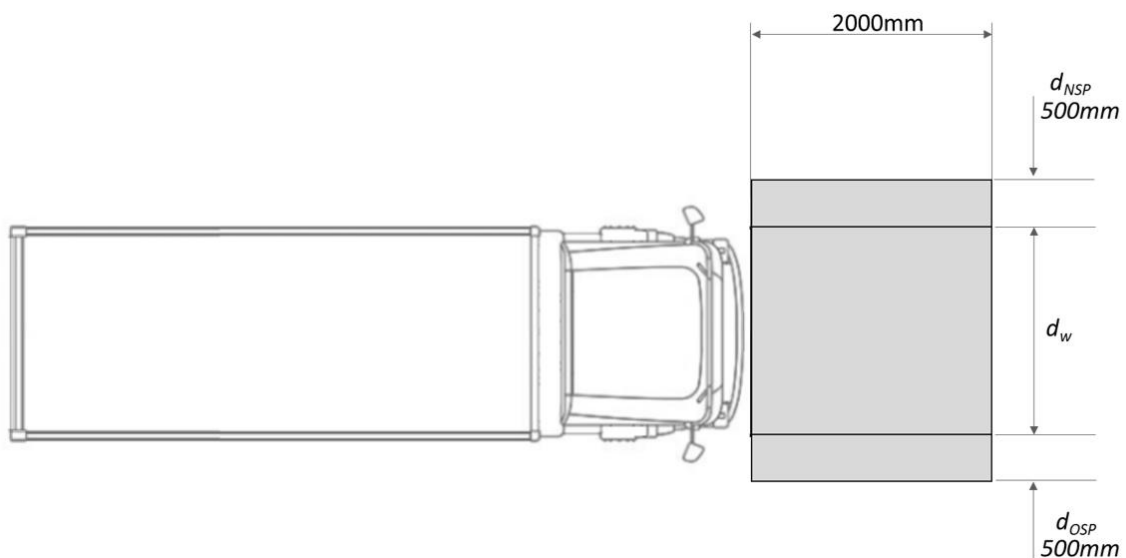
3.4. Performance requirements

3.4.1. The MOIS must be able to provide information and warning signals across at least the following areas:

3.4.1.1. Lateral coverage area bounded by the nearside and offside vehicle planes (taken at the widest point, excluding mirrors, auxiliary equipment and super structures above the height of 2m from the ground plane), defined as d_w , plus nearside and offside separation planes (defined as d_{NSP} and d_{OSP} respectively) each extending 500mm laterally from vehicle side planes.

3.4.1.2. Longitudinal coverage from the vehicle front plane as set out according to the following table and figure:

| Vehicle star rating | | Longitudinal dimensions (mm) | Lateral dimension (mm) |
|---------------------|--|---|--|
| | | Minimum extent of coverage area ahead of front plane of vehicle | Vehicle width + nearside and offside separation planes |
| 0 star to 2 star | | 2000 | $d_w + D_{NSP} + D_{OSP}$ |



3.4.1.3. The MOIS shall provide an information signal for VRUs that are stationary or moving forward at speeds of between 3 km/h and 5 km/h when travelling from the nearside or offside of the vehicle in a direction perpendicular to the vehicle median longitudinal plane.

3.4.1.4. When performing a potential moving-off manoeuvre, the MOIS shall provide a warning signal to the driver indicating the imminent collision with the VRUs moving at speeds of between 3 km/h and 5 km/h, when travelling from the nearside or offside of the vehicle in a direction perpendicular to the vehicle median longitudinal plane at vehicle speeds between 0km/h and 5km/h.

3.5. Human Machine Interface

- 3.5.1. Information signals should only be given for objects whose speeds, trajectory, or other identifiable characteristic (such as size, shape, movement, or combination thereof) indicate that they are a Vulnerable Road User.
- 3.5.2. The number of false-positive information signals due to the detection of non-VRU objects, such as other vehicles, shall be minimized. However, a warning signal is permitted if an imminent collision with a non-VRU object has been detected within the detection area as defined in 3.4.1.2
- 3.5.3. It shall be clear to drivers of vehicles if the MOIS becomes impaired or unavailable.
- 3.5.4. Restricted functionality, a malfunction, (e.g. sensor failure or covering), defective information or warning signalling, partial or complete failure of the system shall be indicated by means of an error message. If a permanent error display is not possible, an error message can alternatively be displayed, which shall be confirmed by the driver.
- 3.5.5. The collision warning signal shall be provided by the means of a combination of at least two modes selected from an optical signal, acoustic signal or haptic signal. Where the collision warning signal is provided by using an optical mode, this shall be a signal differing from those specified for the information signal
- 3.5.6. The collision warning signal shall be easily understandable for the driver to relate the signal to a potential collision.
- 3.5.7. The information and warning signal (if optical) shall be visible by daylight and at night.

3.6. Installation requirements

- 3.6.1. The system shall be installed in such a way that it is not possible for the driver to completely switch off the system, for example, no main electrical (on/off) switch should be available to the driver.
- 3.6.2. The system shall not adversely affect any safety critical aspect of the function or performance of the base vehicle to which it is installed.

3.6.3. Sensors or other means of detection, where the alignment or stability is critical to successful operation in the defined zone, shall be mounted on structures that are essentially rigid and are not liable to movement or vibration in service. Mirror arms that are adjustable in position shall not be considered suitable.

3.6.4. No sensors, other means of detection, or other components of the system shall be mounted such that they protrude in a manner that is liable to cause injury risk to a VRU in the event of a collision, or conflict with the type approval requirements for sideguards, spray suppression or external projections.

4. Assessments

4.1. The manufacturer shall provide a documentation package which gives access to the basic design of the system and, if applicable, how it is linked to other vehicle systems. The function of the system including how it detects and warns and VRUs shall be explained and the documentation shall describe how the operational status of the system is checked, whether there is an influence on other vehicle systems, and the method(s) used in establishing the situations which will result in a failure warning signal being displayed. The documentation package shall give sufficient information for TfL and or testing service to identify the type of and to aid the decision-making on the selection of worst-case conditions.

4.2. Assessment conditions (true positive tests)

4.2.1. The tests shall take place on a flat asphalt or concrete surface.

4.2.2. The vehicle sensors of the MOIS system shall not be restricted in their functionality by contaminants (e.g., ice/snow) or other means.

4.2.3. Visibility conditions shall allow safe travel at the required travel speeds.

4.2.4. The tests may be carried out in any load condition so long as the axle loads do not exceed the limit specified by the vehicle manufacturer.

[Note] for requirement 4.2.4 a confirmation from the manufacturer of the MOIS should be provided indicating that the function is available in all permissible load states.

4.2.5. The vehicle tyre air pressure shall be set according to the specifications of the vehicle manufacturer.

4.2.6. Information signal – Lateral crossing tests with moving VRU

4.2.6.1. The motor vehicle presented for testing shall be set up on a sufficiently large test area ready to be driven off.

4.2.6.2. The vehicle under test shall be secured against starting and rolling with the parking brake system or additional mechanical means (wheel chocks etc).

4.2.6.3. A VRU shall pass through the area covered by the MOIS as defined in paragraph 3.6.1.1 and 3.6.1.2, in such a way that the movement is perpendicular to the longitudinal axis of the vehicle at speeds and longitudinal separations described in the below table.

4.2.6.4. The centreline of the VRU shall be used for placement on the longitudinal distance from the vehicle front. VRU centreline is defined as the median longitudinal plane of the VRU.

| Test number | Longitudinal distance from vehicle front (mm) | VRU orientation | VRU type | VRU speed (km/h) |
|-------------|---|--------------------------------------|------------|------------------|
| 1 | 500 ± 200 | Perpendicular to vehicle centre line | Cycle | 3 ± 2km/h |
| 2 | 2000 ± 200 | Perpendicular to vehicle centre line | Cycle | 5 ± 2km/h |
| 3 | 500 ± 200 | Perpendicular to vehicle centre line | Pedestrian | 4 ± 2km/h |
| 4 | 1000 ± 200 | Perpendicular to vehicle centre line | Pedestrian | 4 ± 2km/h |
| 5 | 2000 ± 200 | Perpendicular to vehicle centre line | Pedestrian | 4 ± 2km/h |

- 4.2.6.5. Compliance with the distance and speed specifications shall be demonstrated using calibrated and traceable measuring equipment, markings on the test area and film documentation.

[NOTE] This can be done, for example, by determining speed using a GPS-based measurement system and by observing the VRU path along defined markings.

- 4.2.6.6. The test is passed if the information signal is active in all test cases at least as long as part of the VRU is within the coverage area according to number 3.6.1.1 and 3.6.1.2.

- 4.2.6.7. Signalling of the VRU shall be confirmed with calibrated measuring equipment that can determine the delivery of the signal and the respective position of the VRU alongside the vehicle.

[NOTE] This can be done, for example, by using synchronized video capture covering both the internal VRU signal and the external position of the VRU on the test markings.

4.2.7. *Warning signal - Static VRU*

- 4.2.7.1. The motor vehicle presented for testing shall be set up on a sufficiently large test area ready to be driven off.

- 4.2.7.2. The whole of a pedestrian shall be placed anywhere within the zone defined by the width d_w and within 2m from the front of the vehicle and provide a warning signal.

- 4.2.7.3. For systems that use triggers such as throttle depression, gear engagement or brakes release to determine an increase in collision risk the vehicle can remain secured against starting and rolling through mechanical means (wheel chocks etc). In these instances, a human target can be used.

- 4.2.7.4. For systems that use forward motion or other vehicle movement metrics to determine an increase in collision risk a pedestrian dummy shall be used.

- 4.2.7.5. The test is passed if the warning signal, as defined by the system designer, is signalled within 0.5s of the collision risk trigger being detected.

- 4.2.7.6. Signalling of the VRU shall be confirmed with calibrated measuring equipment that can determine the delivery of the signal and the time the signal was given.

[NOTE] This can be done, for example, by using synchronized video capture covering both the internal VRU signal and the external position of the VRU on the test markings.

LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE

LONDON LORRY CONTROL SCHEME LONDON HGV SAFETY STANDARD PERMIT SCHEME

POLICY STATEMENT ON THE ISSUE OF PERMITS

1. INTRODUCTION

- 1.1 The following explanatory statement of policy has been approved by London Councils Transport and Environment Committee to provide guidance for operators of vehicles affected by the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 ("the Traffic Order"). The Traffic Order establishes the London Lorry Control Scheme ("LLCS") which has been in operation since 1985. It was amended on 23 August 2019¹ to introduce the requirements of the London HGV Safety Standard Permit Scheme. Both schemes are described below. This Policy Statement covers both Schemes.

London Lorry Control Scheme Permits

- 1.2 The intention of the London Lorry Control Scheme is to improve the environment for Londoners by reducing disturbance from heavy goods vehicles (HGVs) at night-time and weekends. This improvement will be achieved in two ways:
- by preventing lorries (HGVs) **over 18 tonnes** (gvw) from travelling on restricted roads during the controlled hours² unless they have a legitimate business which requires them to be there;
 - by ensuring that lorries which are on those roads cause as little disturbance as possible by requiring them to have a LLCS Permit with conditions ("LLCS Conditions") that require they are operated quietly and in an environmental way.
- 1.3 All roads in Greater London are now "restricted roads" for the purposes of the LLCS and an "excluded road" is a road to which the LLCS restrictions do not apply. The "Excluded Route Network" (ERN) is the network of excluded roads, as set out in the Schedule to the Traffic Order.
- 1.4 LLCS Permits are administered by the London Councils Lorry Control Administration Section.

London HGV Safety Permits

- 1.5 The intention of the HGV Safety Permit ("HSP") Scheme is to reduce the number of people killed and seriously injured on London's roads by improving the safety of HGVs of 12 tonnes (gvw) or over operating in Greater London. Using a star system, the Direct Vision Standard (DVS) rates HGVs from zero (lowest) to five (highest) stars, based on how much a driver can see directly through their HGV cab windows in relation to vulnerable road users, such as cyclists and pedestrians in the area of greatest collision risk around the vehicle.
- 1.6 This highway safety improvement will be achieved by:
- 1.7 requiring all HGVs 12 tonnes or over to obtain a permit ("HGV Safety Permit") to operate in Greater London from 28 October 2020;
- 1.8 granting HGV Safety Permits to all vehicles rated One Star or above under DVS; and
- 1.9 imposing Safe System Conditions on the HGV Safety Permits that require the vehicle to be fitted with additional equipment to improve its safety for other road users on those vehicles:
- *until 27 October 2024 (midnight):* rated Zero Star (or those unrated) under DVS; and
 - *from 28 October 2024:* rated Zero Star (or those un-rated), One Star or Two Stars under DVS.
- 1.10 All roads in Greater London are covered by the HSP Scheme as "restricted roads". No roads are excluded and so there is no ERN where this Scheme is concerned.
- 1.11 HGV Safety Permits are administered by Transport for London.

¹ By the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment) Order 2019 which was made by London Councils Transport and Environment Committee on 23 August 2019 and came into force the following day.

² The "Controlled Hours" for the LLCS Scheme are: (1) **Mondays to Fridays:** midnight and 7.00am and between 9.00pm and midnight (2) **Saturdays:** between midnight and 7.00am and between 1.00pm and midnight and (3) **Sundays:** all day.

Interaction between the two schemes

- 1.12 All 12 tonnes and over HGVs require a HGV Safety Permit to operate on any road in Greater London issued subject to "HGV Safety Permit Conditions", including the Safe System Conditions where applicable.
- 1.13 *Until 27 October 2024 (midnight)*: all such Zero Star (or un-rated) HGVs must operate in accordance with the Safe System Conditions and fit additional safety equipment; those rated One Star and above can be operated without such additional equipment.
- 1.13A *From 28 October 2024*: all Zero Star (or un-rated), One Star and Two Stars rated HGVs must operate in accordance with the Safe System Conditions and fit additional safety equipment; those rated Three Stars and above can be operated without such additional equipment.
- 1.14 All 18 tonnes and over HGVs intending to drive on roads off the ERN during controlled hours require a LLCS Permit, issued subject to LLCS Conditions.

Interpretation

- 1.15 In this document:

a "*Permit*" refers to a LLCS Permit or HGV Safety Permit, as appropriate,

"*Conditions*" to the LLCS Conditions or HGV Safety Permit Conditions; and

"*Safe System Conditions*" refers to HGV Safety Permit Conditions that, as the Committee approves from time to time³, require the fitting to the vehicle of a system of additional safety equipment in accordance with approved technical specifications.

2. PERMIT APPLICATIONS

- 2.1 An applicant may apply for a LLCS Permit and/or HGV Safety Permit for a vehicle which he or she proposes to use in circumstances affected by either Scheme and which is or will be under his or her control. If the applicant is not the owner of the vehicle, he or she must show that he or she is able to make the application and is able to ensure that Conditions attached to any permit that may be issued are complied with.

3. CONSIDERATIONS FOR THE ISSUE OF LLCS PERMITS AND HGV SAFETY PERMITS

- 3.1 The following matters will be taken into account in considering an application for a LLCS Permit or HGV Safety Permit (and the imposition of any Conditions attached thereto).
- 3.1.1 The statutory duties on Transport for London and London Boroughs as traffic authorities under the **Road Traffic Regulation Act 1984, Section 122 (1) and (2)** to secure the expeditious, safe and convenient movement of vehicular and other traffic including pedestrians, so far as is practicable, having regard to:
- the need for securing and maintaining reasonable access to premises;
 - the effect of the use of roads by heavy commercial vehicles on the amenities of any locality concerned;
 - the national air quality strategy;
 - the need to assist public transport and its passengers;
- 3.1.3 **Road Traffic Regulation Act 1984, Section 6**: the purposes of controlling or regulating vehicular traffic as mentioned in section 6(1) of that Act, in particular those relating to highway safety and air quality mentioned in section 1 (1) (a), (c), (d) and (g):
- avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising;
 - facilitating the passage on the road or any other road of any class of traffic (including pedestrians);
 - preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;
 - the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality); and
- 3.1.5 **Road Traffic Act 1988, Section 39(3)**: the duty, in the light of studies into accidents arising out of the use of vehicles, to take such measures, including those taken in the exercise of its powers for controlling,

³ Up to 28 October 2024 this system is called the "Safe System" and from that date it is called the "Progressive Safe System".

protecting or assisting the movement of traffic on roads, as appears to it to be appropriate to prevent accidents;

3.1.6 Any other matters appearing relevant.

4. POLICIES ON GRANTING LLCS PERMITS

4.1 In particular (but without prejudice to above the generality of the above) the following considerations will be taken into account when deciding whether to grant an application for a LLCS Permit:

- the circumstances of the applicant's needs for a LLCS Permit;
- the environmental circumstances of the roads on which the vehicle is to be used and the extent to which the ERN, i.e. roads with no night-time and weekend controls, can satisfy the applicant's requirements;
- the financial, commercial, professional, industrial, employment and other consequences likely to result from the issue or refusal of a Permit;
- the characteristics of the vehicles;
- any special efforts made to reduce the environmental impact of the applicant's vehicle;
- the practicability of and time required for adapting the applicant's operations;
- the possibility of using other less environmentally damaging modes of transport

4.2 The following explanation (including some examples to illustrate some of the considerations) is intended to provide further guidance for operators of vehicles which are affected by the LLCS.

4.3 The most important criterion in deciding whether or not to grant a LLCS Permit is the applicant's need for it. First and foremost it is the Committee's policy to ensure that only vehicles undertaking necessary business in London should be permitted to use restricted roads.

4.4 The environmental circumstances of a road are relevant, for example where premises are linked to the ERN by a road which has no residential development, and which has not been identified by the Committee as an excluded road. Permits may be issued until the road concerned can conveniently be included in a supplementary order.

4.5 Another relevant consideration is when the continued viability of a firm may be affected by the LLCS. Permits may be granted while further consideration is given to finding an appropriate solution on a more permanent basis.

4.6 Certain companies already display a high degree of environmental awareness, involving such matters as driver training, or the use of vehicles which make less environmental impact. Matters such as these will be given due consideration. In other cases it would be reasonable to expect applicants to modify existing vehicles or choose more environmentally suitable vehicles when new purchases are made. Guidance will be available to applicants when they apply for exemption Permits.

4.7 It is the Committee's policy to seek the highest legally specifiable standards for vehicles in respect of which LLCS Permits are issued to ensure that they have the minimum adverse effect on the environment.

4.8 Where LLCS Condition 5 applies to an LLCS Permit, vehicles must minimise their use of roads away from the ERN unless a special routing agreement is made with LLCS Administration Section. Such a routing agreement will only be made if:

- the applicant, in proposing a route, can demonstrate that the alternative route results in reduced overall environmental impact, particularly in terms of noise effect on residential properties adjacent to the route; and
- the holder is granted a LLCS Permit lasting at least three months.

4.9 Each case will be considered on its merits.

4.10 LLCS Permits will be specific to an applicant and a vehicle and will not be transferable to any other person or vehicle.

POLICIES ON GRANTING HGV SAFETY PERMITS

5. The primary purpose of the HGV Safety Permit Scheme is to increase the safety of vehicles and reduce the chances of collisions with vulnerable road users by encouraging the use of vehicles with increased driver direct vision. The Direct Vision Standard will identify those vehicles with unacceptably poor levels of direct vision to operate safely in Greater London and require those below a minimum acceptable rating to fit additional safety equipment to maximise safety as regards vulnerable road users.

- From 26 October 2020 it will be a requirement for all HGVs over 12 tonnes entering Greater London to have been granted a HGV Safety Permit.
 - Taking into account (amongst other matters) the current composition of the HGV 12 tonnes+ fleet in Greater London, the supply of “good” rated vehicles, the economic and operational impacts on HGV operators, the introduction by manufacturers of good-rated HGVs into the supply chain, it is considered an initial minimum standard of One Star is appropriate for the first four years of the Scheme.
 - Those vehicles rated One Star DVS until 26 October 2024 are considered “good” in terms of their DVS rating.
 - Taking those matters into account the progressive minimum standard will increase to Three Stars from 26 October 2024.
 - Vehicles not meeting the above minimum DVS requirements must mitigate the potential harm they pose to vulnerable road users by fitting the additional safety equipment detailed in the Safe System Conditions. It is a legal requirement to comply with the Safe System Conditions.
 - The Safe System Conditions will be revised and consulted ahead of 2024 in order to consider any new appropriate technological developments
 - Other conditions may be imposed on any HGV of irrespective the vehicle's DVS rating, as considered appropriate.
- 5.2 The Committee has determined that the appropriate minimum acceptable DVS threshold to operate a 12 tonnes or over HGV safely on roads in Greater London (“minimum DVS rating”) having regard to the potential dangers posed to vulnerable road users is:
- One Star until 26 October 2024; and
 - Three Stars from 26 October 2024.
- 5.3 Where an application is made for a HGV Safety Permit, a permit will be granted to:
- an HGV meeting the minimum DVS star rating, without the Safe System Conditions being attached;
 - a vehicle not meeting the minimum DVS rating or which is un-rated will only be granted a HGV Safety Permit subject to the Safe System Conditions being attached.
- 5.4 HGV Safety Permits will be specific to an applicant and a vehicle and will not be transferable to any other person or vehicle.

6. DURATION OF PERMITS

- 6.1 The duration of LLCS Permits may be for such a period as seems reasonable in all the relevant circumstances. All LLCS Permits will automatically cease to be valid once the particular vehicle is no longer in the ownership of or under the control of the applicant and the applicant must inform the LLCS Administration Section of this immediately in writing.
- 6.2 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 as follows:
- 6.2.1 For HGV Safety Permits granted until 27 October 2024 (midnight):
- Vehicles rated Zero Star (or un-rated) and therefore subject to the Safe System Conditions will expire on 27 October 2024;
 - Vehicles rated One or Two Star will expire on 27 October 2024; and
 - Vehicles rated Three, Four or Five Star will expire on 28 October 2030 or ten years after the application date if later than 26 October 2020 (whichever the later).
- 6.2.2 For HGV Safety Permits granted on or after [28 October 2024]:
- Vehicles rated Zero Star (or un-rated), One Star or Two Stars, and therefore subject to the Safe System Conditions, the permit will expire on 28 October 2030 (midnight); and
 - Vehicles rated Three Stars or Four Stars the permit will expire on 28 October 2030 (midnight); and
 - Vehicles rated Five Stars the permit will expire [on 28 October 2030 (midnight) or] ten years [after the application date (whichever the later)].

7. APPEALS

- 7.1 If an applicant is refused a Permit or it is granted with Conditions unacceptable to the applicant, he or she is entitled to appeal. Similarly, users whose Permits are revoked or suspended may appeal.
- 7.2 Appeals regarding LLCS Permits must be made through the official London Councils complaints procedure. A temporary short-term exemption LLCS Permit may be issued, if considered appropriate, pending the outcome of an appeal against a refusal to issue or the revocation of the permit

- 7.3 Appeals regarding HGV Safety Permits must be made through the official Transport for London complaints procedure.

8. IMPLEMENTATION

- 8.1 It is expected that all applicants will use their best endeavours to implement not only the letter but also the spirit of the Traffic Order and the Conditions attached to Permits. To assist in ensuring that the Order and Conditions are implemented London Councils and TfL will employ officers whose duty it will be to advise, assist and check on the operation of vehicles. All applicants for Permits are expected to co-operate with these officers in the reasonable exercise of their duties and, if necessary, to comply with Conditions attached to the LLCS or HGV Safety Permit.
- 8.2 Failure to comply with Permit Conditions may result in the revocation or suspension of that Permit; suspension may be immediate where there is a danger to public safety. The applicant's past record of compliance generally will be a relevant consideration when future applications are considered.

London Councils Policies and Protocols which apply to Members

1. There are a number of London Councils policies and protocols which apply to Members. These are:
 - Declaration and Registration of Interests protocol;
 - Gifts and Hospitality protocol;
 - Member and Officer Relations protocol;
 - Members' Rights of Access to Information protocol;
 - Note of Securing Political Sign-off;
 - Guidance on the Use of the Urgency Procedure;
 - Media Protocol;
 - Party Group/Political Adviser/London Councils Relations protocol;
2. These policies, which were last approved in 2019, are available to view on London Councils website: <http://www.londoncouncils.gov.uk/aboutus/governance/protocols.htm>
3. A review has been undertaken of these policies and protocols and in the main only minor amendments, if any, have been required to reflect changes in the organisational structure of London Councils or working practices. The Declaration and Registration of Interests Protocol has been amended to reflect the requirements of members when declaring interests in line with proposals set out in item 13 on the agenda to discontinue the practice by London Councils of maintaining a Register of Members' Interests.
4. In addition to these policies and protocols, also attached is a codification of London Councils working conventions. This document brings together a number of conventions which have been practiced and previously agreed by members and, along with a number of relevant standing orders, form an overview of how London Councils operates. This can be found at Appendix nine.

Policies on Whistle Blowing and Combatting Fraud, Bribery and Corruption:

5. London Councils Whistleblowing and Combatting Fraud, Bribery and Corruption policies also apply to Members. These policies were last approved in 2019 and will be reviewed separately. These policies have always been approved by Audit Committee rather than Leaders' Committee and have previously been presented for noting by Leaders.

Recommendations:

That Leaders' Committee notes these policies and protocols and the codification of working conventions.

Financial Implications for London Councils:

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

Legal Implications for London Councils:

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

Equalities Implications for London Councils:

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

Appendices:

- Appendix One: Declaration and Registration of Interests protocol;
- Appendix Two: Gifts and Hospitality protocol;
- Appendix Three: Member and Officer Relations protocol;
- Appendix Four: Members' Rights of Access to Information protocol;
- Appendix Five: Note on Securing Political Sign-off Protocol;
- Appendix Six: Guidance on the Use of the Urgency Procedure;
- Appendix Seven: Media Protocol;
- Appendix Eight: Party Group/Political Adviser/London Councils Relations protocol;
- Appendix Nine: London Councils Conventions.

Background Documents:

- Tracked changed versions of Appendices One to nine



Item 15 - Appendix one

Declaration of Interests Protocol

June 2023

Declaration of Interests

Members' Interests

In 2012 a new declaration and registration of members' interests' regime was put in place by government¹. The new rules require councils to agree their own arrangements within a context of some national rules.²

The declaration of Members' interests is dealt with in paragraph 20 of Schedule 6 (Standing Orders) of the London Councils Agreement.³

The duty to establish and maintain a register of members' interests, required by law by a relevant authority⁴, does not apply to London Councils and as such no register is held.

Under the national rules a member must act in conformity with the Seven Principles of Public Life. One of these is the principle of honesty - that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest' A member's registration of personal interests should be guided by this duty. A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property).

Members should be aware that they remain bound by their own authority's Code of Conduct whenever involved in activities for London Councils and any issues arising from a disclosure – or lack of – must be addressed by the member's own local authority.

Declaring interests at meetings

If a member is present at a meeting of London Councils Leaders' Committee, Grants Committee, Transport and Environment Committee, or their Executive Committees or Audit Committee, or any other formal meeting, and has a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, they must not:

participate in any discussion of the business at the meeting, or if they become aware of their disclosable pecuniary interest during the meeting, participate further in any

¹ The national rules are in Chapter 7 of the Localism Act 2011 and in the secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

² Such rules, in one form or another, have existed for decades. The new rules are similar to the rules that were in place prior to the Standards Board regime. Those rules, originating in the Local Government Act 1972 and the Local Government and Housing Act 1989, involved local authority members registering their pecuniary interests in a publicly available register, and disclosing their interests and withdrawing from meetings in certain circumstances. Failure to comply with those rules was in certain circumstances a criminal offence, as is failure to comply in certain circumstances with the new rules.

³ Refer to Appendix A for paragraph 20 of Schedule 6 (Standing Orders) of London Councils Agreement.

⁴ 'relevant authority' as defined in Ch 7 Section 27 (6) Localism Act 2011 (the list does not include London Councils)

discussion of the business, or participate in any vote or further vote taken on the matter at the meeting.

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

In certain circumstances members can request a dispensation from these prohibitions⁵.

What is a disclosable pecuniary interest?

A member has a disclosable pecuniary interest if they, or their spouse or civil partner, have a pecuniary interest listed in the national rules (see Appendix B, below). For this purpose, a spouse or civil partner includes any person with whom a member is living with as husband or wife, or as if they were a civil partner. There is no requirement to differentiate a member's disclosable pecuniary interests between those which relate to them personally and those that relate to their spouse or civil partner.

What if a member declares an interest?

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 (see Appendix C).

Urgency procedures - declaring interests

Where the chair/deputy chair/vice chairs (as applicable) are requested to agree a resolution in accordance with the Chief Executive's recommendations under the Urgency procedures they should declare whether they have an interest in the subject matter of the item to be decided and record it on the urgency form.

⁵ Section 20.5 of London Councils Standing Orders

Appendix A

London Councils Standing Orders: Section 20

20. DECLARATIONS OF INTEREST

20.1 If a member is present at a meeting of London Councils' Committee or any of its associated joint committees or any sub-committees and has a disclosable pecuniary interest as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 ("the Regulations") relating to any business that is or will be considered at the meeting, that member must not:

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

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

20.3 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.

20.4 In certain circumstances, London Councils may under s.33 of the Localism Act 2011, grant a dispensation to permit a member to take part in the business notwithstanding that the member has a disclosable pecuniary interest relating to that business. These circumstances are where London Councils considers that:

- without the dispensation so great a proportion of London Councils members would be prohibited from participating in that business as to impede London Councils transaction of that business,
- without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote,

- the granting of the dispensation is in the interests of people living in the London Councils' area⁴,
- without the dispensation each member of the London Councils Executive would be prohibited from participating in the business, or
- it is otherwise appropriate to grant a dispensation.

20.5 If a member wishes to apply for a dispensation, they must make a written application to be received not less than three working days before the meeting setting out the grounds for the application to the officer responsible for processing such requests⁵.

20.6 A member must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union that relate to any public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests.

Appendix B

Description of disclosable pecuniary interests

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

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

⁴ The London Councils area is that area covered by the London boroughs and the City of London.

⁵ That person designated by the scheme of delegation, currently is the Head of Governance.

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any license (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) -
 o the landlord is your council or authority; and
 o the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Appendix C

The Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

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

Accountability

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

Openness

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

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.



Item 15 - Appendix Two

REGISTRATION OF GIFTS AND HOSPITALITY

JUNE 2023

REGISTRATION OF GIFTS AND HOSPITALITY

OFFICERS

Officers must register with the Director of Corporate Resources each gift, favour, reward or hospitality offered by a person or organisation that is doing or seeking to do business with London Councils.¹

Paragraph 2.3 of London Councils' Financial Regulations states: -

"The Finance Officer² shall maintain a register in which officers shall enter each gift, favour, reward or hospitality offered by a person or organisation doing or seeking to do business with the organisation".

As such employees MUST register the receipt/offer of any gift or hospitality. The Finance Officer has a standard form for employees that must be completed in order for the receipt/offer to be registered.

Offers of gifts or hospitality (this refers to both gifts or hospitality received by and offered to third parties) must be treated with caution whenever any suggestion of improper influence could arise. To prevent any improper behaviour, or suggestion of improper behaviour arising employees must take great care when a gift or hospitality is offered/received. Gifts or hospitality offered/received should not be extravagant and nor should they be taken from or given to the same client or individual on a frequent basis.

The Director of Corporate Resources has a standard form with a guidance note for officers that must be completed in order for an offer to be registered. A copy of the officers' form is contained in Appendix A. This is also available on the intranet.

MEMBERS

Pursuant to their local authority's Code of Conduct for Members, Members will have a similar duty to register gifts and hospitality with their local authority's Monitoring Officer. Nevertheless, London Councils requires Members to also register with the Director of Corporate Resources any offer of a gift or hospitality that is:

- a) over the value of £25; and
 - b) is from a person or organisation that is doing, or seeking to do business with London Councils,
- within 28 days of receiving that offer.

Members and officers are personally responsible for their actions in connection with any offer of a gift, favour, reward or hospitality and the completion of the register does not relieve them of the responsibility to justify their acceptance of such an offer.

¹ Paragraph 2.3 of Schedule 7 (Financial Regulations) of the London Councils Leaders' Committee Governing Agreement.2001 (as amended) and paragraph 3.6 of the Code of Conduct for Employees

² The Director of Corporate Resources

The Director of Corporate Resources has a standard form for Members that must be completed in order for an offer to be registered. A copy of the Members' form can be found below at Appendix C.

Breaches of this duty will be taken very seriously and may result in disciplinary action for officers and a formal complaint being made to the relevant authority, for Members.

Appendix A

OFFICERS DECLARATION OF RECEIPT OR OFFER OF GIFTS AND/OR HOSPITALITY

| | |
|--|--|
| Name | |
| Date | |
| Particulars of how Offer or Receipt of Gift or Hospitality arose | |
| Who is offering the Gift or Hospitality and what is the value? | |
| Benefit to the committee from accepting or offering the Gift or Hospitality | |
| View of CMT Director/CEX | |
| Approval Given/Denied | |
| Staff Signature & Date | |
| CMT Director/CEX Signature and Date | |
| For CMB only: description for publication purposes | |

Please send to David Sanni, Director of Corporate Resources
(David.Sanni@londoncouncils.gov.uk)

Appendix B

Guidance on declaring gifts and hospitality

London Councils employees must register any gifts, favours, rewards or hospitality offered or given to them by a person or organisation which is doing or seeking to do business with London Councils. A form for registering gifts and hospitality can be downloaded from the intranet. Once completed, the form should be sent to the Director of Corporate Resources.

Before accepting any gift or hospitality, approval must be obtained in advance from the relevant CMT Director or the Chief Executive.

Offers of gifts or hospitality must be treated with caution whenever any suggestion of improper influence could arise. To prevent any improper behaviour or suggestion of improper behaviour arising, employees must take great care when a gift or hospitality is offered. You should not accept gifts or hospitality which are extravagant nor those given by the same client or individual on a frequent basis.

London Councils has a special process to deal with gifts received at Christmas. Given that it is common practice for gifts to be offered at this time, gifts are collected by the Director of Corporate Resources and raffled and the proceeds are donated to a designated charity.

Any employee accepting/offering money for doing or not doing anything or showing favour or disfavour to any person in their official capacity shall be subject to immediate dismissal.

Special Dispensation

Employees should only accept/give offers of gifts or hospitality if there is a genuine need to impart information or represent London Councils in the community and must comply with the provisions below:

- Employees shall be allowed to receive books, diaries, pens, pencils, calendars and similar articles provided that the overall value of the gift is not more than £25
- Working lunches are permissible provided that the employee has the approval of their Director/Chief Executive
- Chief Officers shall be entitled to attend working lunches and functions as representatives of London Councils
- Employees can represent London Councils at functions, openings, launches and other similar functions with the approval of the relevant Director
- Employees may receive gifts on behalf of London Councils from visiting dignitaries and must then declare these using the declaration of receipt or offer of gifts and/or hospitality form.
- The decision as to whether the employee can personally retain the gift will be made by their Director/Chief Executive
- Any such other matters as the Chief Executive and the Director of Corporate Resources may approve from time to time.

Employees still must register the receipt/offer of any gift or hospitality even if it is included in the list above.

Employees are personally responsible for their actions in connection with any offer of a gift, favour, reward or hospitality and the completion of the register does not relieve them of the responsibility to justify their acceptance of such an offer.

Breaches of this duty will be taken very seriously and may result in disciplinary action.

Appendix C

MEMBERS' DECLARATION OF AN OFFER OR RECEIPT OF GIFTS AND/OR HOSPITALITY

I,

Name _____

Position _____

In accordance with the Registration of Gifts and Hospitality Protocol, I wish to inform the Director of Corporate Resources of the *offer / receipt of the following:

***Gifts**

Description:

Donor:

***Hospitality**

Description:

Donor:

***Other**

Description:

Donor:

Signature:

Date:

*Delete as necessary

Please send to David Sanni, Director of Corporate Resources
david.sanni@londoncouncils.gov.uk



Item 15 - Appendix Three

Member/Officer Relations

June 2019 (2023)

MEMBER/OFFICER RELATIONS

1. INTRODUCTION

The purpose of this Protocol is to guide Members and officers of London Councils in their working relations with one another. It brings together many of the practices and values which contribute to a successful partnership but also acknowledges areas which may potentially cause embarrassment or difficulty. Equality, natural justice and reasonableness are strong underlying intentions throughout.

The Protocol is intended to be clear and understandable by all. It seeks to exclude any scope for misunderstanding which might lead to unreasonable behaviour or inappropriate action. The Protocol therefore offers some form of protection for both Members and officers.

The Protocol also operates under the general premise that both Members and officers are working towards the same goals and priorities. It has regard to London Councils' aim to be open and honest in its dealings within and outside London Councils, to work corporately, and to do so in a manner which encourages a participative culture.

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2. THE DISTINCTIVE ROLES OF MEMBERS AND OFFICERS

It is important that both Members and officers respect their distinctive roles in order for relations to be clear and appropriate.

Members

It is members role to:

- a) on 33-member bodies to represent the interests of their authority and, by extension, Londoners and communities and ensure that their best interests are considered and that their views are brought into London Councils decision making;
- b) the Chair and elected officers of London Councils and members of the Leaders' Committee Executive shall also pay particular regard to advancing the interests of London Councils. When operating as a member of a Joint Committee Executive or as an elected officer, members will shape common policy positions on a cross party basis and advance those positions externally in accordance with the new narrative for London Councils where London Councils is the collective of Local Government in London;
- c) set London Councils strategic direction, the policy framework, corporate goals/shared ambitions, overall priorities and targets;
- d) develop policy proposals with professional advice from officers;
- e) monitor the implementation and effect of their decisions.

Officers

Officers are employed by London Councils to undertake an organisational role. It is their role to:

- a) deliver services to member councils and to the public according to the policies and requirements set by London Councils;
- b) shape, develop and implement policies, positions and services which accord with the overall framework set by Members;
- c) give professional advice to members in a clear, independent and non-partisan fashion;
- d) manage London Councils.

Put simply, Members are responsible for determining policy and London Councils' strategic direction; officers are responsible and accountable for implementing policy and delivering services.

Given these roles, officers are employed to work within and pursue London Councils' policies and priorities, unaffected by personal inclinations.

Officers are accountable to their line managers and ultimately their most senior director or the Chief Executive and must work to the instructions of their director/Chief Executive, or line manager, and not to individual Members, regardless of the office a Member might hold. Members should not interfere with matters that are properly the responsibility of officers.

3. WHAT MEMBERS CAN EXPECT OF OFFICERS

Members can expect officers:

- a) to do their job effectively and efficiently;
- b) to strive to provide services to member councils and the public which offer value for money and best practice;
- c) to behave in a manner which accords with the standards set by London Councils;
- d) to be helpful, respectful and courteous to Members;
- e) to assist Members in carrying out their role within London Councils in connection with London Councils business (they cannot, however, assist with party political or campaigning activity, or with private business);
- f) to deal with Members' enquiries fairly and efficiently;
- g) to be open and honest with Members. To tell the whole story, giving any bad news as well as the good;
- h) to work with all Members equally and fairly;
- i) to act lawfully;

- j) to give advice or recommendations based on reasoned options;
- k) to ensure that Members have all the information necessary to make informed judgments;
- l) to maintain confidentiality where it is proper for them to do so;
- m) not to canvass Members or otherwise seek to gain favour from them for personal or career advantage; and
- n) to have regard to social hours and generally to be sensible about contacting Members at potentially inconvenient times, unless in an emergency or otherwise agreed.

4. WHAT OFFICERS CAN EXPECT OF MEMBERS

Officers can expect Members:

- a) to accept that officers are accountable to their line manager/director/Chief Executive;
- b) to be helpful, respectful and courteous to officers; and treat them in a reasonable manner;
- c) not to become involved in the day-to-day management of London Councils;
- d) to accept that officers act independently of political bias, whilst recognising the special position of the Political Advisers;
- e) to fully consider advice and recommendations for the purpose of making informed judgments;
- f) not to ask officers to breach London Councils' policy or procedures, or to act unlawfully, or outside the terms of their role;
- g) not to exert influence or pressure, or request special treatment, because they are a Member;
- h) not to request unauthorised access to resources or information held by London Councils;
- i) to be open and honest with officers;
- j) to act lawfully and to maintain confidentiality when appropriate to do so; and
- k) to respect that officers have private lives and to be mindful of that boundary in contacting officers outside of normal working hours.

5. POLITICAL NEUTRALITY AND IMPARTIALITY OF OFFICERS

Officers serve London Councils as a whole. They will ensure that they:

- a) respect the individual rights of all Members;
- b) serve all Members and not just those of the largest political grouping; and
- c) will co-operate even-handedly with Members engaged in all aspects of London Councils' functions.

By law¹, posts which:

- a) involve the post holders giving advice on a regular basis to London Councils or any London Councils Member Body²;
- b) involve the post holder speaking on behalf of London Councils on a regular basis to journalists or broadcasters; or
- c) are senior appointments (i.e. Head of Paid Service, Statutory and Non-Statutory chief officers)),

are designated as politically restricted.

If a person holds a politically restricted post, they are:

- a) disqualified from becoming or remaining a member of a local authority³; and
- b) restricted in the political activities they can undertake. They may not for example, hold particular types of office in a political party, act as an agent or canvass at any election, nor speak or write publicly on matters of party political debate.⁴

Members should not discuss party politics with officers nor must they assume that there is an allegiance to a particular party. Members should not place officers in an difficult situation where, for example, they feel they have to agree with a particular political line. However, officers must follow the agreed programme of work set out for London Councils by Members, while performing their duties.

Within the framework of a formal meeting it is natural that Members will make political statements. Officers should have an awareness of London Councils' political direction and acknowledge that at a strategic level, this will have an influence. It is not for officers to challenge such direction and they will co-operate with it, unless it is considered illegal following advice from London Councils legal advisers.

It is not improper that officers may sometimes wish to seek political guidance in framing policy proposals. However, when they write reports or give advice, they have a duty to give independent, objective and professional advice and to make Members aware of all the options available.

¹ Section 2 of the Local Government and Housing Act 1989.

² "London Councils Member Body" includes all London Councils Member groupings, committees, steering groups, forums, etc.

³ Section 1(1) of the Local Government and Housing Act 1989.

⁴ Refer to the Local Government Officers (Political Restrictions) Regulations 1990 for a more detailed account of what restrictions are placed upon politically restricted post holders.

6. PARTY GROUP MEETINGS

It is common practice for Party Groups to give preliminary informal consideration to London Councils business in advance of the formal decision-making process. Officers may, from time to time, be asked to attend Party Group meetings to brief Members in a professional capacity. Such attendance will be on the understanding that other Party Groups will be similarly served should they so request. The political neutrality of any officer attending a group meeting must be respected.

Officers will respect the confidentiality of any Party Group discussions at which they are present and, in particular, not relay any such discussion to another group.

All requests for an officer to attend a Party Group meeting should be made through the Director of Communications (or, in their absence, the Chief Executive or another member of the Corporate Management Team) who will judge which officer is the most appropriate to attend. This avoids any danger of an individual officer being identified with the party concerned.

Officers may also be asked to give support in other ways such as briefing Chairs or spokespersons prior to a London Councils Member Body meeting.

In all these instances it is important that Members and officers understand the following:

- a) Officer support cannot extend beyond providing information and advice in relation to London Councils business - officers cannot be involved in party business. Where possible, this rule can be made easier to observe if officers are not present when party business is being discussed - thought should be given to the way in which the business for the meeting in question is structured;
- b) Party Group meetings cannot make London Councils decisions and any conclusions reached cannot be interpreted as such or acted upon;
- c) Where officers provide information and advice to a Party Group this cannot act as a substitute for providing all necessary detail to a London Councils Member Body meeting.

Special care is needed where officers are involved in providing information or advice to a Party Group meeting where people are present who are not elected Members of a local authority. Such people will not be bound by a local authority's Code of Conduct for Members and therefore officers should not disclose confidential information.

Any cases of particular difficulty or uncertainty in relation to officer advice to Party Groups should be raised with the Chief Executive.

The Political Advisers to the Party Groups are employed by London Councils Ltd. The references to political neutrality and attendance at Party Group meetings do not apply to these employees. However, the references to confidentiality and the prohibition on relaying any discussion to another Party Group do apply.

7. MEMBER CONTACT WITH OFFICERS

General

Members are free to approach any London Councils officer for any information, explanation or advice that they need to assist them in carrying out their role as a Member at London Councils.⁵

Contact between Members and officers will normally be at a senior level or with officers whose role is naturally associated with Members. Generally, enquiries should be made to the appropriate director or to a designated liaison officer within the service/policy area. However, this does not mean that Members should have no contact with officers at all levels - general communication and interaction is encouraged.

Members should contact the relevant director or Chief Executive if the matter is very serious or sensitive, or if they are experiencing difficulties in getting a response from a more junior officer.

Members may request their Party Group's Political Advisers to approach officers on their behalf.

Officers must ensure that all written communications to Members contain the contact details of an appropriate officer.

Undue influence

Members should not put pressure on any officer in relation to matters which have been delegated to officers. This might lead officers to make decisions that:

- a) are not objective and cannot be accounted for; and/or
- b) favour, unfairly, one member or group of the public over another.

Equally, Members should avoid bringing any influence to bear on an officer to take any action which is:

- a) against normal procedures or London Councils policy;
- b) a breach of the Code of Conduct for Employees;
- c) in conflict with the London Councils Agreement, Standing Orders or Financial Regulations; and/or
- d) unlawful.

Officers have a duty to report to their director any attempt by a Member to exert improper influence. The director will inform the Chief Executive who will investigate where appropriate.

Complaints against officers

Care must be taken to ensure that a complaint, as opposed to an enquiry, is put through the official complaints procedure.⁶

8. MEMBERS AND THE RECRUITMENT OF OFFICERS

⁵ Refer to the Members' Access to Information and London Councils Documents Protocol for further information.

⁶ Refer to section 13 of this Protocol to complain about an officer or Member.

Members, or more specifically the Elected Officers, will be invited to assist in the recruitment of officers for the posts of:

- a) Chief Executive;
- b) Directors; and
- c) Political Advisers.

All other recruitment decisions regarding officers are the responsibility of London Councils' management and Human Resources.

9. FAMILIARITY, FRIENDSHIPS AND RELATIONSHIPS

Close personal relationships between Members and officers should be avoided as far as possible as this can damage working relationships and prove embarrassing to colleagues on both sides. In particular, it could bring into question an officer's ability to deal impartially with other Members, and vice-versa.

However, it is recognised that it is possible that a close personal, family or business relationship may exist between some Members and officers. Officers should disclose such relationships to the Chief Executive. Members should disclose such relationships to the Leader of their Party Group, or another Member of the group if so designated as the contact point.

Members or officers engaged in such relationships should:

- a) take special care not to seek, or be seen, to influence their positions through their respective friend or partner. Even if there is no actual impropriety, the situation may give rise to suspicion and the public may perceive that the opportunity for improper influence exists.
- b) Members must at all times abide by London Councils' Declaration of Interests protocol and officers, paragraph 2.8 of the Code of Conduct for Employees⁷;

And

- c) ensure that colleagues are not placed in an awkward or embarrassing situation as a result of a friendship or relationship.

10. OFFICERS AS CONSTITUENTS

Officers who live in the Greater London area may attend public meetings in a

⁷ Paragraph 2.8 of the Code of Conduct for Employees states: "Employees must register any personal interests (financial and non-financial) that may inform their approach to particular issues or give rise to a conflict of interest. Financial interests may include:

- a) Additional/other employment where employees have to declare taxes;
- b) Any contract for goods, services or works between London Councils and an organisation where an employee has some beneficial interest.

Non-financial interests may include:

- a) A close personal relationship or related to any person in any organisation which has business dealings with London Councils.
- b) Membership of an organisation whose principal purposes include the influence of public opinion or policy."

personal capacity as a resident or service user. The officer may wish to voice concerns about certain local authority services or facilities, to ask questions or make suggestions. This is natural and acceptable provided that certain boundaries are maintained. Officers should take care not to:

- a) maliciously undermine London Councils by adverse or negative comments;
- b) raise personal issues concerning their employment; or
- c) disclose confidential information gained in the course of their work.

Members will respect the rights of the officer as a resident or service user. They will not:

- a) treat the officer concerned as an employee at such meetings;
- b) raise work issues with the officer; or
- c) hold grudges against officers that raise reasonable concerns in public forums.

11. MEMBERS AND THEIR USE OF LONDON COUNCILS SERVICES AS A RESIDENT OF LONDON

There will be times when Members use London Councils' services. In all instances, the officer providing the service will maintain full confidentiality where this is appropriate and will treat the Member concerned in the same way as any other customer. The Member will not seek or expect any preferential treatment.

12. CORRESPONDENCE

Correspondence on behalf of London Councils

Correspondence on behalf of London Councils should normally be sent out in the name of the appropriate officer rather than a Member. However, there will be exceptions where it may be appropriate for correspondence to be sent out in the name of a Member (e.g. representations to a Government Minister).

Members should not:

- a) coerce officers to send particular correspondence or to write, or refrain from writing, a particular statement; and
- b) write letters which create obligations or give instructions on behalf of London Councils.

Members and officers should at all times adhere to the London Councils' Media Protocol.

Correspondence between a Member and an officer

Officers will not normally copy correspondence they receive from an individual Member to any other Member. However, there may be times where this is necessary. Before copying the correspondence, the officer must ensure they:

- a) clearly inform the relevant Member what they intend to do with the correspondence; and

- b) procure the Member's consent.

13. COMPLAINTS AND CRITICISM

A Member or officer may wish to make a complaint against, or criticise the actions of, the other. Whilst it is preferable to resolve such matters informally through conciliation by an appropriate senior manager, formal complaints can be made.

Formal complaint by a Member about an officer

Where a Member is dissatisfied with the conduct, behaviour or performance of an officer, and they want to make a formal complaint, they should put their complaint in writing and address it to the officer's director.

Within 5 working days, the director will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long any investigation of the matter will take or any other action that they intend to take.

Members have a right to be told the outcome of any disciplinary investigation, but no right to detailed information about the investigation.

Members must not:

- a) insist, or be seen to insist, that the officer is disciplined; or
- b) influence the level of any disciplinary action which might be taken against an officer.

If a Member is not satisfied with the result of the disciplinary investigation, they may refer the complaint to the Chief Executive for an independent assessment.

Formal complaint by a Member about a Director

A formal complaint about a director should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long any investigation of the matter will take or any other action that they intend to take.

Members have a right to be told the outcome of any disciplinary investigation, but no right to detailed information about the investigation.

Members must not:

- a) insist, or be seen to insist, that the director is disciplined; or
- b) influence the level of any disciplinary action which might be taken against a director.

Formal complaint by a Member about the Chief Executive

A formal complaint about the Chief Executive must be dealt with in accordance with the Local Authorities (Standing Orders) Regulations 1993.

Formal complaint by an officer about a Member

A formal complaint by an officer about a Member should be made in writing to the officer's director⁸. Within 5 working days, the director will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

The Director will:

- a) investigate the matter;
- b) send a copy of the complaint to the Chief Executive; and
- c) advise the Party Group Leader of the complaint.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

If an Officer is not satisfied with the result of the investigation, they may refer the complaint to the Chief Executive for independent assessment.

Formal complaint by an officer about a Party Group Leader

A formal complaint about a Party Group Leader should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

⁸ The Local Authorities (Standing Orders) Regulations 1993, Part II **Investigation of alleged misconduct 3.**—(1) Where...it appears to a relevant authority that a complaint of misconduct by the head of its paid service ("the relevant officer") requires to be investigated, the authority shall appoint ...a person ("the designated independent person"), being such person as may be agreed between the authority and the relevant officer or, in default of such agreement, appointed by the Secretary of State *to investigate the complaint*.

Formal complaint by an officer about the Chair of London Councils

A complaint about the Chair of London Councils should be made in writing to the Chief Executive.

Within 5 working days, the Chief Executive will respond in writing:

- a) acknowledging receipt of the complaint;
- b) indicating what action they intend to take; and
- c) approximately how long the investigation will take.

Officers have a right to be told whether London Councils will make a formal complaint to the relevant authority's monitoring officer as a result of the investigation, but no right to detailed information about the investigation.

Confidentiality

All complaints are to be treated with the strictest of confidence and on a 'need to know' basis at all times. Usually only the investigating officers, the Chief Executive and the Chair of London Councils need to know the full details of a complaint. Witnesses will only be told what they need to know in order for them to give evidence regarding the complaint. Any information provided to a witness must be treated with the strictest of confidence.

The identity of the person making a complaint should also be made known only on a 'need to know' basis. The complainant's identity should not be revealed to any other person or made public by London Councils.

Monitoring complaints

The Chief Executive will nominate an officer to be responsible for monitoring complaints by both officers and Members⁹.

14. BREACHES OF THE PROTOCOL

Relevant sections of this Protocol offer advice as to how to deal with any difficulties around, or breaches of, this Protocol. It is hoped that these routes will successfully and quickly resolve any issues.

In all other cases, a breach of the Protocol should be dealt with by making a formal complaint under this Protocol.

Breaches of this Protocol will be taken very seriously and may result in disciplinary action for officers.

Other relevant protocols/policies/role profiles:

- Role Profile for Executive Members;

⁹ Nominated officer is the Corporate Complaints Officer post holder

- Role Profile for Party Group Member Policy Lead
- Anti-fraud, bribery and corruption policy;
- Member and officer relations protocol;
- Members' rights of access to information protocol;
- Political Sign-off;
- Guidance on use of Urgency Procedure;
- Media Protocol;
- Party Group/Political Adviser/London Councils relations protocol;
- Whistleblowing policy;
- Declaration and registration of Interests protocol; and,
- Gifts and hospitality protocol.

These policies are available to view on London Councils website:

<https://www.londoncouncils.gov.uk/node/1986>

and also on the Members website: www.members.londoncouncils.gov.uk
or on request from the Head of Corporate Governance.

Reviewed and updated June 2023



Item 15 - Appendix Four

Members' Rights of Access to Information

June (2023)

MEMBERS' RIGHTS OF ACCESS TO INFORMATION

Introduction

The purpose of this protocol is to set out members' rights of access to information held by London Councils in the form of reports to member bodies¹ and to information held generally.

This protocol does not deal with the rights of access of the public and the press which are set out in the Access to Information Rules.

General Principles

A member's right of access to information derives from three sources:

- London Councils Standing Orders
- Statutory rights peculiar to members of London Councils' member bodies
- Statutory rights enjoyed by all ordinary citizens

Standing Orders

London Councils Standing Order 23 provides that:

23.1: Members of London Councils, its associated joint committees, sectoral joint committees or sub-committee thereof and any Forums of London Councils, shall be entitled to receive from officers such information as they may require in order to enable them to carry out their duties as members of such committee or sub-committee.

23.2: In addition, the leading members on London Councils of each political party or group shall be entitled to receive briefings and briefing papers from officers on the same basis as the Chair.

Standing Order 23.1 enshrines the long-standing right of members to be given access to material to enable them to fulfil their functions as members. This has been referred to as a 'common law right'².

Standing Order 23.2 reflects the understanding set out elsewhere³ that political party groups will receive equal treatment.

Statutory rights

¹ Leaders' Committee, Transport and Environment Committee (TEC), Grants Committee and their Executives and sub-committees including Audit Committee, and any other member body that may be set up from time to time. The same rights are enjoyed by designated Lead Members.

² Deborah Upton *Knowles on Local Authority Meetings* Seventh edition, 2014, 73

³ For example in the Member/Officer Relations protocol.

Rights of members

This 'common law right' referred to above was formally written into local government law in 1972 and 1985⁴ - a right to inspect any document that 'is in the possession or under the control of a principal council⁵ and contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee'. So, the right of access to information derives from the conditions put in place so that a member can be fully informed and make proper decisions at meetings. However, the information accessible by members is narrowly defined to that 'relating to any business to be transacted at a meeting' and this gives rise to the notion of a 'need to know'. This notion has been refined by case-law and judgements have made clear:

- There is no right to 'a roving commission to go and examine the books or documents of a corporation'
- 'Mere curiosity or desire to see and inspect documents is not sufficient' and
- 'Nor can a councillor properly exercise the right for some indirect motive'⁶

The relevant Director will determine whether an application made by a member to be given access to particular information meets the definition of a 'need to know' or falls outside of any reasonable definition of the term. They may take legal advice in arriving at a decision.

Rights of citizens

A member enjoys the same right of access to information afforded to an ordinary citizen through the Freedom of Information Act 2000.

Confidentiality

A member must respect the confidentiality of material, particularly that conferred by exemption from the access to information regulations⁷. Advice should be sought if a member is unsure of the confidentiality of any particular document.

Application of Principles

In practice, members are free to approach officers of appropriate seniority to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a member of a London Councils member body. Such approaches should normally be directed to the relevant Director or another senior officer of the directorate concerned.

If a Director thinks that meeting a request for information would involve an unreasonable commitment of resources, the member making the request shall be so advised. If the member persists in requesting the information then the Director will refer the request to the Chief Executive.

⁴ S. 100F of the Local Government Act 1972 and the Local Government (Access to Information) Act 1985

⁵ That is London Councils

⁶ Ibid in note 2, 74

⁷ "Exempt information" is described in Schedule 12A to the Local Government Act 1972 (as amended), subject to the qualifications in section 100F.



Item 15 - Appendix Five

Securing Political Sign Off

June (2023)

Securing Political Sign-off

The success of London Councils as a lobbying body is based on its ability to speak on behalf of all London local authorities. In order to achieve multi-authority consensus, it needs to operate on a cross-party basis and in addition, ensure the confidence of member councils not subject to party political control. Care always needs to be taken to ensure that no party considers that its view has not, at least, been taken into account.

Clearly, there is a suite of agreed policy and lobbying positions that members have agreed and action can be progressed in any case in respect of those. This note applies to new areas of potential clearance.

Quotes from source documents are in italics

Formal mechanisms

1. Leaders' Committee - Decision-making power:

The London local authorities have devolved to London Councils' Leaders' Committee the power to:

formulate policies for the development of democratic and effectively managed local government including matters relating to Transport, the Environment and Grants¹

Rationale: The boroughs have given broad powers to London Councils Leaders' Committee to develop policies in the boroughs collective interest. They have also made explicit that, despite the existence of the Grants and Transport and Environment Committees, it is Leaders' Committee that has been devolved strategic oversight of these matters.

2. Executive Committee - Decision-making power:

Leaders' Committee has devolved to the Executive the power to:

- *play an active role in giving effect to the policy direction already agreed by Leaders' Committee*
- *broker a London Councils' position on strategic issues for submission to Leaders' Committee and*
- *agree routine consultation responses²*

¹ The London Councils (Leaders Committee) Governing Agreement, dated 13 December 2001 (as amended)

² Agreed Terms of Reference for the Leaders' Committee Executive

Rationale: While retaining to itself overall power to determine policy, Leaders' Committee acknowledges that there are frequently matters that can better be determined by a smaller group of members within the general parameters set by Leaders' Committee

3. Securing political sign-off for decisions between meetings – Urgency decisions Decision-making power:

There is a procedure in Standing Orders that allows for decisions to be made between meetings if the Chief Executive considers them urgent, by consulting:

- *the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree in writing that the matter is urgent and agree the Chief Executive's recommendation, then the matter is agreed³*

Rationale: Where a matter requires a decision before the next scheduled meeting and which does not merit convening a special meeting.

Non-formal mechanisms

1. Urgency decisions - Decision-making power:

If the portfolio-holder of the policy area of an urgency is not amongst the decision-making Elected Officers, they are copied into the urgencies circulation and their view taken into account even though their view cannot be counted as the two requisite agreeing members.

Rationale: The portfolio-holder needs to be 'on board' and should, in any event, have been consulted before the matter came to be dealt with as an urgency

2. Urgency decisions - Decision-making power:

If any member asks for a decision requested under the urgency procedure to be amended then that amendment is circulated to all Elected Officers, effectively as a fresh request for an urgency decision. If any member objects to an urgency or if unanimity cannot be achieved on an amended urgency it is deemed by officers to have been rejected

³ London Councils Standing Orders - Section 19

Rationale: Even though an urgency could have obtained the agreement of the two requisite members, an objection lodged by a member clearly denotes a lack of political buy-in and it would normally be inappropriate for that objection not to be considered at least one more time by the other members.

3. Obtaining political buy-in - Decision-making power:

When developing any policy, the relevant portfolio-holder would need to be involved from the outset. Those portfolio-holders would consult the other party groups to gauge the likelihood of cross-party agreement depending on circumstance. Liaising with identified party leads is a responsibility of the portfolio holder as set out in the role profile (which has been agreed by Leaders' Committee).

This course of action is one which the more controversial an item the broader and deeper the necessity of the cross-party consultation. In all cases the Party Group Advisers would need to be copied into the consultation with members. In many cases it would be wise to consult with them before taking it to members to see if there was a fundamental problem that they are aware of, but the policy officer may not be and in some cases, it may be possible to obtain sign-off from them without needing to trouble a member for a view.

Rationale: A policy officer will need to take a judgement on what mechanism to use in order to obtain political buy-in ranging, on a spectrum from decision by Leaders' Committee to sign-off by a Party Group Adviser. The mechanisms are governed by rules on which Corporate Governance can advise but the judgement is one that a policy officer will need to make for themselves normally in consultation with their manager/corporate director/chief executive.

In short, theirs is a judgement on the depth of feeling on the issue in the parties. The deeper the feeling the further towards the formal end of the decision spectrum would need to go.

A policy officer should of course draw upon previously agreed policy or action in helping this consideration, where relevant.

One further caveat is that some issues have distinct spatial dimensions – inner/outer London and sub-regional, for example. This would also need to be taken into account.

Item 15 - Appendix Six-A

Guidance on the use of the Urgency Procedure

Standing Orders Governing the Urgency Procedure

1. The use of the urgency procedure is set out in Section 19 of London Councils Standing Orders, in particular at paragraph 19.1:

“If at any time the Chief Executive of London Councils considers that any matter is urgent and should be decided on prior to the next meeting of London Councils, then he/she shall consult the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair if available, and the other will be from another political party or no party, agree in writing that the matter is urgent and agree on the Chief Executive’s recommendation, then the decision shall be taken by the Chief Executive in accordance with such recommendation.

2. Please try to avoid using the urgency procedure wherever possible. Officers should be aware of the committee cycle, in particular dispatch dates, and conscious of the need to obtain decisions at meetings and through the urgency procedure in only the most exceptional circumstances. Please plan ahead so that the urgency procedure is only used on this basis.

Preparation for using the Urgency Procedure

3. The papers required for a decision to be requested under the urgency procedure are sent out by the Governance Team, in the Corporate Governance Division.
4. The papers for an urgency consist of i) a report, and ii) a cover letter.
5. If you are asked to put out an urgency, you will have to i) write the report, and ii) provide certain details to the Governance Team as explained below.
6. The report should have exactly the same format as for a report to the Executive or to Leaders’ Committee – the same form of title page (with your details, the title and date, the London Councils logo and a summary and recommendations), numbered paragraphs, financial, legal and equalities implications, and lists of appendices and background papers. The only difference is that the committee heading should be “Elected Officers – Urgency”. Please use the “Report” template for this. Examples of reports can be found here [...///Urgency Report](#)
7. As always, it should be as brief as possible. Where the urgency procedure is being used to agree London Councils’ response to a consultation, the consultation response should be an appendix to a very brief covering report.
8. Please be aware that, just as for any report to Leaders’ Committee or the Executive, it will need to be signed off by your Director and by the Chief Executive. Please get it signed off by your Director before emailing it to the Governance Team. They will then ensure the Chief Executive clears it before it is sent out.
9. An example of the cover letter can be seen here [...///Urgency Letter](#)

This will be prepared by the Governance Team, but you will need to supply the Team with a) the reason for the urgency and b) the date by which a decision is needed:

a) Reason for the urgency: an item is usually dealt with under urgency if there is an external deadline that needs to be met (for example, for responses to a consultation by a government department) which falls before the next meetings of both Executive

and Leaders' Committee. The reason for the need for the urgency will ideally be set out in a sentence or two as to why the decision could not have been taken at a previous meeting and why it must be taken before the next one, as in this example:

"Details of the Bill need to be included in a newspaper advertisement which has to be placed in the second week of August. Neither of these items was available at the time of the last Leaders' Committee meeting on 10 July."

Sometimes, Leaders' Committee or the Executive explicitly requested that the decision be taken under urgency. If so, this should form the basis of the reason for urgency, as in this example:

"It was agreed at Leaders' Committee on 10 July 2022 that London Councils' response would be agreed under the urgency procedure. The deadline for responses to the consultation is 31 July 2022."

b) Date by which agreement is needed. This will generally be determined by an external deadline. In such cases, as a general rule of thumb, the Elected Officers should be given as much time to deal with the issue as the deadline allows. If your external deadline is weeks away (but before the next Committee), then set the date by which a response is needed from them a day or two before the external deadline, to allow you time to send in a response and/or deal with any matters arising from their replies. If your deadline is much closer, as a general rule of thumb, you should at very least allow time (after clearance by the Chief Executive) for the papers to be sent to the Elected Officers and for them to reply by return of post and for the replies to arrive back at London Councils in the post. If this looks difficult, please contact the Governance Team and discuss it with them. If you have any questions about setting a date, please contact the Governance Team.

Procedure of handling an urgency

10. On receiving an urgency report, the Governance Team will complete the cover letter and get the papers cleared with the Chief Executive. They will then email them out. Urgencies are always sent to the five Elected Officers (the Chair, the Deputy Chair and three Vice-Chairs – who's approval are sought. If the subject of the urgency relates to a Portfolio of one of the other members of the Executive, then the urgency will be also be copied to them¹. The urgency email is copied into the Political Advisers, the Chief Executive and the Head of the Chief Executive's Office, the report's author and staff in the offices of the Elected Officers. Others may be copied in as appropriate.
11. In accordance with Standing Order 19, if at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree the recommendation by the deadline, then it is taken to be agreed. They may give their agreement by post, by email by the deadline, provided that there is a clear audit trail which is recorded by Corporate Governance. If you are informed of an Elected Officer's agreement directly, please email Corporate Governance so that the email can be kept on record.
12. If the appropriate Elected Officers have not indicated their agreement by the deadline, then the urgency has not been agreed by members. For consultation responses, for example, this means that any response that is submitted should be clearly marked as an officer response which has not had member approval.

¹ This would also apply to the Chair of Audit Committee

13. Please be aware that at any time between the urgency being emailed out and the deadline for Elected Officers' replies, one or more Elected Officers may request changes to be made to the item being considered. If you are not in the office over this entire period, please make sure that there is someone in your office who can handle any requested alterations. If a member requests an alteration the item should be re-circulated with the change made and Elected Officers asked to agree the change.

14. Please note – the urgency procedure is also available for TEC and Grants.

The procedure is exactly the same as that set out above.

Item 15 - Appendix Six - B
**Consultation with Elected Officers under the
 Urgency Procedure**

| | | |
|--|--|--|
| | | |
|--|--|--|

Contact officer: xx **Date:** xx

Telephone: 020 7934 xxxx **Email:** xx@londoncouncils.gov.uk

London Councils' Elected Officers are requested to deal with the details set out below under the Urgency Procedure.

- 19.1 Paragraph 19 of London Councils' Standing Orders deals with urgency: If at any time the Chief Executive of London Councils considers that any matter is urgent and should be decided on prior to the next meeting of London Councils, then he/she shall consult the Elected Officers of London Councils. If at least two of the Elected Officers, of whom one will be the Chair, if available, and the other will be from another political party or no party, agree that the matter is urgent and agree on the Chief Executive's recommendation, then the decision shall be taken by the Chief Executive in accordance with such recommendation, subject to the decision being recorded in writing and signed by the Elected Officers agreeing the recommendation and the Chief Executive.

Item under Urgency Procedure*

Summary of subject matter

Reason for Urgency

Xxx

If you are content, please could you email your agreement to Lisa Dominic: lisa.dominic@londoncouncils.gov.uk by **midday, xx 2023**

Declaration of Interest

I have *no interest to declare/to declare an interest* in respect of this report

Signed: _____ Date: _____

NAME: _____

State nature of interest in any

.....

(NB: if you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

I hereby agree that resolution of the above matter is urgent and that I agree to the Chief Executive's recommendations as set out above.

Name_____

Signature_____

Date_____

Media Protocol

1. DAY TO DAY CONTACT WITH JOURNALISTS

Who speaks to the media?

The press office should be the first point of contact for any media enquiry received by London Councils.

The press office will then liaise with the relevant officer to formulate the appropriate response. Heads, strategic leads and directors are encouraged to develop links with journalists in their own areas of specialty – with the support of the press office. While this means they will sometimes be contacted directly by journalists, or make contact directly with journalists themselves, the press office should be informed at all times.

When should officers talk to the media?

The press office may need an officer to speak to a journalist to give them a technical briefing on an issue or to answer any technical questions a journalist may have. The officer with the best knowledge of the subject area will be the first point of call for briefing journalists. This person should be agreed by the press office and the relevant head/director.

Whoever provides the briefing to the media should follow the lines agreed with the press office.

Senior officers (heads or above) will build up their own network of contacts as a result of any media work they undertake. If a known and trusted media contact approaches a senior officer directly, it is important that the press office is informed as soon as possible. The press office will need to know who the journalist was, where he/she was from, and what was said.

If a senior officer does not know the journalist, then the journalist should be referred to the press office.

Lines given by policy officers to the press office for use in the media

Any lines provided by officers to assist the press office to respond to any media enquiries must be agreed by the policy lead officer and the lead member before it is provided to the press office.

The press office should not be the conduit for clearing previously unused lines and views with politicians before they are given to the media.

2. CLEARANCE PROCEDURE

The protocol for media clearance is predicated on members of the Executive acting in the interests of London Councils. The Chair and Executive or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group or individual authority. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

There will be occasions when members will be approached to comment on issues in their role as group leaders or party-political figures. As long as it is made clear that they are commenting in that capacity and not on behalf of London Councils this is acceptable.

Where a position has been agreed by Leaders' Committee, the Executive, or other formal 33-member meetings

Material only needs to be cleared by the Chair (for issues on which they are leading) or the lead member (for a portfolio-related issue) and his/her political adviser (if there is one). The press office will contact members directly and copy political advisers into all correspondence. Copies of all agreed statements will be shared with political advisers.

Emerging issues (where the view of a 33-member grouping is unknown, but the issue requires an immediate response)

London Councils' relevant lead policy officers will first of all agree the line to take with the Chair (for issues on which they are leading) or the lead member (for portfolio issues) and the relevant Group Adviser.

The press office will then draft a response which will then be cleared by the lead member and the relevant Group Adviser and shared with the other Group Advisers with a realistic deadline in which to respond.

Where an issue will ultimately be going to one of the three Joint Committees or their respective Executives for decision it must be agreed by at least two of the groups before a statement can be issued.

If the appropriate lead member is not available to clear press lines on an emerging issue the press office will clear the line with the Chair and then share that line with the political advisers.

If an issue requires an even quicker response it may be impractical to give the political advisers of the other groups an hour to respond. However, every effort will be made to ensure that they get an opportunity to see a response, and not doing so will be the exception and not the rule.

3. FILMING AND RECORDING AT LONDON COUNCILS MEETINGS

Cameras and recordings at meetings

The final decision on whether filming or any other recording can take place at a London Councils committee meeting (either held here or at alternative venues) will be made by the chair of the relevant committee.

For any committee meetings held at London Councils:

- When sending out meeting agendas, the press office will tell broadcast media that if they want to attend with cameras or any other recording equipment, they must inform the press office by 10am on the day before the committee is scheduled to be held. They would be advised that their filming/recording is at the discretion of the committee chair and that they should also indicate which item they are interested in;
- Any crews failing to inform the press office by this time or simply turning up with a camera may not be permitted into the meeting;
- If any bids are made, the press office will contact the chair of the relevant committee to check they are happy for the broadcast media to attend the committee;
- A decision on whether to allow any recording of a meeting should if possible be made by 1pm on the day before committee;
- Once a decision has been made the press office will inform the relevant media outlet;
- Due to constraints on space in the conference suite and meeting rooms at London Councils there is only room for one camera. If more than one camera crew approaches

London Councils for access to a meeting they would need to discuss pooling arrangements between themselves;

- The number of cameras that can attend London Councils meetings held in external venues would be governed by the size of the venue;
- The camera crew attending committee should arrive no later than 15 minutes before the start of the committee to set up. Access to the meeting room will also be governed by when any group meetings being held in the meeting room finishes.

Informing people of possible filming/recording

- The committee listings page on the London Councils website will carry a notice that all meetings may be recorded by broadcast media at the discretion of the committee chair;
- It will be the responsibility of any policy officer arranging for a person to carry out a presentation at a committee to inform them that our meetings may be filmed or recorded;
- There could be an issue at this stage with people declining the offer of attending the meeting because of the possibility of proceedings being filmed or recorded. If this happens, a decision would need to be taken by the chair of the committee as to whether they will want the broadcast media at the meeting;
- London Councils press office will inform the relevant organisation's press office of the possibility that cameras or other recording equipment will be at the meeting. London Councils press office would also inform the organisation's press office of any media interest should it arise;
- London Councils press office will keep the Chief Executive and senior members and relevant officers (including political advisers) informed about filming and recording requests.

Advised protocol for meetings where cameras/media are attending

- For the benefit of the other committee members and the audience, the chair of the committee should announce at the start of any meeting where the media are attending that they are there;
- Once the item the camera crews are interested in has finished a short adjournment should be taken to allow the broadcast media to pack up and leave.

4. BROADCAST INTERVIEWS

London Councils often needs to put spokespeople up for broadcast media interviews. It is the responsibility of the press office to organise a spokesperson for any interviews. Any London Councils officer approached by the media to take part in any interviews should direct the request to the press office.

London Councils policy is that all broadcast interviews should be carried out by members, unless the relevant lead member agrees that a senior officer can do it instead.

Broadcast interviews should be conducted by the Chair or appropriate lead member. When the Chair or lead member agrees, they can be conducted by the chief executive or a director. Only in exceptional circumstances can any other officer give a broadcast interview, and this will need to be cleared by the Director of Communications. Only those who have completed a media training course will be offered for broadcast interviews.

Briefing media spokespeople

As with any media interview the press office will be responsible for liaising with the spokesperson over the arrangements for the interview. The press office will also be responsible for providing the key messages the spokesperson would use in the interview.

The relevant London Councils policy officer would be responsible for ensuring the briefing has the correct background information and statistics.

Informing boroughs/London Councils officers

If a member is being put forward as a spokesperson, London Councils press office is responsible for informing that member's borough press office of the scheduled interview. Depending on the media request, London Councils press office should also consider informing all borough press offices in case they are subsequently approached for views.

Repeating spokespeople

There may be some circumstances where the media need regular interviews – e.g. providing hourly updates.

If this is required, to maintain the continuity, the spokesperson put up in the first instance should be available throughout the time of the incident.

If this cannot be achieved, care should be taken not to put up a senior member or officer for the initial update if a more junior member or officer will be used for the other interviews.



Item 15 - Appendix Eight

PARTY GROUP/POLITICAL ADVISER/LONDON COUNCILS RELATIONS

June (2023)

PARTY GROUP/POLITICAL ADVISER/LONDON COUNCILS RELATIONS

INTRODUCTION

This Protocol establishes guidelines for relations between the London Councils' Political Advisers, Party Groups and the rest of the organisation.

THE ROLE OF POLITICAL ADVISERS

1. The role of the Political Advisers is to serve and support London local government and London Councils as a whole. They primarily seek to do this by supporting the collective work of the relevant London Councils political group and its members. These are publicly funded posts – they are appointed by and report directly to London Councils staff.
2. They do not work for the national political parties or their regional organisations (although a valuable part of their work is contact and influence with those parties) and it is important that this separation is maintained.
3. Political Advisers are the main point of contact between London Councils and other national/regional or local groupings of their respective political parties.
4. London Councils Leaders' Committee, the Transport and Environment Committee (TEC) and the Grants Committee (our statutory Committees), supported by other Member bodies, make policy, and the officers will do associated policy development work. Political Advisers may supplement this policy work by providing a particular Party Group perspective to their own members and will advise members of their particular Party Group during the process of developing this policy.

INTERNAL LONDON COUNCILS RELATIONSHIPS

1. Political Advisers should be copied into all correspondence addressed to all councillors that are part of their Party Group (except correspondence which contains confidential staffing matters, or is of a routine nature).
2. Arrangements for a substitute for any Member should be conducted through the relevant Political Adviser.
3. Any London Councils Member Body meeting should be notified in advance to the relevant Political Adviser/s and they have attendance rights at those meetings (except when that meeting is discussing confidential staffing matters).
4. Member level meetings or significant events (e.g. dinners) with representatives of external organisations should be notified to the relevant Political Adviser/s. The relevant Political Adviser/s may be invited to any pre-meeting of Members.
5. Any meeting involving members of only one party should normally be organised by the relevant Political Adviser. Exceptions might include a meeting between the Chair of a London Councils' Member Body and a Minister or the Mayor, when

that meeting was not political (for example, when civil servants or officers would be accompanying the Minister/Mayor).

Other officers from London Councils can be invited to attend these meetings.

6. Political Advisers do not have attendance rights for formal London Councils internal officer meetings but can be invited for all or part of any such meetings.
7. Political Advisers have the same level of access to London Councils' core resources as other officers. This includes room bookings for London Councils' use, reasonable use of support services, access to papers and links to the communications and public affairs resource.

The access is equal for all Political Advisers. Any request for support or information should be responded to positively where practicable. The Chief Executive will settle any dispute.

8. The Communications & Public Affairs Team will:
 - a. provide advice and support to Political Advisers; and
 - b. ensure that all Political Advisers are supplied with any materials they publish on behalf of London Councils in a timely way.
9. Political Advisers have access to any London Councils Member Body reports, published documents and circulars (except those documents which contain confidential staffing matters). As a general rule any information that would be released to a member authority should be made available to Political Advisers.
10. When sending out printed materials on behalf of individual political groups, the Group Advisers will use notepaper that clearly denotes that it is a party communication and if possible, includes the group logo.

OUTSIDE RELATIONSHIPS

All meetings between Members or officers and an Outside Representative¹ of a political party should be notified to the relevant Political Adviser. Ministerial meetings (i.e. meetings with an MP/Peer in their ministerial role) and official-level meetings with Outside Representatives should normally be reported to all Political Advisers².

This does not preclude meetings with the same MPs/Peers on a political basis. These should normally be organised through the relevant Political Adviser.

1. If an Outside Representative of a political party initiates contact, the relevant Political Adviser should be told as soon as possible and be involved in deciding the best response.

² "Outside Representatives" in this clause includes any elected member of a political party acting in the capacity of their elected position (e.g. MPs, MEPs, GLA members, etc) and those non-elected members of a party who perform the functions of elected politicians (e.g. Peers).

2. Where non-political briefings are being sent out to Outside Representatives of political parties, these must be copied to all Political Advisers.
3. Where material is being prepared for an Outside Representative or group of representatives of only one party and, that material will only be distributed to that representative or group of representatives of that party, the relevant Political Adviser must have an opportunity to review and comment on that material before its distribution.

BUDGET

Each Party Group has a small budget to be used for e.g. that Party's away day, banners at party conferences. The budget is managed by the respective Political Adviser.



Item 15 - Appendix Nine

London Councils Political Conventions

June 2019 (2023)

London Councils Conventions

1 Background

Ways of working at London Councils are designed to maximise the opportunities for advancing the collective interests of London local government and the communities and Londoners it represents.

Accordingly, London Councils seeks to operate on a cross party, consensual basis as a legitimate voice of those representing and leading localities across London. It seeks to reach broadly agreed positions on policy so as to maximise its impact in seeking to influence Government, the Mayor and Greater London Authority, other public services and the wider public debate on key issues,

In seeking to reach those broadly agreed positions, however, London Councils recognises the right to diversity; there is more than one correct response to many issues and member councils have the right to respond to the needs of their communities in different ways. Difference must be respected, and minority views must be able to be heard within London Councils. It follows that member councils will seek to avoid criticising other individual member councils in the course of normal London Councils business.

London Councils will seek to find solutions to problems by discussion; it will endeavour to avoid styles of debate which assume that opposing views are incorrect because of their source.

2 Governance Structure of London Councils

There are three principal joint committees that come under the aegis of London Councils:

Leaders' Committee:

- London Councils is a joint committee set up in pursuance of arrangements made under section 101 (5), 101 (5B), 102, 111, 112, 113, 141 and 142 Local Government Act 1972; section 1 Local Authorities (Goods and Services) Act 1970; section 20 Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000.
- The Leaders' Committee is London Councils' main decision-making body. The Committee includes the Leaders of each London borough council and the Chairman of the City of London's Policy and Resources Committee. It is chaired by the Chair of London Councils.

Transport and Environment Committee (TEC):

- The London Councils TEC is a joint committee set up in pursuance of arrangements made under sections 73 and 74 Road Traffic Act 1991 (as amended by section 283 Greater London Authority Act 1999), sections 101(5) and 101(5B) and 102 Local Government Act 1972, section 20 Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000, the Local Authorities (Goods and Services) Act 1970
- TEC is responsible for a range of operational services such as London Tribunals, the London Lorry Control Scheme, the Freedom Pass and Taxicard schemes. TEC aims to ensure that London boroughs' concerns and best practice are taken fully into account in the development and implementation of a range of transport and environment policies generated by Government departments, the European Union and the Mayor of London.

Grants Committee:

- The London boroughs have delegated to London Councils the functions specified in section 48 (10) of the Local Government Act 1985 (Grants to Voluntary Organisations). London Councils' Grants Committee is required to submit a proposal for reviewing the needs of Greater London to London Councils Leaders' Committee for approval every four years, or when considering the decommissioning of a new programme of activity.
- The Grants Programme is funded and governed by the 32 London Boroughs and the Corporation of London. Leaders' Committee sets the overall funding strategies, policies and priorities for grants to voluntary organisations. Decisions on individual commissions, funding of applications and operation are made by the Grants Committee¹.

Each of the three joint committees also has a separate Executive – comprised of a smaller number of its membership – in order to provide strategic direction to the work.

The terms of reference for each of the Joint Committees and their respective Executives/Sub Committees are set out in Appendix A.

The Leaders' Committee Executive allocates a number of Lead Member roles to provide political leadership in key policy and service areas. These lead members work with shadow portfolio holders from the other political groups that are different from that of the lead member. The role profiles for Executive lead members and shadow portfolio holders are attached at Appendix B.

¹ The Common Council of the City of London is the designated Council in accordance with the requirements of Section 48 Local Government Act 1985

Lead members will, from time to time, convene discussions with shadow portfolio holders on key issues to help determine agreed positions and actions. They will also, from time to time, engage with all relevant borough portfolio holders on issues of current interest.

Representation of Employer Interest

In addition, London Councils is the host for the Regional Employer machinery. This comprises:

The Greater London Provincial Council (GLPC) - a joint forum comprising employer and employee representatives with delegated authority to act on behalf of the authorities covered by the London Agreement.

The purpose of the GLPC is to consult on, negotiate and determine regional agreements and/or advice on behalf of the authorities and their employees, including the resolution of differences and disputes directly concerning the interpretation of regional agreements.

The Greater London Employment Forum (GLEF) – which is a joint forum comprising representatives of the London authorities within the scope of the London Agreement and the Corporation of London. The purpose of the GLEF is to provide a forum where London employer and employee representatives can meet to discuss and debate employment matters of concern to the London authorities and their workforces and, where appropriate, recommend areas/opportunities for regional agreement and working.

3 Office Holders

London Councils' constitution provides for five elected officers:

- Chair
- Deputy Chair
- (Up to) 3 Vice Chairs

The office holders for the Executives of TEC and Grants are comprised as follows:

- Chair
- (Up to) 3 Vice Chairs

Elected officers and the members of joint committee Executives are expected to pay particular attention to establishing – on a consensual basis – and then advancing the common positions of London Councils. Collectively, they will also take a particular responsibility for providing guidance, support and challenge to the overall direction of the work of managing the organisation that is being led by officers.

4 Reflecting Party Political Proportionality

The elected officers of London Councils – including the Chair – are elected by the Annual General Meeting of London Councils. Similar procedures are followed in respect of the AGMs of TEC and Grants. The constitution provides for a broad reflection of the respective strength of political parties represented on the joint committee in the election of elected officers. This does not preclude one or more of the roles being undertaken by a representative in a way that does not formulaically reflect the distribution of political groups on the joint committee.

The allocation of places on Executives is informed by overall party proportionality on the joint committee but, again, is not absolutely determined by it in a formulaic way. Once the new political balance of the joint committee is known, it is for the parties to discuss their preferred way to reflect that principle.

5 Attendance at meeting of Executives

Other than for 'exempt' items, meetings of Executives – as with joint committees – are held in public.

There are also a number of informal Leaders' Committee Executive Meetings which are, in essence private.

In terms of attendance by members at the meeting and ability to speak, Party Group Whips are entitled to attend and speak, but are not formal members of the Executive and do not have voting rights.

6 Substitutes

Boroughs are able to nominate substitutes for meetings of 33 member forums.

Executives are different as members are not primarily representing their own authority when sitting on Executives. So, substitution for Executive members are via party groups, where relevant, not via the authority of the member unable to attend Executive. This is further reinforced by the fact that Executives are sub-committees of their 'parent' committee and, as such, substitutes must be appointed by the parent committee. This can be done at any time, but normally substitutes are appointed for the year at the respective AGM's with the first call being on Group Whips.

7 Determining Work Plans and Priorities

Leaders Committee will, in June/July each year, consider and agree a set of priorities and milestones for the year against the London Councils' Shared Ambitions which will have been developed in consultation with Elected Officers and Leaders' Executive. The Transport & Environment Committee and Grants Committee will similarly each year consider and agree priorities and work plans for the year ahead, linked to London Councils' Shared Ambitions as agreed by London Councils Leaders, and in accordance with their respective terms of reference.

8 Arrangements around the time of the London Borough Elections

During the year of the London Borough Elections, in the period between the start of election purdah and polling day when meetings are not normally taking place, the day-to-day direction of London Councils will be managed by the Chief Executive² using the Urgency Procedure (Standing Order 19.1, whereby two 'elected officers' – one of whom will be from a 'minority party' – are needed to confirm an officer recommendation).

In the period between polling day and the Annual General Meeting of London Councils, Standing Order 19.2 is operative, and the Chief Executive takes action having consulted 'as appropriate'.

9 Working with the Mayor of London and the GLA

In many of the policy and service areas that London Councils focuses on, there is a requirement to liaise with the Mayor of London and the Greater London Authority (note - this latter reference is to the Authority – the organisation - not specifically the London Assembly). This will be achieved, in part, by lead Executive members and senior officers maintaining close contact with relevant City Hall contacts, including the Mayor, Deputy Mayors, Mayoral Directors and GLA officers. It will, however, also be achieved by representation on various Boards established by the Mayor, or the Mayor, London Councils and other partners jointly. London Councils political groups will normally seek, within the terms of the conventions about appointment to outside bodies (see below), to nominate relevant lead members and shadow portfolio holders to such Boards.

In addition, a Congress of Leaders comprising the Mayor of London and the Leaders/Elected Mayors of the 32 London boroughs and City of London— meets once or twice a year and provides an opportunity to work collaboratively in key areas and seek to, collectively, resolve issues affecting London and Londoners. In addition, there is a Congress Executive that meets twice a year comprising the following:

- the Mayor
- the London Councils Leaders' Committee Executive
- Chairs of the main four sub-regional partnership groups (Local London; Central London Partnership, West London Alliance and South London Partnership) if they are not already members of the Leaders' Committee Executive.

At times, joint letters from London Councils portfolio holders with the Mayor, GLA and other bodies may be appropriate. When joint letters are agreed, these should be circulated to party groups for information in advance of despatch where possible.

² London Councils Scheme of Delegations to Officers Section 1 (1)

10 Nominations to Outside Bodies

Nominations to outside bodies are delegated by Leaders' Committee to an appointments panel (the elected officers) which further delegates them to the Chief Executive, to be made within agreed guidelines and according to certain principles. Nominations are reported to the next subsequent meeting of the Executive. The guidelines/principles applied by the Chief Executive include:

- Consultation with the appropriate leading member
- Adherence to general political proportionality
- The 'Nolan' principles of public life
- Reflection of the diversity of London's councillors

London Councils aspires to reflect the broad balance of the party groups on Leaders' Committee in the distribution and of nominations to outside bodies. A report goes to the June³ meeting of the Executive each year to that end (except in a local Government election year when the report will be presented as soon is practicable), with a status update on the London Councils nominated members to outside bodies.

The guidelines were refined in 2012 with a fresh set of principles agreed – see Appendix C.

11 Working with Sub-Regional Groupings

The majority of London boroughs are also members of sub-regional partnerships of councils within London. London Councils seeks to work in a mutually productive way with each of the partnerships, drawing upon their work, insight and intelligence to add value to its work on behalf of London local government as a whole. In addition, London Councils seeks opportunities for further devolution of power and resource to London local government – some of which it is appropriate to see managed on sub-regional geographic footprints.

These mutual relationships are essentially informal in nature. There is no separate, federal aspect to London Councils governance structures.

12 Working with the Local Government Association

Many member authorities at London Councils are also members of the Local Government Association and some elected members also play a role on behalf of the LGA. Whilst the two organisations are committed to working closely together on behalf of the sector overall and member councils, there is not a formal constitutional linkage. The LGA does not operate a federal structure.

³ or the closest meeting date to June in each year.

The LGA Executive, however, provides for each of the Chairs of regional groupings of councils to be a member. Accordingly, the Chair of London Councils serves on the LGA Executive in that capacity and is briefed in respect of that role by London Councils officers. From time to time other informal briefings reflecting London Councils positions and London interests may be provided for leading members who are participating separately in LGA forums. Ordinarily, however, London Councils officers do not routinely brief London members who are engaged in LGA member forums.

13 Working with Advisers from London local government and professional groups

London Councils officers work closely with senior officers in London local government. In particular, they draw upon the resource of networks of senior professionals to add insight and weight to its work. London Councils also supports the work of a number of these networks. The networks are voluntary groupings of professional colleagues supporting one another in order to help them to do the best job they are able to do on behalf of their employing authorities. London Councils does not direct the work of these networks. It does, however, draw upon a number of individuals in such networks, in particular by appointing a number of 'Lead' Chief Executive advisers to work with it in a number of key policy areas. This is undertaken by the Chief Executive in consultation with the Chair of the Chief Executives London Committee. This specific aspect of the work of the Lead Advisor is within the framework of policies agreed by members.

14 Attendance at Ministerial Meetings

When meetings are held between London Councils and ministers, the convention is that an Executive member from each of the party groups – or, where appropriate, the shadow portfolio holder – is invited. Where it does not prove possible – because of short notice meetings and diary pressure for example, or a limitation on numbers by ministerial offices – all party groups will be asked to contribute comments in advance, receive the London Councils briefing and any read out from the meeting.

When London Councils is invited to join a London delegation to a ministerial meeting that has been arranged with or by the Mayor of London, effort will be made to seek to accommodate broader party group attendance beyond the relevant portfolio holder – which, of course, could come from different party groups in any case – or the Chair. There is a recognition, however, that in practice this can be very difficult. London Councils will only be one third of the principals at such meetings – ministers and the Mayor, or relevant Deputy Mayor, making up the other two thirds – and securing multiple places at these meetings, frequently convened at relatively short notice, is often not possible. In those cases, similar provisions around prior consultation and reporting back will be followed as set out in the preceding paragraph.

Clearly, in either type of meeting, any and all London Councils representation will be there to present the collectively agreed position of the organisation and not the views of

an individual party group, authority or individual portfolio holder. This is consistent with the broad role profiles of Executive members as set out at Appendix B.

15 Attendance before Parliamentary Select Committees/Assembly Committees etc

When a request is received to provide representation between a Parliamentary Select Committee, the Executive portfolio holder should be consulted first, followed by the shadow portfolio holders for the respective policy area. If such representation is not possible, officers should discuss alternative representation with the political advisers, including the possibility of officer representation. Again, the collectively agreed position of the organisation should be the basis of the evidence provided.

16 Support for Political Groups

A Political Group at London Councils is defined as one with two or more members of Leaders' Committee declaring themselves to be part of a particular political group.

Each Group is entitled to support from one Group Adviser. These are publicly funded posts and the postholders are employed by London Councils Ltd and not by individual party groups. The role of the Group Advisers is to serve and support London local government and London Councils as a whole. They primarily seek to do this by supporting the collective work of the respective London Councils political groups and their members.

The postholders are not politically restricted, but there are limitations placed on the political roles that Group Advisers can play if they hold elected office in London. These are as follows:

Post-holders will not be able to hold any leading positions as a councillor, including any executive role in an Administration, any shadow roles including Leader or Deputy Leader of other groups, shadow portfolio holder or chair of any scrutiny committee. London Assembly Members will also not be able to hold a political adviser role at London Councils

Group Advisers will be appointed by the Chief Executive of London Councils in consultation with the Leader of the relevant party group.

Each political Group Adviser has a small budget allocation to be used for their expenses such as conference accommodation/passes/catering, or a group awayday.

17 Mainstream staff of London Councils

London Councils is legally required to ensure that certain employees are politically restricted. These posts/employees are reviewed periodically by the Corporate Management Team and posted on London Councils website.

London Councils typically has 30 posts which are politically restricted at any one time.

18 Public statements on behalf of London Councils

This is set out in the media protocol at Appendix D. All media work for London Councils is managed by the Press Team. The protocol for media clearance is predicated on Members of the Executive acting in the interests of London Councils overall and within collectively agreed policy parameters. The Chair and Executive, or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

Appendices:

- Appendix A – Terms of Reference for Leaders' Committee and Executive; Transport and Environment Committee and Executive; Grants Committee and Executive; and Audit Committee;;
- Appendix B – Role profiles for Executive lead members and shadow portfolio holders;
- Appendix C – Nomination Principles 2012;
- Appendix D – London Councils Media Protocol

Item 15 - Appendix Nine A

LONDON COUNCILS COMMITTEE STRUCTURES

2022-23

- 1. Leaders' Committee:**
 - 1.1 Constitution
 - 1.2 Quorum
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- 2. Executive**
 - 2.1 Constitution
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- 7. Audit Committee**
 - 7.1 Constitution
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 - 7.3 Membership
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- 8. Greater London Provincial Council (GLPC)**
 - 8.1 Constitution
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 - 8.3 Membership – Employers side and Union side
 - 8.4 Terms of Reference

9. Greater London Employment Forum (GLEF)

9.1 Constitution

9.2 Quorum

9.3 Membership - Employers side and Union Side

9.4 Terms of Reference

1. Leaders' Committee

- 1.1** London Councils Leaders' Committee is a joint committee set up in pursuance of arrangements made under section 101 (5), 101 (5B), 102, 111, 112, 113, 141 and 142 Local Government Act 1972; section 1 Local Authorities (Goods and Services) Act 1970; section 20 Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2000.

Leaders' Committee is London Councils' main decision-making body. The Committee includes the Leaders of each London borough council and is chaired by the Chair of London Councils. Leaders' Committee sets policy and takes decisions on the latest developments affecting London local government.

1.2 Quorum

The quorum shall be one third.

1.3 Terms of Reference

- To consult on the common interests of the London Local Authorities and to discuss matters relating to local government
- To represent the interests of the London Local Authorities to national and local government, to Parliament, to the European Union and other international organisations and to other bodies and individuals, and to negotiate as appropriate on behalf of member authorities
- To formulate policies for the development of democratic and effectively managed local government including matters relating to Transport, the Environment and Grants.
- To provide forums for the discussion of matters of common concern to the London Local Authorities and a means by which their views may be formulated and expressed
- To appoint representatives or staff to serve on any other body
- To represent the interests of the London Local Authorities as employers
- To provide services to the London Local Authorities including the dissemination of information on local government and on other relevant issues
- To provide information to the public, individuals and other organisations on the policies of the London Councils and local government issues relevant to London
- To act as the regional body of the Local Government Association

2. Executive

- 2.1** The Executive is a sub-committee of Leaders' Committee (decision from Leaders' Committee 12/09/2006)

2.2 Quorum

The quorum shall be one third of, or the number nearest to one third

2.3 Terms of Reference

The Executive will:

- play an active role in giving effect to the policy direction already agreed by Leaders' Committee
- broker a London Councils' position on strategic issues for submission to Leaders' Committee
- agree routine consultation responses

- deal with internal staffing, finance and related matters, including best value
- consider items for Leaders' Committee in advance, and submit recommendations to Leaders' Committee
- have the power to refer any item within the remit of any Leaders' Sub-Committee, Forum or associated London Councils' joint Committee to the Leaders' Committee for discussion
- consider the annual corporate plan and budget before final approval by Leaders' Committee
- monitor performance of London Councils quarterly by reference to:
 - Financial and budgetary information
 - Progress on priorities set out in the business plan
 - Progress on key policy issues
- monitor performance of London Councils annually, by receiving staffing information
- act as the Appointments Committee
- receive reports on decisions taken under urgency procedures relating to the functions of Leaders' Committee, or any sub-committee or Forum of Leaders' Committee
- in the matter of pension considerations relating to London Councils Chief Executive, any decision (s) will be taken by an appointed three-member sub-committee drawn from the Elected Officers of London Councils Leaders' Committee which has been set up for these purposes.

3 Transport and Environment Committee (TEC)

- 3.1** The Transport and Environment Committee (TEC) provides a range of high-quality operational services such as parking and traffic appeals, the London night-time and weekend lorry ban, the Freedom Pass and Taxicard schemes. TEC aims to ensure that London boroughs' concerns and best practice are taken fully into account in the development and implementation of the whole range of transport and environment policies generated by Government departments, the European Union and the Mayor of London. The Committee deals with a wide array of issues.

3.2 Quorum

The quorum shall be one third of, or the number nearest to one third,

3.3 Terms of Reference

TEC is an associated joint committee of London Councils. When the Transport Committee for London (TCfL) became part of the then new Association of London Government in April 2000, there was a need to retain a separate identity because of the statutory involvement of Transport for London in the Committee's work for certain functions. Leaders' Committee agreed that TCfL should also undertake the role of the old ALG Transport and Environment panel and so the new Committee was renamed Transport and Environment Committee (TEC).

TEC is a statutory committee with specific responsibility for:

- Functions under the Road Traffic Act 1991 – including appointment of parking adjudicators and determining penalty charge levels and fees for declamping, vehicle recovery storage and disposal
- The provision of an independent appeals service for Parking on Private Land in England and Wales (POPLA)
- Operation of the TRACE service for locating towed-away vehicles
- Operation of the Health Emergency Badge scheme for medical practitioners

- Implementation and enforcement of the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“The London Lorry Control scheme”)
- Travel concession arrangements under section 244 of the Greater London Authority Act 1999 – including negotiation of settlements with Transport for London, the Association of Train Operating Companies (ATOC) and independent bus operators
- Setting of fixed penalties, issuing of Codes of Practice and other functions under the London Local Authorities Acts 2004 and 2007
- Operation of the London Taxicard scheme

TEC also initiates and develops policies across a range of areas:

- transport policy issues (including road, rail and airports)
- environment issues (including air quality and biodiversity)
- trading standards and public protection issues
- waste issues

In considering transport and environment matters which have implications and relevance to Londoners, TEC aims to ensure that:

- The transport and environment needs of London are recognised and promoted
- The allocation of resources and the development of policies and legislation influenced to the best effect for London; and
- Borough interests (financial and otherwise) are represented and protected.

4 TEC Executive

4.1 The TEC Executive is a sub Committee of TEC

4.2 Quorum

The quorum of the TEC Executive is one third of, or the number nearest to one third

4.3 Terms of Reference

TEC agreed that all the executive functions of TEC should be delegated to the Executive Sub Committee with the exception of the following:

- election of committee officers;
- election of members of the sub-committee;
- agreement of budget;
- agreement of work programme;
- agreement of annual report;
- appointment of adjudicators;
- agreement of parking penalties;
- agreement to major changes in policy for the lorry ban;
- agreement to the annual concessionary fares scheme;
- agreement of the draft annual policy statement for agreement with the London Councils’ Leaders’ Committee; and
- consideration and agreement of major transport and environmental policy issues
- receive reports on decisions taken under urgency procedures relating to the functions of Transport and Environment Committee, or any sub-committee or Forum of Transport and Environment Committee

The TEC Main Committee as a whole will continue the role of considering and, where necessary, confirming the actions of the Sub Committee through consideration of the

minutes of the Sub Committee and calling for other actions and reports as members. All members of the Main Committee will receive the Sub Committee's agenda and will be welcome to attend Sub Committee meetings.

5 Grants Committee

- 5.1** The London Councils Grants Scheme is funded and governed by the 32 London Boroughs and the City of London Corporation. Leaders' Committee sets the overall funding strategies, policies and priorities for grants to voluntary organisations on the recommendation of the Grants Committee. Decisions on individual commissions, funding of applications and operation are made by the Grants Committee.

The constituent councils have resolved to delegate the function specified in section 48(10) Local Government Act 1985 (review of needs of Greater London) to London Councils Leaders' Committee from 1 April 2000. The Grants Committee shall ensure that appropriate proposals for periodically reviewing the needs of Greater London in the context of the Grants Scheme are submitted to Leaders' Committee for approval. This should be at least every four years, or when considering the decommissioning of a new programme of activity.

5.2 Quorum

The quorum of any meeting of the London Councils Grants Committee shall be one third of, or the number nearest to one third,

5.3 Terms of Reference

- To ensure the proper operation of the Grants Scheme for the making of grants to eligible voluntary organisations in Greater London
- To have due regard to the needs of Greater London in operating the Scheme and to keep those needs periodically under review
- To make recommendations to Leaders' Committee on overall policies, strategy and priorities
- To make recommendations to Leaders' Committee, and the constituent authorities, on the annual budget for the Grants Scheme
- To consider grant applications and make grants to eligible voluntary organisations
- To establish any sub-committees and other groups of Members it considers appropriate

London Councils Officers will:

- keep under review the needs of Greater London and report to the Grants Committee and Leaders' Committee from time to time on a strategy for collective grant giving devised with due regard to those needs
- draw up and submit for consideration and approval by the Grants Committee detailed criteria and policies for grant giving in the light of the agreed strategy
- prepare and submit an annual budget for consideration by the Grants Committee and London Councils by the end of November each year for the financial year commencing the following April. This budget shall include the costs of staffing, office and support services considered necessary to facilitate the effective and efficient operation of the Scheme, as

well as expenditure proposals for grant aid to eligible voluntary organisations, and any contingency provision

- receive, assess and process grant applications from eligible voluntary organisations and report on them and make recommendations to the Grants Committee and/or any sub-committees it may establish.
- administer the payment of approved grants to eligible voluntary organisations and monitor the use made of such funding;
- convene and service meetings of the Grants Committee, its sub-committees and any other bodies established by it.

6. Grants Executive

6.1 Grants Executive is a sub committee of Grants Committee. The aim of the Grants Executive is to allow greater scrutiny of the grants programme by a smaller group of members appointed by the Grants Committee, to provide comfort to the overall Grants Committee members where the amount of business does not permit this level of detailed discussion. This function also aims to minimise the total amount of detailed reporting to the Grants Committee.

6.2 Quorum

The quorum shall be one third of, or the number nearest to one third, but not less than three members.

6.3 Terms of Reference

- Grants Executive shall have delegated authority to exercise all of the executive functions of the Grants Committee (including the power to make decisions) with the exception of:
 - Election of committee members
 - Election of members of the sub committee
 - Agreement of the budget
 - Agreement of the work programme
- The Grants Executive will:
 - Closely monitor the progress of the current grants scheme by reference to:
 - Financial and budgetary information
 - Progress of the programme via regular performance reporting
 - Recommend to Grants Committee any changes to the present grants programme to maintain the overall integrity of the scheme objectives
 - Review criteria and policies for grant giving in line with agreed strategy for approval by the Grants Committee
 - Consider grants scheme thematic priority reports to allow members to more closely scrutinise grants priorities

- receive reports on decisions taken under urgency procedures relating to the functions of Grants Committee, or any sub-committee or Forum of Grants Committee

7. Audit Committee

7.1 The Audit Committee is a sub-Committee of Leaders' Committee.

7.2 Quorum

The quorum shall be two members.

7.3 Terms of Reference

Audit Activity

- To consider the Chief Internal Auditor's annual audit opinion and a summary of internal audit activity (actual and proposed) and the level of assurances it can give over London Councils' corporate governance arrangements;
- To consider specific internal audit reports as requested;
- To consider reports dealing with the management and performance of the provider of internal audit services;
- To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale;
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance;
- To consider specific reports as agreed with the external auditor;
- To comment on the scope and depth of external audit work and to ensure it gives value for money;
- To make a recommendation to Leaders' Committee on the appointment, re-appointment and removal of the external auditor, and
- To commission work from internal and external audit.

Regulatory Framework

- To maintain an overview of London Councils' contract procedure rules, financial regulations and codes of conduct and behaviour;
- To review any issue referred to it by the Chief Executive or the Director of Corporate Resources;
- To monitor the effective development and operation of risk management and corporate governance in London Councils;
- To monitor London Councils' anti-fraud and anti-corruption strategy and London Councils' complaints process;
- To oversee the production of London Councils' Annual Governance Statement and to recommend its adoption;
- To consider the results of the annual review of London Councils' corporate governance arrangements and agree necessary actions to ensure compliance with best practice; and

- To consider London Councils' compliance with its own and other published standards and controls.

Accounts

- To approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Leaders' Committee; and
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

8. Greater London Provincial Council (GLPC)

- 8.1** The GLPC constitution provides for 15 employer representatives to be appointed "by London Councils". The function of making appointments has transferred to the Leaders' Committee. The London Councils (ALG) Agreement (Schedule 2 Part 2). provides that Leaders' Committee makes the appointments to the GLPC "in such numbers as are provided for in the GLPC constitution". Regarding which members should be nominated, the GLPC constitution provides that the members of the council shall retire each year and shall be eligible for re-appointment, provided that they remain in membership of the body making the original appointment. This implies that the employers' side representatives should now be the members of Leaders' Committee themselves, although this requirement would be satisfied if they were to nominate deputies. The Council's AGM is to be held by the end of October each year.

8.2 Quorum

The quorum for GLPC is 'one half of each side's membership' resulting in 8 members.

8.3 Terms of Reference for GLPC

The Greater London Provincial Council (GLPC) - a joint forum comprising employer and employee representatives with delegated authority to act on behalf of the authorities covered by the London Agreement. The purpose of the GLPC is to consult on, negotiate and determine regional agreements and/or advice on behalf of the authorities and their employees, including the resolution of differences and disputes directly concerning the interpretation of regional agreements.

9. Greater London Employment Forum (GLEF)

- 9.1** The Greater London Employment Forum (GLEF) - a joint forum comprising representatives of the London authorities within the scope of the London Agreement and the Corporation of London. The purpose of the GLEF is to provide a forum where London employer and employee representatives can meet to discuss and debate employment matters of concern to the London authorities and their workforces and, where appropriate, recommend areas/opportunities for regional agreement and working.

9.2 Quorum

The quorum of the GLEF is 'will be one quarter of each sides membership' resulting in 8 members.

9.3 GLEF Terms of Reference

The GLEF may consider and debate any employment, development, efficiency, performance and improvement related matter affecting the employees of the London authorities which could include:

- pay and conditions of employment including equal pay and the achievement of single status employment
- measures to improve recruitment and retention;
- productivity and performance management;
- measures to improve efficiency, effectiveness and value for money;
- measures to increase the skills and capacity of the workforce;
- equality and diversity in the workplace; employee health, safety and well-being

GLEF can receive reports on decisions taken under urgency procedures relating to the functions of Greater London Provincial Council, or any sub-committee or Forum of Great London Provincial Council

Item 15 - Appendix Nine - B

London Councils

Executive Members – Role Profile

1. Purpose of the Role

To support the Chair of London Councils in his/her role and to take responsibility for decision making within the Executive on the basis of individual and/or collective responsibility for a portfolio of services or functions of London Councils.

To actively engage with other party groups in developing the work of the portfolio.

To contribute actively through the portfolio and membership of the Executive to the formation and scrutiny of London Councils' policies, budget, strategies and service delivery.

2. Key Tasks

- To drive the implementation of agreed policies by taking responsibility, individually, or collectively, for the portfolio they have been allocated.
- To have a clear understanding of the respective portfolio and an awareness of current agreed, London Councils policies, positions and services in respect of that portfolio area.
- To engage with relevant London borough Portfolio holders in the respective policy or service area via email updates and/or meetings on key issues.
- To consult and communicate with members of all party groups, London Councils officers and key partners as appropriate to ensure decision are well informed and that London Councils' positions and services are widely understood and positively promoted.
- To engage with a small, cross party sounding board of leading members on issue related to the portfolio to help inform the development of London Councils' positions, services and work. In particular, the Executive member will engage with the designated Party Group Policy Lead from a different political party on these matters. Sounding Boards will vary between Executives of Joint Committees (Leaders, TEC, Grants), existing groups of leading members coming together as part of preparation for joint representation of London Councils on key Mayoral bodies (eg LCRB, LHB, HfL Board) and, other than that, Sounding Boards separately established for these consultative purposes. It is envisaged that some of this may be via physical meetings but will also be achieved via conference calls and/or email exchange. At least four meetings and/or conference calls would be expected in each area during the course of a year.

- Providing a lead on securing cross borough, cross party agreement to London Councils' policy and positioning in the relevant policy/service area.
- Working as a team with other members of the Executive on cross-cutting activities.
- Representing and acting as ambassador for London Councils and representing the collective position of London Councils at events, forums and on external bodies and partnerships, including with the Mayor, GLA and central government.

London Councils

Member Role Profile – Party Group Policy Lead

1. Introduction

Each party group will have a member that takes a lead role in a policy/service area where the other political party holds the relevant Executive portfolio or chairs the relevant Executive of one of the three joint committees. In the case of the three joint committees, the Party Group Policy Lead will normally be a Vice Chair of the relevant joint committee.

2. Purpose of the Role

To take a lead role in developing their party's position on a portfolio/service area in discussion within their group.

To contribute actively – through the lead position they take for their party in the relevant policy/portfolio area or member body – to the formation and scrutiny of London Councils' policies, positions, budget, strategies and service delivery.

3. Key Tasks

- To have a clear understanding and knowledge of the respective portfolio/service
- Working with the portfolio holder and a small, cross party Sounding Board to help inform the development of London Councils' position on the respective portfolio/service area.
- To develop links within their own political party nationally and regionally on the relevant policy/portfolio area and to seek to influence on London local government's behalf.
- To have an awareness of current agreed London Councils' policies on the respective portfolio/service.
- To articulate issues, concerns and positions from their own party group in discussion with relevant portfolio holders and sounding boards in the development of London Councils' policy and work.
- To act, where required, as one of London Councils' nominees on external and mayoral bodies relevant to the portfolio area.

London Councils

Digital Member Champion – Role Profile

3. Purpose of the Role

To champion at political level London Councils' work on promoting and facilitating the use of digital data, tools and technology by London local government, in order to enhance the quality, accessibility and cost-effectiveness of local public services.

To actively engage with the political leadership of boroughs and other partner organisations, including the GLA, NHS and Government, in developing this work.

4. Key Tasks

- To have a clear understanding of the digital agenda, to help establish London Councils' policies, positions and services in respect of that theme, and to lead on securing any required cross borough, cross party agreement.
- To engage with relevant London borough digital portfolio holders or Leads via email updates and/or meetings on key issues.
- To engage with a small, cross party sounding board of leading members on issues related to the digital agenda to help inform the development of London Councils' positions, services and work. It is envisaged that some of this may be via physical meetings but will also be achieved via digital exchange.
- To work in collaboration with members of the Executive on cross-cutting activities and to help realise the opportunities that digital technology and innovation can bring to services within their portfolios.

Item 15 - Appendix Nine C

Principles to be applied in making appointments Agreed by London Councils Leaders' Committee Executive 29 May 2012

Introduction

Appointments to outside bodies have been delegated by members to the Chief Executive. These appointments will be made by the Chief Executive in consultation with members as appropriate. In making appointments the Chief Executive will apply the Particular Principles (1, below) first but will also seek to ensure that nothing is done to depart from the General Principles (2, below). General Conditions (3, below) are included for guidance.

1 Particular Principles

a) In cases where a single appointment is required

- (i) In first instance the relevant portfolio-holder will be considered and if that is not a suitable appointment then the Chief Executive will consult members on an alternative candidate.

b) In cases where an outside body requires more than a single appointment

- (i) The first principle to be applied in such cases is any reasonable external requirement placed on London Councils in making the appointments¹.
- (ii) The second principle to be applied, if the first principle does not obtain, is that the number of appointments made from each political party reflects the balance of the parties on Leaders' Committee² at that time.

¹ For example, the mechanism employed in determining the number of appointments for each political party made by London Councils to the former London Fire and Emergency Planning Authority was set out in legislation – the Greater London Authority Act 1999. Royal Parks Board – must be a leader of an authority which has a royal park in it.

² This will be determined by the application of the d'Hondt formula.

2 General Principles

- (i) When the Chief Executive is applying the particular principles set out above, they will seek to reflect any particular interest that the body to be appointed to has expressed to London Councils³.
- (ii) The Chief Executive will also be mindful of other factors that it would be reasonable or proper for London Councils to consider, for example specialist knowledge, stability of service, diversity as well as applying the Nolan principles set out below and the Chief Executive may - in consultation with members – override the principles set out above when there is a compelling case to do so.
- (iii) All public bodies are under a duty to follow the *Seven Principles of Public Life* set out by the Committee for Standards in Public Life, formerly chaired by Lord Nolan (the principles are often called the *Nolan Principles*). In particular, the Chief Executive will seek to ensure that the following three Nolan principles are applied:

Objectivity

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

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.⁴

³ For example, outside bodies occasionally ask for cross-party appointments.

⁴ Members will be expected to regularly attend meetings of the bodies they are appointed to and may be accountable to and from, London Councils for their actions in that capacity.

Openness

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

- (iv) The Chief Executive will give consideration to the members of the Corporation of London when making any appointments to outside bodies.

3 General conditions

- (i) When an appointment to an outside body ceases to be a member of a London local authority, London Councils will, in general, take whatever steps are necessary to remove them from that outside body.
- (ii) At a freeze date, being the date of the meeting of the London Councils Executive in June of each year⁵, a report will be brought to that meeting (except in the year of the local elections when the report will be presented as soon as is practicable) setting out the total number of appointments made to outside bodies for each of the political parties with a calculation of how this reflects the agreed principles (above) for appointments and the variation from the balance of the parties on Leaders' Committee.
- (iii) Any variations in proportionality to be dealt with by the groups and whips.

⁵ Or the closest meeting date to June in each year

Media Protocol

1. DAY TO DAY CONTACT WITH JOURNALISTS

Who speaks to the media?

The press office should be the first point of contact for any media enquiry received by London Councils.

The press office will then liaise with the relevant officer to formulate the appropriate response. Heads, strategic leads and directors are encouraged to develop links with journalists in their own areas of specialty – with the support of the press office. While this means they will sometimes be contacted directly by journalists, or make contact directly with journalists themselves, the press office should be informed at all times.

When should officers talk to the media?

The press office may need an officer to speak to a journalist to give them a technical briefing on an issue or to answer any technical questions a journalist may have. The officer with the best knowledge of the subject area will be the first point of call for briefing journalists. This person should be agreed by the press office and the relevant head/director.

Whoever provides the briefing to the media should follow the lines agreed with the press office.

Senior officers (heads or above) will build up their own network of contacts as a result of any media work they undertake. If a known and trusted media contact approaches a senior officer directly, it is important that the press office is informed as soon as possible. The press office will need to know who the journalist was, where he/she was from, and what was said.

If a senior officer does not know the journalist, then the journalist should be referred to the press office.

Lines given by policy officers to the press office for use in the media

Any lines provided by officers to assist the press office to respond to any media enquiries must be agreed by the policy lead officer and the lead member before it is provided to the press office.

The press office should not be the conduit for clearing previously unused lines and views with politicians before they are given to the media.

2. CLEARANCE PROCEDURE

The protocol for media clearance is predicated on members of the Executive acting in the interests of London Councils. The Chair and Executive or leading members will develop lines which represent the agreed views of the organisation and not of a particular political group or individual authority. Responses to emerging issues will also be developed with reference to the cross-party nature of the Executive.

There will be occasions when members will be approached to comment on issues in their role as group leaders or party-political figures. As long as it is made clear that they are commenting in that capacity and not on behalf of London Councils this is acceptable.

Where a position has been agreed by Leaders' Committee, the Executive, or other formal 33-member meetings

Material only needs to be cleared by the Chair (for issues on which they are leading) or the lead member (for a portfolio-related issue) and his/her political adviser (if there is one). The press office will contact members directly and copy political advisers into all correspondence. Copies of all agreed statements will be shared with political advisers.

Emerging issues (where the view of a 33-member grouping is unknown, but the issue requires an immediate response)

London Councils' relevant lead policy officers will first of all agree the line to take with the Chair (for issues on which they are leading) or the lead member (for portfolio issues) and the relevant Group Adviser.

The press office will then draft a response which will then be cleared by the lead member and the relevant Group Adviser and shared with the other Group Advisers with a realistic deadline in which to respond.

Where an issue will ultimately be going to one of the three Joint Committees or their respective Executives for decision it must be agreed by at least two of the groups before a statement can be issued.

If the appropriate lead member is not available to clear press lines on an emerging issue the press office will clear the line with the Chair and then share that line with the political advisers.

If an issue requires an even quicker response it may be impractical to give the political advisers of the other groups an hour to respond. However, every effort will be made to ensure that they get an opportunity to see a response, and not doing so will be the exception and not the rule.

3. FILMING AND RECORDING AT LONDON COUNCILS MEETINGS

Cameras and recordings at meetings

The final decision on whether filming or any other recording can take place at a London Councils committee meeting (either held here or at alternative venues) will be made by the chair of the relevant committee.

For any committee meetings held at London Councils:

- When sending out meeting agendas, the press office will tell broadcast media that if they want to attend with cameras or any other recording equipment, they must inform the press office by 10am on the day before the committee is scheduled to be held. They would be advised that their filming/recording is at the discretion of the committee chair and that they should also indicate which item they are interested in;
- Any crews failing to inform the press office by this time or simply turning up with a camera may not be permitted into the meeting;
- If any bids are made, the press office will contact the chair of the relevant committee to check they are happy for the broadcast media to attend the committee;
- A decision on whether to allow any recording of a meeting should if possible be made by 1pm on the day before committee;
- Once a decision has been made the press office will inform the relevant media outlet;
- Due to constraints on space in the conference suite and meeting rooms at London Councils there is only room for one camera. If more than one camera crew approaches

London Councils for access to a meeting they would need to discuss pooling arrangements between themselves;

- The number of cameras that can attend London Councils meetings held in external venues would be governed by the size of the venue;
- The camera crew attending committee should arrive no later than 15 minutes before the start of the committee to set up. Access to the meeting room will also be governed by when any group meetings being held in the meeting room finishes.

Informing people of possible filming/recording

- The committee listings page on the London Councils website will carry a notice that all meetings may be recorded by broadcast media at the discretion of the committee chair;
- It will be the responsibility of any policy officer arranging for a person to carry out a presentation at a committee to inform them that our meetings may be filmed or recorded;
- There could be an issue at this stage with people declining the offer of attending the meeting because of the possibility of proceedings being filmed or recorded. If this happens, a decision would need to be taken by the chair of the committee as to whether they will want the broadcast media at the meeting;
- London Councils press office will inform the relevant organisation's press office of the possibility that cameras or other recording equipment will be at the meeting. London Councils press office would also inform the organisation's press office of any media interest should it arise;
- London Councils press office will keep the Chief Executive and senior members and relevant officers (including political advisers) informed about filming and recording requests.

Advised protocol for meetings where cameras/media are attending

- For the benefit of the other committee members and the audience, the chair of the committee should announce at the start of any meeting where the media are attending that they are there;
- Once the item the camera crews are interested in has finished a short adjournment should be taken to allow the broadcast media to pack up and leave.

4. BROADCAST INTERVIEWS

London Councils often needs to put spokespeople up for broadcast media interviews. It is the responsibility of the press office to organise a spokesperson for any interviews. Any London Councils officer approached by the media to take part in any interviews should direct the request to the press office.

London Councils policy is that all broadcast interviews should be carried out by members, unless the relevant lead member agrees that a senior officer can do it instead.

Broadcast interviews should be conducted by the Chair or appropriate lead member. When the Chair or lead member agrees, they can be conducted by the chief executive or a director. Only in exceptional circumstances can any other officer give a broadcast interview, and this will need to be cleared by the Director of Communications. Only those who have completed a media training course will be offered for broadcast interviews.

Briefing media spokespeople

As with any media interview the press office will be responsible for liaising with the spokesperson over the arrangements for the interview. The press office will also be responsible for providing the key messages the spokesperson would use in the interview.

The relevant London Councils policy officer would be responsible for ensuring the briefing has the correct background information and statistics.

Informing boroughs/London Councils officers

If a member is being put forward as a spokesperson, London Councils press office is responsible for informing that member's borough press office of the scheduled interview. Depending on the media request, London Councils press office should also consider informing all borough press offices in case they are subsequently approached for views.

Repeating spokespeople

There may be some circumstances where the media need regular interviews – e.g. providing hourly updates.

If this is required, to maintain the continuity, the spokesperson put up in the first instance should be available throughout the time of the incident.

If this cannot be achieved, care should be taken not to put up a senior member or officer for the initial update if a more junior member or officer will be used for the other interviews.

London Councils' Transport and Environment Committee

Parking and Traffic Enforcement Charges Consultation Proposal

Item no: 16

Report by: Mital Patel

Job title: Transport Officer

Date: 8 June 2023

Contact Officer: Mital Patel

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Summary

London Councils' officers propose to undertake a review of the current parking and traffic enforcement charges in London following a period of 12 years with no change.

The public consultation will be carried later this year on the level of penalties and other related charges.

This report sets out the background and includes details of the proposed public consultation for vehicles on the borough road network, in relation to:

- Current levels of Penalty Charge Notices (PCNs) for parking and traffic contraventions
- PCN banding regime in London
- Discount payment arrangements
- Clamping and Removal fees
- Storage and Disposal fees

Recommendations Members¹ are asked to:

- Agree the draft consultation document (Appendix 2)
- Note the timescales and process of the consultation

¹ No TfL representative on TEC may take part in the proceedings of TEC relating to setting penalty charge levels on borough roads (Reg. 24(2) of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) 2022)

Background

1. Under the provisions set out in the Traffic Management Act 2004 (Section 77 & Schedule 9 and Regulation 24 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) 2022) (which repealed similar provisions in the Road Traffic Act 1991), London Councils' Transport and Environment Committee (TEC) is responsible, subject to agreement by the Mayor of London and possible veto of the Secretary of State, for setting parking and traffic enforcement charges on borough roads.

These parking enforcement charges and additional charges/fees include:

- penalties for contraventions of parking regulations including any surcharges or discounts
 - release from wheel clamps
 - vehicle removals from the street and impounded
 - vehicle storage and disposal fees
2. The discount payment rate for early payment has been set at 50%. (This has not changed since it was initially set at 50% under Schedule 6(6)(1) of the Road Traffic Act 1991.)
 3. TEC also has the responsibility for:
 - setting penalty levels in respect of bus lane contraventions (under the London Local Authorities Act 1996)
 - setting penalty levels in respect of moving traffic contraventions; one-way streets; banned turns and yellow box junctions etc (under the London Local Authorities and Transport for London Act 2003)
 - setting penalty levels in respect of the London Lorry Control Scheme (LLCS) (under the London Local Authorities and Transport for London Act 2003)
 - setting the rate of discount which applies to the early payment of all penalties within 14 days of issue
 4. Transport for London (TfL) has similar responsibilities for setting parking and traffic enforcement charges on the Transport for London Road Network (TLRN). This follows the same process after the joint committee has agreed changes with boroughs in that it is subject to approval by the Mayor of London and possible veto by the Secretary of State.
 5. There are requirements to consult on parking and traffic enforcement charges and additional parking charges/fees either in statute or in statutory guidance. London Councils and TfL have generally carried out joint consultations on the same issues in the past.
 6. Under the Traffic Management Act 2004 the Secretary of State's 'Statutory Guidance for Local Authorities on the Civil Enforcement of Parking Contraventions 2022' 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.*"
 7. It is also TEC's policy that parking charges should be set in such a way as to produce a coherent pattern of policy across London.

8. Historically, London Councils had undertaken a public consultation to review parking and traffic enforcement charges every four years. However, following statements from the Secretary of State for Transport in successive Governments since 2010 that they would not support an increase in parking and traffic enforcement charges, London Councils has not sought to either jointly or independently consult on the level of charges since 2010. During this period, London Councils received requests to do so from boroughs due to an identified increase in non-compliance as the financial deterrent of the penalty reduced.
9. In December 2021, following a consultation carried out by TfL, the Mayor of London approved an increase to the level of the amount payable for a PCN for parking and stopping; bus lane and moving traffic contraventions on the TLRN from £130 to £160 in line with inflation and with the aim of addressing the 26% increase in PCNs issued for these contraventions between 2016 and 2019. The consultation also agreed the proposed new penalty charge would continue to be reduced by 50% if paid within 14 days and to be increased by 50% following non-payment after a period of 28 days.
10. The changes on the TLRN were approved. However, as this was not a joint consultation, the penalty charges for London boroughs have remained unchanged.

Current Parking and other Traffic Enforcement Charges

11. London Local Authorities are able to levy penalty charges and fees for a range of parking and moving traffic contraventions and related activities. These include parking, bus lane and moving traffic, the London Lorry Control scheme (LLCS) and administrative charges associated with vehicle removals. The following paragraphs provide some background information on the current charge levels.
12. Please note that for the purposes of this consultation, London Councils will not be seeking to change LLCS charges. The LLCS traffic order is shared with the Direct Vision Standard and we will work with TfL on a future consultation regarding these charges.

Parking Charges:

13. As previously stated, TEC had reviewed the level of parking charges regularly every four years since 1992. Following a review in 2006, differential penalty levels were introduced to distinguish between more serious contraventions where parking is not permitted such as yellow lines and obstruction offences (classified as '*higher level*' penalties), and less serious contraventions where parking is permitted but regulations have been contravened such as overstaying on a pay and display bay ('*lower level*' penalties).
14. In 2010 (the last review) the penalty for higher level contraventions, as well as bus lane and moving traffic contraventions was increased from £120 to £130, subject to 50% discount for payments made within 14 days. Lower-level penalties have not changed since 2007.
15. The current on and off-street parking penalty charges under the Traffic Management Act 2004 are as follows:

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

16. Band A areas have traditionally been concentrated in central London and urban town centres where the pressures on parking and congestion are often greatest. Band B areas have historically concentrated in outer London where pressures are not as significant.

Over time, due to issues with non-compliance, an increasing number of outer London authorities with higher density parking and significant Controlled Parking Zones have applied to become band A areas (*please see the Existing On-Street PCN Band A and Band B Map in Appendix 1*). As with changes to London-wide charges, band change requests require approval from the Mayor with the Secretary of State having the power to veto the change.

Bus Lane and Moving Traffic Charges:

17. Bus Lane and Moving Traffic contraventions are set at:

| | |
|---|------|
| Bus Lane (under the London Local Authorities Act 1996) | £130 |
| Moving traffic (under the London Local Authorities and Transport for London Act 2003) | £130 |

18. 50% discount for early payment within 14 days for all the above

Other Parking Charges and Fees:

19. Other parking charges/fees:

| | |
|--------------------------|-------------|
| Release from wheel clamp | £70 |
| Release from car pound | £200 |
| Storage fee | £40 per day |
| Disposal fee | £70 |

Proposal to consult on behalf of the London Boroughs

20. TfL have been issuing PCNs at the increased amount of £160 since January 2022, whereas the London Boroughs continue to enforce at charge levels that have not been reviewed for over 12 years. London Councils proposes to conduct a consultation later this year on behalf of the 32 boroughs and City of London.
21. Since the current parking and traffic enforcement charges were introduced in mid-April 2011, the total number of all parking, bus lane and moving traffic contraventions has increased by 50.4% over the last 12 years and 32.6% over the five years between April 2017 and March 2022.
22. It should also be noted that the restriction on the use of CCTV enforcement for parking contraventions in all but a handful of circumstances under the Deregulation Act 2015 has increased the risk of non-compliance.
23. Parking and traffic enforcement charges for higher-level parking, bus lanes and moving traffic contraventions (including driver PCNs for breaches of the LLCS) increased from £120 to £130, 12 years ago. Since then, inflation on goods and services in the UK averaged at an increase of 3.9% a year between April 2011 and May 2023. This means that £130 of goods and services in 2011 would cost £180 in 2023. With respect to lower-level charges that

have not changed since April 2007, the average increase in inflation, has been 3.8% with £80 in April 2007, now equating to £126 today. (Bank of England Figures).

24. In real terms, this means that the higher-level penalty is worth 64% of its 2011 value and the current charges would equate to £83.37 in 2011 values. Figures regarding average weekly earnings for London residents show an increase between 2011- 2022 of 23.8% from £649.40 to £804.90. Figures for 2023 are unavailable but are likely to show a small decrease in average earnings across London over the last year.
25. In addition to the above, local government, the Mayor and central government share the same aims: to increase active travel, improve road safety and reduce emissions (both air quality and carbon).
26. One of the most effective tools in doing this is to properly manage parking and traffic movement by improving motorist compliance with the regulations. Whilst this can be achieved by improving awareness and clear signposting of restrictions and objectives, effective enforcement is also vital.
27. London Councils considers that it is an appropriate time to review these charges on behalf of the 32 boroughs and City of London.

Areas considered for change

28. The full draft version of the Parking and Traffic Enforcement Charges Consultation Document (*Appendix 2*), intends to assist with the final decision making for any changes to the current set charges. The areas of possible change are summarised below:
 - The retention of the existing 50% discount rate for prompt payment of penalties.
 - An increase to PCN levels in line with those enforced on the TLRN currently, or consider an increase in line with inflation over the period since the last increase
 - The level of penalties for bus lane and moving traffic contraventions in line with those enforced on the TLRN currently, or consider an increase in inflation over the period since the last increase
 - To increase the level of penalty associated with clamp and removal fees, in line with inflation, or at a level that reflects the costs to boroughs for the provision of the service
 - The application of penalty levied for storage and disposal fees, in line with inflation, or at a level that reflects the costs

Managing the consultation

29. Under Section 149 of the Equality Act 2010, London Councils will give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, by conducting a thorough Equalities Impact Assessment prior to the commencement of the consultation.
30. The consultation will be made public to all relevant stakeholders, including London boroughs; TfL; emergency services; freight Industry; motoring organisations; disability groups; transport operators, travel and mobility charities; utility providers etc. (The full list of consultees will be presented to TEC, along with the results of the consultation, upon completion.)

31. There will be a variety of channels of communication, publicising this consultation including Twitter, LinkedIn, the Key Issues weekly newsletter which has c. 40k subscribers, as well as London Council's website.
32. We will be providing an accessible version of the consultation questions to those who require details in such formats (*please see Appendix 3 for the draft list of questions*). Please note that the format will be subject to design change prior to the launch of the consultation.
33. An Information Return Form will be produced in due course and will be included in the formal public consultation document, to aid the process of analysis.
34. All information gathered will be managed by London Councils officers and presented to TEC later.

Timetable

35. Following TEC's approval of the draft Parking and Traffic Enforcement Charges Consultation questionnaire (*Appendix 2 and 3*), London Councils will consult with the public and our stakeholders between July and October 2023 for a period of three months.
36. The results of the consultation and the recommendations will be presented to TEC in December 2023 for approval and thereafter, will seek the approval of the Mayor and the Secretary of State before any changes are made to the parking and traffic enforcement charges and charges and fees.
37. Once approval has been granted, in advance to implementing any changes approved, London Councils will fully notify members of the public of these changes in accordance with the appropriate regulations.

Financial Implications for London Councils

38. There will be costs associated with printing copies of the consultation documents for those that are unable to access it online and for those that may require it in different formats due to disabilities. It is not anticipated that these costs will be significant.

Legal Implications for London Councils

39. These are included in the body of the report.

Equalities Implications for London Councils

40. Section 149 of the Equality Act 2010, London Councils will carry out an Equalities Impact Assessment prior to the commencement of the consultation.
41. The consultation will be made available, upon request, in a variety of formats including large print and Braille.

Background Papers

42. There are no background papers

Appendices

- Appendix 1: Existing On-Street PCN Band A and Band B Map
- Appendix 2: Draft Version (in Full) of the Parking and Traffic Enforcement Charges Consultation Document and all Appendices
- Appendix 3: Draft List of Consultation Questions

Appendix 1

Existing On-Street Penalty Charge Bands



Appendix 2

Draft Version (in Full) Parking and Traffic Enforcement Charges Consultation Document and Appendices

Introduction

London Councils' Transport and Environment Committee (TEC) is comprised of representatives from every local authority in London and Transport for London (TfL).

TEC is established in such a way that some of the functions that are undertaken jointly by the committee are carried out on behalf of TfL and the 33 London local authorities together, whereas for other functions, TEC only acts on behalf of the local authorities.

Under the provisions set out in the Traffic Management Act 2004 (Section 77 & Schedule 9 and Regulation 24 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) 2022) (which repealed similar provisions in the Road Traffic Act 1991), London Councils' Transport and Environment Committee (TEC) is responsible, subject to agreement by the Mayor of London and possible veto of the Secretary of State, for setting parking and traffic enforcement charges on borough roads.

These parking enforcement charges, and additional charges/fees include:

- penalties for contraventions of parking regulations including any surcharges or discounts
- release from wheel clamps
- vehicle removals from the street and impounded
- vehicle storage and disposal fees

The discount payment rate for early payment has been set at 50%. (This has not changed since it was initially set at 50% under Schedule 6(6)(1) of the Road Traffic Act 1991.)

TEC also has the responsibility for:

- setting penalty levels in respect of bus lane contraventions (under the London Local Authorities Act 1996)
- setting penalty levels in respect of moving traffic contraventions; one-way streets; banned turns and yellow box junctions etc (under the London Local Authorities and Transport for London Act 2003)
- setting penalty levels in respect of the London Lorry Control Scheme (LLCS) (under the London Local Authorities and Transport for London Act 2003)
- setting the rate of discount which applies to the early payment of all penalties within 14 days of issue

Transport for London (TfL) has similar responsibilities for setting parking and traffic enforcement charges on the Transport for London Road Network (TLRN). This follows the same process after the joint committee has agreed changes with boroughs in that it is subject to approval by the Mayor of London and the Secretary of State.

There are requirements to consult on parking and traffic enforcement charges and additional parking charges/fees either in statute or in statutory guidance. London Councils and TfL have generally carried out joint consultations on the same issues in the past.

Under the Traffic Management Act 2004 the Secretary of State's 'Statutory Guidance for Local Authorities on the Civil Enforcement of Parking Contraventions 2022' 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.*"

It is also TEC's policy that parking charges should be set in such a way as to produce a coherent pattern of policy across London.

The need to review the current parking and traffic enforcement charges

Historically, London Councils had undertaken a public consultation to review parking and traffic enforcement charges every four years. However, following statements from the Secretary of State for Transport in successive Governments since 2010 that they would not support an increase in parking and traffic charges, London Councils has not sought to either jointly or independently consult on the level of charges since 2010. During this period, London Councils received regular requests to do so from boroughs due to an identified increase in non-compliance as the financial deterrent of the penalty reduced.

In December 2021, following a consultation carried out by TfL, the Mayor of London approved an increase to the level of the amount payable for a PCN for parking and stopping; bus lane and moving traffic contraventions on the TLRN from £130 to £160 in line with inflation and with the aim of addressing the 26% increase in PCNs issued for these contraventions between 2016 and 2019. The consultation also agreed the proposed new penalty charge would continue to be reduced by 50% if paid within 14 days and to be increased by 50% following non-payment after a period of 28 days.

The changes on the TLRN were approved. However, as this was not a joint consultation, the penalty charges for London boroughs have remained unchanged.

Current Parking and Traffic Enforcement Charges

On and off-street parking penalty charges under the Traffic Management Act 2004 are as follows:

| | Higher Level | Lower Level |
|---|--------------|-------------|
| Band A | £130 | £80 |
| Band B | £110 | £60 |
| 50% discount for early payment within 14 days | | |

(A full list of all On and Off-street Contraventions Codes can be found in Appendix A.)

Band A areas had historically been concentrated in central London and urban town centres where the pressures on parking and congestion are often greatest. Band B areas had been concentrated in outer London where generally, the pressures are not as significant.

However, due to continued identified issues with non-compliance of parking regulations, an increasing number of outer London authorities with higher density parking and significant Controlled Parking Zones have successfully applied to become band A areas as shown in the Existing On-Street PCN Band A and Band B Map below:



Bus Lane and Moving Traffic contraventions are set at:

| | |
|---|------|
| Bus Lane (under the London Local Authorities Act 1996) | £130 |
| Moving traffic (under the London Local Authorities and Transport for London Act 2003) | £130 |
| 50% discount for early payment within 14 days | |

London Lorry Control Scheme (LLCS) contraventions under the London Local Authorities and Transport for London Act 2003 are as follows:

| | |
|---|------|
| For Operators* | £550 |
| For Drivers | £130 |
| 50% discount for early payment within 14 days | |

**The charges set for Operators has not seen an increase since 2006.*

Please note that for the purposes of this consultation, London Councils will not be seeking to change LLCS charges. The LLCS traffic order is shared with the Direct Vision Standard and we will work with TfL on a future consultation regarding these charges.

Additional parking charges/fees include:

| | |
|--------------------------|-------------|
| Release from wheel clamp | £70 |
| Release from car pound | £200 |
| Storage fee | £40 per day |
| Disposal fee | £70 |

Evidence for Review

TfL have been issuing PCNs at the increased amount of £160 since January 2022, whereas the London Boroughs continue to enforce at charge levels that have not been reviewed for over 12 years, hence why London Councils is conducting this consultation on behalf of the 32 boroughs and City of London.

Since the current parking and traffic enforcement charges were introduced in mid-April 2011, the overall increase in the total number of all parking, bus lane and moving traffic PCNs issued has increased by 50.4% over the last 12 years and 32.6% over the last five years between April 2017 and March 2022.

It should also be noted that the restriction on the use of CCTV enforcement for parking contraventions in all but a handful of circumstances under the Deregulation Act 2015 has increased the risk of non-compliance.

Parking and traffic enforcement charges for higher level contraventions, bus lanes and moving traffic contraventions (including driver PCNs for breaches of the LLCS) increased from £120 to £130, 12 years ago. Since then, inflation on goods and services in the UK averaged at an increase of 3.9% a year between April 2011 and May 2023. This means that £130 of goods and services in 2011 would cost £180 in 2023. With respect to lower level charges that have not changed since April 2007, the average increase in inflation, has been 3.8% with £80 in April 2007, now equating to £126 today (*Bank of England figures*).

In real terms, this means that the higher level penalty is worth 64% of its value in 2011 and has decreased from £130 to around £83.37. Figures regarding average weekly earnings for London residents show an increase between 2011- 2022 of 23.8% from £649.40 to £804.90. Figures for 2023 are unavailable but are likely to show a small decrease in average earnings across London over the last year.

In addition to the above, local government, the Mayor and central government share the same aims: to increase active travel, improve road safety and reduce emissions (both air quality and carbon). One of the most effective tools in doing this is to properly manage parking and traffic movement by improving motorist compliance with the regulations. Whilst this can be achieved by improving awareness and clear signposting of restrictions and objectives, effective enforcement is also vital.

London Councils considers that it is an appropriate time to review these charges on behalf of the 32 boroughs, City of London and the LLCS.

It is important to note that it is not our intention to seek to raise revenue through the issue of PCNs through parking and traffic enforcement. This is supported by High Court decisions which confirm that raising revenue is not, in its own right, a legitimate consideration in undertaking parking and traffic enforcement or in setting penalties and would like to engage with you ahead of any decisions that we may make.

Differential Levels of Penalties:

Differential penalty levels were introduced to distinguish between more serious contraventions where parking is not permitted such as yellow lines and obstruction offences (classified as '*higher level*' penalties), and less serious contraventions where parking is permitted but regulations have been contravened such as overstaying on a pay and display bay ('*lower level*' penalties).

The current differential penalty levels for the borough road networks are shown in the table below:

| Band | Higher-Level Penalty | Lower-Level Penalty |
|------|----------------------|---------------------|
| A | £130 | £80 |
| B | £110 | £60 |

It should be noted that all penalties on the TLRN are set at the higher level, irrespective of their severity, currently £160.

1. Thinking about the current PCN levels, do you agree that they:

a) should stay the same?

b) increase in line with the rate of inflation?

i.e.: £130 = £180
£110 = £150
£80 = £125
£60 = £95

c) at the same rate equivalent to the TfL increase from £130 to £160 at approximately 23%?

i.e.: £130 = £160
£110 = £135
£80 = £100
£60 = £75

2. What would be the impact on you for each of the above options?

3. Do you think that there should be a bigger difference between more and less severe penalties? (Yes/No)

4. If so, how big should the difference be?

Banding Regime:

London local authorities continue to experience increasing issues with non-compliance of parking regulations regardless of whether they are inner or outer boroughs and issue PCNs at Band A or Band B. In light of this and the fact that an increasing number are now enforcing under Band A charge levels:

5. Do you think that the current banding system (Band A and Band B) for parking penalties should be retained, or should London have a single band? (Yes/No)

6. What would be the impact on you if a single Band was introduced?

Discount Rate:

The discount rate should be set at a level which encourages early payment, minimising the need for local authorities to embark on further steps in the statutory process for recovering the penalty charges.

The current discount for prompt payment of penalties is 50% and has worked well, with a high proportion of all parking penalties being paid within the appropriate discount period. Should a driver wish to challenge a PCN, this formal process cannot be started in some circumstances until the end of the discount period at the point where the PCN is at full value. Early payment of the PCN also helps to reduce operating costs for the local authorities.

A discount rate greater than the current 50% could have a negative impact on compliance if it is set too high. It is proposed that the level of discount for payment within 14 days should remain at 50%.

7. Do you agree that the discount level for early payment should continue to remain at 50%? (Yes/No)

8. Please tell us about the reasons for your answer to the above question?

Additional parking charges/fees:

The additional parking charges/fees were set by TEC in December 2006 and have not been reviewed since:

| | |
|------------------------------|--------------------|
| Release fee from wheel clamp | £70 |
| Release fee from car pound | £200 |
| Storage charge | £40 <i>per day</i> |
| Disposal fee | £70 |

These charges can be applied on the TLRN, should TfL consider providing a Removals service in the future and should be noted that not all London local authorities provide a removals service in London

Additional parking charges such as clamp and removal etc. should reflect the cost to the local authority of providing the service. Local authorities should not seek to include any punitive or deterrent element. Currently, the criterion for establishing these charges is that they should cover the costs incurred, with the authorities neither making a profit nor a loss, although this must average out across London as a whole.

The London Local Authorities Act 2004, Part 2, Section 4 states that for abandoned vehicles, “*the level of charges made by the appropriate authority for the removal, storage and disposal of vehicles under this section shall be the same as the level of charges set by London authorities for the removal, storage and disposal of vehicles under section 74 (Fixing of certain parking and other charges for London) of the Road Traffic Act 1991*”.

9. Do you agree that the clamping, removal, storage and disposal charges/fees should increase in line with the rate of inflation, given that the current levels were set in 2006 and have not been reviewed since? (Yes/No)

i.e.: £70 = £110
£200 = £315
£40 = £65
£70 = £110

10. What would be the impact on you for each of the above increases?

Bus Lanes and Moving Traffic Contraventions:

TEC has responsibility for setting penalties in respect of contraventions in bus lanes on borough roads and for a range of moving traffic contraventions (under the London Local Authorities Act 1996 and the London Local Authorities and Transport for London Act 2003, respectively).

The non-endorseable (no penalty points added to Driving License) moving traffic contraventions include yellow box junctions; one-way streets and banned turn infringements.

(A full list of the Traffic offences signs that are subject to civil enforcement is included in Appendix B)

Bus lane and moving traffic penalties have been set at the same level as the higher penalty for parking contraventions in band A, on the basis that this would give a strong message to motorists about the importance placed on the need to comply with these safety critical regulations.

In the past, the level of penalty for contravention of bus lanes has been considered separately from that for moving traffic contraventions. However, the final determination has always been that the same level of penalty should apply to both.

It should be noted that bus lane and moving traffic penalties on the TLRN are now set at £160.

- 11. Do you agree that there should be the same penalty for bus lane and moving traffic contraventions throughout London? (Yes/No)**
- 12. Do you agree that this penalty should continue to be set at the same level as the higher differential parking penalty in Band A? (Yes/No)**
- 13. If you have answered 'No' to any of the above, please tell us what you think the penalty for these contraventions should be and why?**

Appendix A: Contravention Code List 2023

On-Street Parking Contraventions:

| Code | General suffix(es) | Description | Diff. level | Notes |
|------|---------------------------|---|-------------|--|
| 01 | ajoyz | Parked in a restricted street during prescribed hours | Higher | Code specific suffixes apply. Suffixes y & z for disabled badge holders only. See additional notes |
| 02 | ajo | Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force | Higher | Code specific suffixes apply. See additional notes |
| 04 | cs | Parked in a meter bay when penalty time is indicated | Lower | |
| 05 | cgpsuv1 | Parked after the expiry of paid for time | Lower | |
| 06 | cipv1 | Parked without clearly displaying a valid pay & display ticket or voucher | Lower | Higher level in Wales |
| 07 | cgmprsv | Parked with payment made to extend the stay beyond initial time | Lower | 'meter feeding' |
| 08 | c | Parked at an out-of-order meter during controlled hours | Lower | Electronic meters only |
| 09 | ps | Parked displaying multiple pay & display tickets where prohibited | Lower | |
| 10 | p | Parked without clearly displaying two valid pay and display tickets when required | Lower | "two" may be varied to another number or "multiple". |
| 11 | gu | Parked without payment of the parking charge | Lower | |
| 12 | arstuw4 | Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge | Higher | Code specific suffixes apply |
| 13 | | ---- RESERVED FOR TfL USE (LOW EMISSION ZONE) ---- | n/a | |
| 14 | ay89 | Parked in an electric vehicles' charging place during restricted hours without charging | Higher | |
| 16 | abdehqstwx4569 | Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required | Higher | Code specific suffixes apply. Suffix "s" only for use where bay is completely non-resident |
| 17 | | ---- RESERVED FOR ROAD USER CHARGING USE ---- | n/a | |
| 18 | abcdefghmprsvxy12356789 | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited | Higher | |
| 19 | airsuwx4 | Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time | Lower | Code specific suffixes apply |
| 20 | | Parked in a part of a parking place marked by a yellow line where waiting is prohibited | Higher | |
| 21 | abcdefghlmnpqrsvxy1256789 | Parked wholly or partly in a suspended bay or space | Higher | |
| 22 | cflmnopsv1289 | Re-parked in the same parking place or zone within one hour after leaving | Lower | "one hour" may be varied to another time period or "the prescribed time period" |
| 23 | abcdefghklprsvwxy123789 | Parked in a parking place or area not designated for that class of vehicle | Higher | Suffix required to fully describe contravention |
| 24 | abcdefghlmnpqrsvxy1256789 | Not parked correctly within the markings of the bay or space | Lower | |
| 25 | n2 | Parked in a loading place or bay during restricted hours without loading | Higher | On-street loading bay or place |
| 26 | n | Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place | Higher | "50 cm" may be varied to another distance in Scotland. |
| 27 | no | Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway | Higher | |
| 28 | no | Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge | Higher | |

| | | | | |
|----|-------------------|---|--------|---|
| 29 | j | Failing to comply with a one-way restriction | n/a | |
| 30 | acfglmnopsuy12789 | Parked for longer than permitted | Lower | |
| 31 | j | Entering and stopping in a box junction when prohibited | n/a | |
| 32 | jdt | Failing to proceed in the direction shown by the arrow on a blue sign | n/a | Code-specific suffixes apply. |
| 33 | jbcefgghikrsyz | Using a route restricted to certain vehicles | n/a | Code-specific suffixes apply. |
| 34 | j0 | Being in a bus lane | n/a | |
| 35 | | Parked in a disc parking place without clearly displaying a valid disc | Lower | |
| 36 | j | Being in a mandatory cycle lane | n/a | |
| 37 | j | Failing to give way to oncoming vehicles | n/a | |
| 38 | jlr | Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign | n/a | Code-specific suffixes apply. |
| 39 | | ---- RESERVED FOR TfL USE (ULTRA LOW EMISSION ZONE) ---- | n/a | |
| 40 | n | Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner | Higher | |
| 41 | | Stopped in a parking place designated for diplomatic vehicles | Higher | |
| 42 | | Parked in a parking place designated for police vehicles | Higher | |
| 43 | | Stopped on a cycle docking station parking place | Higher | |
| 45 | nw | Stopped on a taxi rank | Higher | "stopped" may be varied to "waiting" |
| 46 | n | Stopped where prohibited (on a red route or clearway) | Higher | |
| 47 | jn | Stopped on a restricted bus stop or stand | Higher | |
| 48 | j | Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited | Higher | CCTV can be used on a restricted area outside a school only |
| 49 | j | Parked wholly or partly on a cycle track or lane | Higher | |
| 50 | jlr | Performing a prohibited turn | n/a | Code-specific suffixes apply. |
| 51 | j | Failing to comply with a no entry restriction | n/a | |
| 52 | jgmsvx | Failing to comply with a prohibition on certain types of vehicle | n/a | Code-specific suffixes apply. |
| 53 | cj | Failing to comply with a restriction on vehicles entering a pedestrian zone | n/a | 'and cycle' may be added (see additional notes) |
| 54 | cj | Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone | n/a | 'and cycle' may be added (see additional notes) |
| 55 | | A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban | Higher | |
| 56 | | Parked in contravention of a commercial vehicle waiting restriction | Higher | Non- overnight waiting restriction |
| 57 | | Parked in contravention of a bus ban | Higher | Non- overnight waiting restriction |
| 58 | | Using a vehicle on a restricted street during prescribed hours without a valid permit | n/a | London Lorry Control Scheme |
| 59 | | Using a vehicle on a restricted street during prescribed hours in breach of permit conditions | n/a | London Lorry Control Scheme |
| 61 | 124cgn | A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways | Higher | Code-specific suffixes apply. |
| 62 | 124cgn | Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway | Higher | Code-specific suffixes apply. |
| 63 | | Parked with engine running where prohibited | Lower | |
| 64 | 124 | Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority | n/a | Code-specific suffixes apply. For use in Essex only |
| 65 | 124 | Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation | n/a | Code-specific suffixes apply. For use in Essex only. |
| 66 | 124cg | Parked on a verge, central reservation or footway comprised in an urban road | n/a | Code-specific suffixes apply. For use in Exeter only. |

| | | | | |
|----|----|---|--------|---|
| 67 | | Using a vehicle on a restricted street without a valid HGV Safety Permit | n/a | HGV Safety Permit Scheme (Direct Vision Standard) |
| 68 | | Using a vehicle on a restricted street in breach of HGV Safety Permit conditions | n/a | HGV Safety Permit Scheme (Direct Vision Standard) |
| 72 | | --- RESERVED FOR BUILDERS' SKIPS CONTRAVENTIONS --- | | London only |
| 75 | | --- RESERVED FOR LITTERING FROM MOTOR VEHICLES --- | | |
| 76 | | -- RESERVED FOR WASTE RECEPTACLE CONTRAVENTIONS -- | | London only |
| 97 | | Driving a motor vehicle in an unrestricted street in excess of the posted speed limit | n/a | London only |
| 99 | no | Stopped on a pedestrian crossing or crossing area marked by zigzags | Higher | Pedestrian Crossings |

Off-Street Parking Contraventions:

| | | | | |
|----|---------------------|--|--------|---|
| 70 | | Parked in a loading place or bay during restricted hours without loading | Higher | Off-street loading areas |
| 71 | | Parked in an electric vehicles' charging place during restricted hours without charging | Higher | Off-street car parks |
| 73 | gu | Parked without payment of the parking charge | Lower | Off-street car parks |
| 74 | prs | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited | Higher | Off-street car parks |
| 77 | | --- RESERVED FOR DVLA USE --- | n/a | |
| 78 | abdefghklpqvu156789 | Parked wholly or partly in a suspended bay or space | Higher | Off-street car parks |
| 80 | gu | Parked for longer than permitted | Lower | Off-street car parks |
| 81 | o | Parked in a restricted area in an off-street car park or housing estate | Higher | Off-street car parks |
| 82 | puv4 | Parked after the expiry of paid for time | Lower | Off-street car parks |
| 83 | 4 | Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock | Lower | Off-street car parks |
| 84 | gu | Parked with payment made to extend the stay beyond initial time | Lower | Off-street car parks |
| 85 | abtrwyz45 | Parked without a valid virtual permit or clearly displaying a valid physical permit where required | Higher | Off-street car parks. Code specific suffixes apply. |
| 86 | prs | Not parked correctly within the markings of a bay or space | Lower | Off-street car parks |
| 87 | | Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner | Higher | Off-street car parks |
| 89 | | Vehicle parked exceeds maximum weight or height or length permitted | Higher | Off-street car parks |
| 90 | psuv | Re-parked in the same car park within one hour after leaving | Lower | Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period" |
| 91 | cg | Parked in a car park or area not designated for that class of vehicle | Higher | Off-street car parks |
| 92 | o | Parked causing an obstruction | Higher | Off-street car parks |
| 93 | | Parked in car park when closed | Lower | Off-street car parks |
| 94 | p | Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required | Lower | Off-street car parks. "two" may be varied to another number or "multiple" |
| 95 | | Parked in a parking place for a purpose other than that designated | Lower | Off-street car parks |
| 96 | | Parked with engine running where prohibited | Lower | Off-street car parks |

Suffixes:

General suffixes: –

- | | | |
|---|---------------------------------|-------------------------------------|
| a) permit holder only electric vehicle charging bay | b) business bay | c) buses only |
| d) doctor's bay | f) free parking bay | g) motorcycle bay |
| e) car club bay | j) camera enforcement | k) ambulance bay |
| h) hospital bay | n) red route | o) blue badge holder |
| i) wrong type of voucher | r) residents' bay | s) shared use bay |
| l) loading place | u) electronic payment | v) voucher |
| m) parking meter | y) electric solo motorcycle bay | 0) local buses / trams only |
| p) pay & display | 3) bicycle bay | 4) virtual permit |
| q) market traders' bay | 7) taxis only | 8) zero emission capable taxis only |
| t) voucher/P&D ticket used in permit bay | | |
| w) e-scooter bay | | |
| x) disabled bay | | |
| 1) electric vehicles bay | | |
| 2) goods vehicle loading bays | | |
| 5) dedicated disabled bay | | |
| 6) hotel bay | | |
| 9) electric vehicle car club bay | | |

Restricted street (codes 01 and 02) only: -

Suffix a) 'temporary traffic order' (code specific)

Permit contraventions (codes 01, 12, 16, 19 and 85) only: -

Suffixes w) 'wrong parking zone', x) 'incorrect VRM', y) 'obscured/illegible permit' and z) 'out of date permit' (code specific)

Note: Suffixes 'y' and 'z' are applicable on code 01 for Blue Badge contraventions only

Taxi Ranks (code 45) only: -

w) amends the contravention code description to change the wording from 'stopped' to 'waiting'

Footway parking (codes 61, 62, 64, 65 and 66) only: –

- | | | |
|-------------------------|----------------------|--------------------------|
| 1) one wheel on footway | 2) partly on footway | 4) all wheels on footway |
| c) on vehicle crossover | g) on grass verge | |

Moving traffic contraventions only: –

- | | | |
|---|---|---------------------------------|
| 32 d) proceeding in the wrong direction | t) turning in the wrong direction | |
| 33 b) buses only | c) buses and cycles only | e) buses, cycles and taxis only |
| g) local buses only | h) local buses and cycles only | f) buses and taxis only |
| q) tramcars and local buses only | i) local buses, cycles and taxis only | k) local buses and taxis only |
| z) pedal cycles and pedestrians only | r) tramcars only | s) tramcars and buses only |
| | | y) pedal cycles only |
| 38 l) must pass to the left | r) must pass to the right | |
| 50 l) no left turn | r) no right turn | u) no U-turn |
| 52 b) buses | g) goods vehicles exceeding max gross weight indicated | m) motor vehicles |
| s) solo motorcycles | v) all vehicles except non-mechanically propelled ones being pushed | |
| x) motor vehicles except solo m/cycles | | |

53 Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian

54 Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian


Camera Enforcement:-



Suffix 'j' identifies a contravention that can be used on highways other than red routes using CCTV. The suffix itself is not required on a PCN.



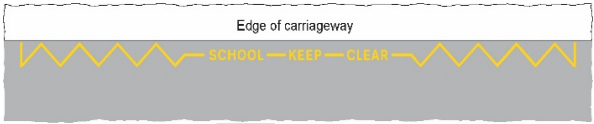
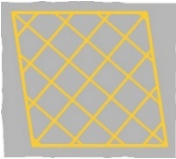
For contravention codes 01 and 02, Suffix 'j' can only be used if there is also a mandatory cycle lane at the location (London and England only)

Appendix B:

The full list of the Traffic offences signs that are subject to civil enforcement

| Description | TSRGD diagram number & location | |
|--|--|--|
| Vehicular traffic must proceed in the direction indicated by the arrow | 606 (Schedule 3, Part 2, item 1 and Schedule 14, Part 2, item 42) | |
| Vehicular traffic must turn ahead in the direction indicated by the arrow | 609 (Schedule 3, Part 2, item 2) | |
| Vehicular traffic must keep to the left/right of the sign indicated by the arrow | 610 (Schedule 3, Part 2, item 3) | |
| No right turn for vehicular traffic | 612 (Schedule 3, Part 2, item 7 and Schedule 14, Part 2, item 43) | |
| No left turn for vehicular traffic | 613 (Schedule 3, Part 2, item 8 and Schedule 14, Part 2, item 43) | |
| No U-turns for vehicular traffic | 614 (Schedule 3, Part 2, item 6 and Schedule 14, Part 2, item 43) | |
| Priority must be given to vehicles from the opposite direction | 615 (Schedule 3, Part 2, item 9) | |
| No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement) | 616 (Schedule 3, Part 2, item 10 and Schedule 14, Part 2, item 44) | |
| All vehicles prohibited except non-mechanically propelled vehicles being pushed by pedestrians | 617 (Schedule 3, Part 2, item 11) | |
| Entry to and waiting in a pedestrian zone restricted | 618.3B (Schedule 8, Part 2, item 1) |  <p>The image shows a rectangular traffic sign for a 'PEDESTRIAN ZONE'. It features a red circle with a diagonal line through it. Below the circle, the text reads 'No vehicles Mon - Sat 10 am - 4 pm'. At the bottom, there is a blue box with a white wheelchair icon and the text 'Except and for loading by', followed by a black truck icon. A yellow box at the very bottom contains a red circle with a diagonal line and the text 'At any time'.</p> |

| Description | TSRGD diagram number & location | |
|---|--------------------------------------|---|
| Entry to and waiting in a pedestrian and cycle zone restricted | 618.3C (Schedule 8, Part 2, item 2) |  |
| Motor vehicles prohibited | 619 (Schedule 3, Part 2, item 12) | |
| Motor vehicles except solo motorcycles prohibited | 619.1 (Schedule 3, Part 2, item 18) | |
| Solo motorcycles prohibited | 619.2 (Schedule 3, Part 2, item 20) | |
| Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited | 622.1A (Schedule 3, Part 2, item 13) | |
| One-way traffic | 652 (Schedule 9, Part 4, item 5) |  |
| Buses prohibited | 952 (Schedule 3, Part 2, item 17) | |
| Route for use by buses, pedal cycles and taxis only | 953 (Schedule 3, Part 2, item 33) | |
| Route for use by tramcars only | 953.1 (Schedule 3, Part 2, item 36) | |
| Route for use by pedal cycles only | 955 (Schedule 3, Part 2, item 28) | |
| Route for use by pedal cycles and by pedestrians only | 956 (Schedule 3, Part 2, item 29) | |
| Route comprising two ways, for use by pedal cycles only and by pedestrians only | 957 (Schedule 3, Part 2, item 32) | |

| Description | TSRGD diagram number & location | |
|---|--------------------------------------|---|
| With-flow cycle lane | 959.1 (Schedule 9, Part 4, item 9) |  |
| Contra-flow cycle lane | 960.1 (Schedule 9, Part 4, item 6) |  |
| Part of the carriageway outside an entrance where vehicles must not stop when the marking is placed in conjunction with the prescribed upright sign which includes the symbol at Schedule 4, Part 3, item 10 | 1027.1 (Schedule 7, Part 4, item 10) |  |
| Box junction markings | 1043 (Schedule 9, Part 6, item 25) |  |

Appendix 3

Draft List of Consultation Questions

Differential Levels of Penalties:

1. Thinking about the current PCN levels, do you agree that they:
 - a) should stay the same?
 - b) increase in line with the rate of inflation?
i.e.: £130 = £180
£110 = £150
£80 = £125
£60 = £95
 - c) at the same rate equivalent to the TfL increase from £130 to £160 at approximately 23%?
i.e.: £130 = £160
£110 = £135
£80 = £100
£60 = £75
2. What would be the impact on you for each of the above options?
3. Do you think that there should be a bigger difference between more and less severe penalties? (Yes/No)
4. If so, how big should the difference be?

Banding Regime:

5. Do you think that the current banding system (Band A and Band B) for parking penalties should be retained, or should London have a single band? (Yes/No)
6. What would be the impact on you if a single Band was introduced?

Discount Rate:

7. Do you agree with the discount level for early payment should continue to remain at 50%? (Yes/No)
8. Please tell us about the reasons for your answer to the above question?

Other additional parking charges:

9. Do you agree that the clamping, removal, storage and disposal charges/fees should increase in line with the rate of inflation, given that the current levels were set in 2006 and have not been reviewed since? (Yes/No)

i.e.: £70 = £110
 £200 = £315
 £40 = £65
 £70 = £110

10. What would be the impact on you for each of the above increases?

Bus Lanes and Moving Traffic Contraventions:

11. Do you agree that there should be the same penalty for bus lane and moving traffic contraventions throughout London? (Yes/No)
12. Do you agree that this penalty should continue to be set at the same level as the higher differential parking penalty in Band A? (Yes/No)
13. If you have answered 'No' to any of the above questions, please tell us what you think the penalty for these contraventions should be and why?

London Councils' Transport & Environment Committee

TEC & TEC Executive Sub Committee Dates 2023/24

Item 17

Report by: Alan Edwards

Job title: Governance Manager

Date: 8 June 2023

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 2023/24

Recommendations: It is recommended that Members:

- Agree the proposed dates for TEC and TEC Executive Sub Committee meetings for the year 2023/24.

TEC (Main) Committee Proposed Dates

- 12 October 2023
- 7 December 2023
- 21 March 2024

All the above meetings start at 2.30pm, with a pre-meeting for political groups at 1.30pm (1.45pm for the Conservative Group). All TEC (Main) Committee meetings will be held as "hybrid" meetings. However, in order to vote on matters arising, TEC members will need to be physically present in the room.

TEC Executive Sub Committee Proposed Dates

- 7 September 2023
- 16 November 2023
- 8 February 2024

TEC Executive Sub Committee meetings start at 10:00am and will be held on a “hybrid” basis, as with full TEC meetings, members will need to be physically present in the room to vote on matters arising.

Recommendations

It is recommended that Members:

- Agree the TEC and TEC Executive Sub Committee meetings for the year 2023/24.

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.

Item 18

London Councils' Transport and Environment Committee (In-Person) – 23 March 2023

Minutes of a meeting of London Councils' Transport and Environment Committee held on Thursday 23 March 2023 at 2:30pm, in the Conference Suite, 59½ Southwark Street, London, SE1 0AL

Present:

| Council | Councillor |
|----------------------------|---|
| Barking and Dagenham | Cllr Syed Ghani |
| Barnet | Cllr Geof Cooke |
| Bexley | Cllr Peter Craske (virtual) |
| Brent | Cllr Krupa Sheth |
| Bromley | Cllr Nicholas Bennett |
| Camden | Cllr Adam Harrison |
| Croydon | Apologies |
| Ealing | Cllr Deidre Costigan |
| Enfield | Apologies |
| Greenwich | Cllr Averil Lekau |
| Hackney | Mayor Philip Glanville (Chair) |
| Hammersmith and Fulham | Cllr Sharon Holder |
| Haringey | Cllr Mike Hakata |
| Harrow | Cllr Anjana Patel |
| Havering | Cllr Barry Mugglestone |
| Hillingdon | Cllr Jonathon Bianco |
| Hounslow | Cllr Katherine Dunne |
| Islington | Apologies |
| Kensington and Chelsea | Cllr Cem Kemahli |
| Kingston Upon Thames | Cllr Peter Herlinger (Deputy – virtual) |
| Lambeth | Apologies |
| Lewisham | Cllr Louise Krupski |
| Merton | Cllr Natasha Irons |
| Newham | Cllr James Asser |
| Redbridge | Cllr Jo Blackman |
| Richmond Upon Thames | Cllr Julia Neden-Watts (Deputy – virtual) |
| Southwark | Cllr Catherine Rose |
| Sutton | Cllr Barry Lewis (virtual) |
| Tower Hamlets | Apologies |
| Waltham Forest | Cllr Clyde Loakes (virtual) |
| Wandsworth | Cllr Judi Gasser |
| City of Westminster | Cllr Paul Dimoldenberg |
| City of London Corporation | Apologies |
| Transport for London | Heather Preen (Deputy) |

The Chair opened the TEC meeting, which could be accessed by the public online via a livestream. The Chair reminded Members that the speakers in the Conference Suite were very sensitive and might pick-up any personal discussions that Members might have. Members were also asked if they could state their names and where they were from when addressing the Committee.

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Scott Roche (LB Croydon), Cllr Rick Jewell (LB Enfield), Cllr Rowena Champion (LB Islington), Cllr Ian Manders (RB Kingston), Cllr Rezina Choudhury (LB Lambeth), Cllr Alex Ehmann (LB Richmond), Cllr Kabir Hussain (LB Tower Hamlets), Alex Williams (Transport for London), and Shravan Joshi (City of London Corporation).

Deputies:

Cllr Peter Herlinger (RB Kingston), Cllr Julia Neden-Watts (LB Richmond), and Heather Preen (Transport for London).

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

Freedom Pas, 60+ Oyster Card & Blue Badge

Cllr Anjana Patel (LB Harrow) and Cllr Peter Herlinger (RB Kingston).

East London Waste Authority

Cllr Barry Mugglestone (LB Havering)

West London Waste Authority

Cllr Katherine Dunne (LB Hounslow)

Western Riverside Waste Authority

Thames Regional Flood & Coastal Committee (Thames RFCC)

Cllr Barry Mugglestone (LB Havering) and Cllr Julia Neden-Watts (LB Richmond)

Labour Cycles

Cllr Katherine Dunne (LB Hounslow)

London Road Safety Council (LRSC)

Cllr Barry Mugglestone (LB Havering)

3. Vision Zero Update by Lili Matson, Transport for London

Lili Matson, Chief Safety Health & Environment Officer, Transport for London, introduced the item and made the following comments:

- The presentation on Vision Zero was to update TEC Members on where TfL was and the progress that was being made on Vision Zero. There was a great deal of joint working with the London boroughs to help reduce deaths, and research was being undertaken on this.
- Vision Zero in 2018 was based on a “safe system” approach which included safe speeds, streets, vehicles and behaviours. TfL’s actions were based on this.

Vision Zero also looked at attitudes and “fear of travel”. Safety was at the heart of what needed doing in London.

- London had delivered safer streets quicker than anywhere else in the UK, resulting in a 44% reduction (up to 2021) in the number of people killed or seriously injured since the baseline was set in 2005/06. The target in the Mayor’s Transport Strategy (MTS) was to reduce deaths and injuries by 65%. This would not be achieved although fatal injuries had been reduced by 53% against the 2005/06 baseline. This was achieved by taking a safer system approach.
- Speeding vehicles were the main cause of deaths and injuries and the work around Direct Vision Standards (DVS) had been very important in reducing this. 80% of people killed or seriously injured had been walking, cycling or on motorcycles (vulnerable road users). Discussions were taking place with the motorcycle industry to find ways to help reduce these figures.
- TfL was pressing for the right kind of funding to deliver healthy, safer streets.
- Boroughs were leading the way on implementing lower speed limits across London – people were five times more likely to survive if hit by a vehicle travelling at 20mph than they would be at 30mph. 20mph was looking to be rolled-out on TfL roads.
- There were five key actions that London boroughs could consider in order to help reduce road danger and help achieve Vision Zero including lower speed limits, reducing motor traffic on roads and producing safer street designs. Work was also being undertaken to help promote Active Travel (walking, cycling, bus usage etc) and to committing vehicle work fleets to be as safe as possible.
- TfL had data and information to help boroughs and had a “collision dashboard” and an “enforcement dashboard” to help boroughs. The “enforcement dashboard” would be available later in the summer.
- TfL wanted a greater understanding of the risks across London and was undertaking a detailed piece of work on inequalities and accident rates which would be published shortly and would help ascertain where collisions were taking place and what people were being killed and injured. This would be broken down into relevant areas like gender difference and most deprived areas versus least deprived areas.
- More men aged between 16 to 30 years old were being killed and injured from deprived areas. This inequalities research was important and a pre-briefing session had taken place with the boroughs. TfL would keep the boroughs updated on how this work would be taken forward.
- Good progress had been made with regards to Vision Zero and this agenda needed to carry on being focused on.

Q and As.

Councillor Kemahli asked whether the density of London’s population was being taken into account when it came to assessing the number of accidents and injuries. He asked whether those injured from deprived areas were on their way to work or coming back home from their workplace. Councillor Bennett asked when TfL would be publishing the report on road safety now that the work had been completed. Councillor Lewis said that the Active Travel Plan promoted street design. He said that the Borough of Sutton needed a more collaborative approach with TfL to ensure that this happened. Councillor Lewis voiced concern that the boroughs were not receiving sufficient funding in order to fix dangerous junctions and more action was needed to do this.

Lili Matson said that density was relative to proportion size. There were two separate streams of analysis – those people that lived in the Greater London area and where these people had originated from. She said that TfL would ensure that this was made clear when the report went out. Information on this could be shared now with the boroughs, although the Mayor would need to be consulted with first (boroughs could

speak to Alex Tallon at TfL in the first instance). Lili Matson said that there were too many unsafe junctions at present. She said that there was a long list of these junctions and boroughs should continue to raise these issues.

Councillor Blackman said that there was an increase in the number of moped users in the borough of Redbridge and a very serious accident had recently occurred in the borough. She voiced concern that there would be an increase in fatalities in Redbridge. Councillor Neden-Watts agreed and said that this was also happening in the Borough of Richmond. She said that there was an urgent need to find ways to deal with this. Councillor Neden-Watts said that all the roads in the Borough of Richmond now had 20mph speed limits. She informed TEC that the data that Richmond had would help convince other boroughs to follow suit. Members could also talk to Councillor Ehmann to find out more details on this. Councillor Herlinger asked whether analysis had been carried out in other areas to help combat fatalities.

Lili Matson said that there had been a reduction in motorcyclists since the pandemic, which was good but this might be due to a reduction in people commuting by motorcycles. However, there had now been an explosion in moped usage. Lili Matson said that TfL had brought together “Uber Eats” and other delivery companies and was now working on a charter with them to improve road safety. She said that collisions were often related to people’s behavior and London Councils needed to look at tightening up the tests on motorcycles etc. Lili Matson said that TfL had carried out research on its own benefits of a 20mph speed limit roll-out. She said that there had been a significant reduction in deaths and injuries as a result of this. The DfT was also looking at this outside of London, although not in as much depth.

With regards to the “Indices of Deprivation” in the presentation, Councillor Hakata said that it would be interesting to know the level of car ownership in these areas of deprivation. Councillor Krupski said that the 20mph speed limits on roads had been successful but only because of enforcement. She asked whether the GLA had an opinion on this and asked whether local authorities could enforce their own speed limits. Councillor Krupski said that more communication needed to take place between TfL and the boroughs as the boroughs were often informed of any issues once they had already happened/been implemented.

Councillor Patel asked whether more motorcycle accidents were occurring because of the large number of deliveries that were taking place. She asked whether more accidents were happening in the driver’s borough or where the motorcyclist had come from. Councillor Patel said that more clarity was needed on this. Councillor Costigan thanked Lili Matson for the update and equalities information. She said that there was an issue regarding the parking of motorcycles on pavements that was causing problems. Councillor Costigan said that her Borough of Ealing had carried out some work with businesses like McDonalds with regards to deliveries.

The Chair said that it was beneficial that the data was forthcoming and that work was continuing on trunk roads. He said that delivery apps were an incentive for motorcyclists to take risks and there might need to be a push for a bit of lobbying to take place on this. The Chair thanked TfL for their continued engagement with the boroughs on Vision Zero.

Lili Matson said that TfL had a list of postcodes relating to risk (people from deprived areas of risk and people coming in from those areas). She said that lower car ownership did not equate to less risk of injury. Lili Matson said that most of the risk came from motorcycles and TfL had been discussing how to reduce this risk with the police. She said that the data that was available at the moment was crude and was not broken down by trips. It was known that delivery drivers were involved in a large

number of collisions and TfL would be raising the issue of the parking of delivery vehicles. Lili Matson said that there would be work coming out of speeding that could look at what was needed to promote behavioural change. She said that it was unlikely that there would be much progress when it came to the decriminalisation of speeding, although boroughs could continue to carry out enforcement in their own areas via the use of mobile speed cameras. Boroughs could look at where enforcement was not happening enough, or where it was happening too much.

Kalpini Dave, Assistant Director of Commercial, Contracts and Service Delivery, London Councils, said that an analysis of micromobility was taking place and would be looked at in the future. Lili Matson said that any issues would be fed back into central government, who would be looking at whether to make e-scooters legal or not. Councillor Bennett asked whether any analysis had been carried out on whether the drivers of e-scooters/e-bikes had been committing criminal offences. Lili Matson said that TfL had produced an “annual fact sheet” and the main prevalence appeared to be speeding, although criminality was part of this as well. She said that in 2022 there was an uplift in people being killed in vehicles, especially overnight as a consequence of speeding and joyriding. The Chair said that it would be good to know when this information/data was available.

The Chair thanked Lili Matson for the update from TfL on Vision Zero.

4. Chair's Report

The Committee received a report that updated Members on transport and environment policy activity since the last TEC meeting held on 8 December 2022.

The Chair informed TEC that Anthony Chan had now been appointed as the new Chief Adjudicator at London Tribunals. He said that the Transport Funding sub group had continued to meet. The reduction in Active Travel funding was disappointing and the fact that London had not been included in the “pothole” fund. The Chair said that Thames Water would also be invited to attend a future TEC meeting.

Councillor Costigan said that a letter explaining the latest LIPs would soon be available to the boroughs. She informed Members that the issue of bus services had been discussed at the London Travelwatch Board and closer collaboration was needed between TfL and the boroughs on this. Councillor Costigan said that there was also the issue of whether a personal assistant would be allowed to travel with a Freedom Pass holder that needed help. Councillor Loakes also said that the cut to Active Travel funding (£200million) was very disappointing. He said that he would be interested in looking at the current rates of PCNs which had now been frozen since 2011. Councillor Bennett said that the lack of pothole funding for London was disappointing and needed to be looked at again.

Councillor Hakata asked when the MOU template for e-bikes would be made available to the boroughs, as the Borough of Haringey had already gone out to tender and needed an MOU template. He also asked when the last chance would be for boroughs to join the e-scooter trials. Katharina Winbeck said that an MOU template was ready and would be sent to boroughs. She said that boroughs had an opportunity every month to join the e-scooter trials, as the trial were currently ongoing.

The Chair said that he was keen for officers to prepare a paper on PCN rates for TEC. Stephen Boon said that a draft paper on PCN rates would be presented to the TEC AGM on 8 June 2023, although any changes would require a formal consultation before being decided on by Members. Stephen Boon said that he would take away and look at

the costs of people with Freedom passes travelling with personal assistants. Councillor Asser asked what a “consultation” on PCN rates referred to. Stephen Boon said that this referred to a boroughwide consultation.

The Committee:

- Noted the Chair’s Report;
- Noted that the MOU template for e-bikes would be sent to boroughs; and
- Noted that a draft report on PCN rates would be presented to TEC at the AGM on 8 June 2023.

5. Climate Advocacy Update

The Committee received a report that provided an update on the climate advocacy strategy being pursued by London Councils, and recent activities undertaken to support its aims.

Zak Bond, Principal Policy Officer, Climate Change, introduced the report which was now looking at a delivery plan in order to get the changes that were required along with planning further policy development work. He informed Members that the Net Zero Forum and Green Day event (30 March 2023) would be looking at updating the Net Zero Strategy, along with responses to the Climate Change Committee.

The Chair said that he was the Chair of the Net Zero Forum for the LGA along with Councillor Holland from the Borough of Lambeth. He said that officers had done a great job on Net Zero for COP26. There was a great deal of work that needed to be done including retrofitting and housing funding. The Chair informed Members that a 3Ci dinner had taken place last night and a blended finance model was continuing to be looked at and lots of opportunities were being provided (Appendix 1).

With regards to retrofitting and investment, Councillor Neden-Wats said that there were a large number of residents in the Borough of Richmond that wanted to help with retrofitting but lacked the knowledge or skills when it came to the delivery of this. She said that she supported lobbying for more investment in training and skills. Councillor Hakata said that he also supported more lobbying work and said that there was a need for a change in the funding model. Statutory duties were also needed on this, otherwise it would be difficult to justify a greater increase in funding. The Chair said that the Green New Deal was now being reinstated. He said that things were moving in the right direction, although the inconsistency with regards to the funding pots was making it difficult for boroughs to plan ahead.

Councillor Lewis asked whether any tracking was being carried out on how well boroughs were progressing with retrofitting and whether ways of dealing with the skills shortage was being looked into. Katharina Winbeck said that officers would update the boroughs on how retrofitting was progressing in due course. The Chair said that any questions regarding this could be directed to Hannah Jameson, Programme Director of Climate Change, London Councils, in the first instance.

The Committee:

- Noted that officers would look into how boroughs were progressing with retrofitting and report back to TEC, especially with regards to capacity issues caused by skills shortages; and
- Noted the Climate Advocacy Update report.

6. Electric Vehicle Infrastructure Coordination Update

The Committee received a report on London Councils continued role in coordinating and supporting boroughs in delivering electric vehicle charging infrastructure. This paper also provided TEC with an update on the funding situation in London.

Femi Biyibi, Principal Policy & Projects Officer, London Councils, introduced the report. He said that London continued to lead the way on Electric Vehicle (EV) infrastructure although more work was now required in order to meet the Mayor's targets. Femi Biyibi said that the report provided an overview of London Councils' work to support boroughs with EV infrastructure. Since 2016, 9,000 charge points had been installed through the Go Ultra Low City Scheme (GULCS). Boroughs could now access local EV infrastructure schemes going forward.

Femi Biyibi said that London Councils was working with the GLA, TfL and LEDNet to use the £540k funding that was made available to deliver a support function carried out from London Councils (although the £540k funding was less than was hoped for). Councillor Loakes voiced concern that VAT for electric charge points installed at people's homes was only 5% compared to the 20% charged for on-street charge points. He said that this issue needed exploring further as there needed to be a level playing field throughout. It was noted that work taking place with the boroughs and TfL would ensure that charge points worked well.

Councillor Lewis asked what the expectation was with regards to using borough land for rapid charging sites and how boroughs would go about this. Councillor Hakata asked whether there would be a framework in place through a London Councils' Agreement. He asked whether any coordination was planned with regards to electrifying buses and having EV forecourts (ie superfast charging). Councillor Dunne asked whether all the boroughs would be working on kerbside parking and taking forward all these issues. She said that there was also a need to know how the private sector would be contributing. Councillor Dunne felt that there was a relatively small number of EVs in comparison to the 6,000 charging points.

Femi Biyibi said that the issue of cheaper VAT on charge points at people's homes had been raised with borough officers. He said that he was unable to go into more depth about this at the moment. Femi Biyibi said that the use of borough land for rapid charging sites was still being considered by TfL and officers would have to work with TfL and the boroughs to ensure that the charge points worked for the boroughs and TfL. With reference to accessing the LEVI fund, Femi Biyibi said that there was a strong emphasis on collaboration with the boroughs (and among each other) on delivering charge points. He informed Members that the Go Ultra low City Scheme (GULCS) was a public scheme but charging providers were private entities. London Councils worked with the boroughs to ensure best practice. Femi Biyibi said that that London Councils wanted to replicate the success of the GULCS framework to encourage the utilisation of LEVI through the London Template designed through TfL.

Femi Biyibi said that that data had been collected for plug-in vehicles in London with regards to market progression. He said that new technologies were now enabling charge points to take up less space (eg on kerbs, parking etc). Information on this would be shared with the boroughs, along with innovative approaches. The Chair said that the borough of Hackney was on course to deliver 3,000 charge points by 2026.

7. Concessionary Fares 2023/24 Settlement & Apportionment Revision

The Committee received a report that informed members of a revised settlement for the

Freedom Pass scheme in 2023/24 following lower than inflation rail fare increases announced in January 2023.

Stephen Boon introduced the report which superceeded the previous Concessionary Fares report that was sent to Members. He said that the rail fare increases were lower now than when the settlement with TfL was carried out and had reduced the costs of the Freedom Pass scheme. Stephen Boon said that TEC was now being asked to approve the revised TfL and Rail Delivery Group (RDG) figures.

The Committee:

- Agreed the TfL settlement of £207.770 million 2023/24; and
- Agreed the Rail Delivery Group (RDG) settlement of £16.256 million for 2023/24

8. Mobility Services Update

The Committee received a report that provided members with an update on development of the new customer website (Project Elevate) for Taxicard and Freedom Pass applicants.

Andy Rollock, Mobility Services Manager, London Councils, introduced the report which gave an update on the new online services available for the Freedom Pass and Taxicard. He said that there had been initial “go live” problems and development work was still going on. The Taxicard back-office went live in January 2023 and the process had now been improved and the backlog was starting to be cleared. Andy Rollock said that users would now have access to a Taxicard online portal service. Applicants could apply online and provide supporting documentation. However, it was recognised that not all applicants would have the knowledge or support to apply for their Freedom passes or Taxicards online, so paper versions would continue to be made available.

Andy Rollock informed Members that passholders had been experiencing problems when it came to ordering a taxi from ComCabs. He said that the number of taxis and drivers available was now starting to pick-up and work with ComCabs was now increasing. Andy Rollock said that London Councils was aware of these issues and was trying to fill in the gaps with ComCab. He said that boroughs should let him know of any problems they were experiencing.

The Committee noted the Mobility Services Update report.

9. London Borough of Tower Hamlets Byelaws – Setting Penalty Levels

The Committee received a report that provided Members with the results of the Tower Hamlets Parks and Open Spaces Fixed Penalty Notices (FPNs) for byelaws consultation, which was undertaken on behalf of TEC from 19 December 2022 to 31 January 2023.

Andy Luck, Transport Manager, London Councils, introduced the report. He said that 466 people had responded to the public consultation on the setting of PCNs for byelaw offences (instead of prosecution). Support for FPNs was for existing TEC approved levels (£80). Members were now being asked to support the recommendations.

The Committee:

- Agreed to set a fixed penalty level of £80 for breaches to the Tower Hamlets Parks and Open Spaces Byelaws; and
- Agreed to set the level of reduced payment at £50 if the fixed penalty is paid within 14 days from the date of the notice.

10. London Borough of Redbridge – Additional Parking Charges

The Committee received a report that detailed the proposal by the London Borough of Redbridge to amend the penalty charge banding from Band B to Band A across the borough.

Councillor Blackman informed members that the Borough of Redbridge consistently suffered from non-compliance of parking regulations. She said that she welcomed the recommended banding changes as highlighted in this report and hoped that it would be supported.

The Committee:

- Approved the proposal to change the penalty banding in LB Redbridge (from Band B to Band A), subject to the agreement of the Secretary of State; and
- Noted the proposed implementation date for the change was 1 August 2023

11. Proposed TEC and TEC Executive Sub Committee Dates for 2023/24

The Committee received a report that notified members of the proposed TEC and TEC Executive Sub Committee dates for the committee cycle year 2023/24.

It was noted that it was being proposed that the start times of the TEC Executive Sub Committees change from 10am to 2.30pm in order for the Conservative Vice Chair to be able to attend these meetings.

The Committee agreed the proposed dates for TEC and TEC Executive Sub Committee meetings for the committee cycle year 2023/24, including the start time change of the TEC Executive Sub Committee from 10:00am to 14:30pm.

12. Minutes of the TEC Executive Sub Committee held on 9 February 2023 (for noting)

The Committee noted the minutes of the TEC Executive Sub Committee meeting held on 9 February 2023

13. Minutes of the TEC Main Meeting held on 8 December 2022 (for agreeing)

The Minutes of the TEC Main Meeting held on 8 December 2022 were agreed as being an accurate record.

The meeting finished at 16:20pm.