

London Councils' Transport and Environment Committee

Annual General Meeting

Thursday 15 October 2020 at 2:30pm

Virtual

Labour Group: Virtual at 1.30pm

Conservative Group: Virtual at 1.30pm

Liberal Democrat Group: Virtual at 1.30pm

Contact Officer: Alan Edwards

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Part One: AGM Items		
1	Apologies for Absence and Announcement of Deputies	-
2	Declarations of Interests*	
3	Election of TEC Chair	-
4	Election of Vice Chairs (To elect three vice chairs of the Committee for the Municipal Year 2020/21)	
5	Membership of London Councils' Transport & Environment Committee 2020/21	
6	Appointment of the TEC Executive Sub Committee for 2020/21	
7	TEC AGM Minutes of 13 June 2019 (for noting – previously agreed)	
8	Constitutional Matters	
Part Two: Items of Business		
9	London Waste & Recycling Board (LWARB) Update – Presentation by Chair of LWARB and Chief Operating Officer	

10	Under 18 Travel Update by Transport for London (TfL) – Oral Update	-
11	Environment & Traffic Adjudicators' Annual Report	
12	Chair's Report	
13	TEC Priorities for 2020/21	
14	Climate Change Report	<i>To Follow</i>
15	Electric Vehicle Coordination Function Update	
16	Taxicard Update	
17	Additional Parking Charges for the London Borough of Barnet	<i>To Follow</i>
18	Additional Parking Charges for the London Borough of Merton	<i>To Follow</i>
19	Minutes of the TEC Executive Sub Committee held on 10 September 2020 (for noting)	
20	Minutes of the TEC Main Meeting held on 11 June 2020 (for agreeing)	
	<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	Freedom Pass Payments to non-TfL Bus Operators	

Declarations of Interest

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

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

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

It is a matter for each member to decide whether they should leave the room while an item that they have an interest in is being discussed. In arriving at a decision as to whether to leave the

room they may wish to have regard to their home authority's code of conduct and/or the Seven (Nolan) Principles of Public Life.

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

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

Alan Edwards

Governance Manager

Tel: 020 7934 9911

Email: alan.e@londoncouncils.gov.uk

TEC Declarations of Interest as at 15 October 2020

Freedom Pass Holders/60+ Oyster Cards

Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Kirsten Hearn (LB Haringey), Cllr David Edgar (LB Tower Hamlets), Cllr Richard Field (LB Wandsworth), and Cllr Tim Mitchell (City of Westminster).

North London Waste Authority

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

Western Riverside Waste Authority

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

East London Waste Authority

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

West London Waste Authority

Cllr Krupa Sheth (LB Brent)

South London Waste Partnership

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

Car Club

Cllr Tim Mitchell (City of Westminster).

TfL Board Member

Cllr Julian Bell (LB Ealing)

London Waste & Recycling Board (LWARB)

Cllr Claire Holland (LB Lambeth – Chair) and Cllr Krupa Sheth (LB Brent)

Thames Regional Flood & Coastal Committee (RFCC)

Cllr Syed Ghani (LB Barking & Dagenham), Cllr Wesley Harcourt (LB Hammersmith & Fulham), Cllr Jon Burke (LB Hackney), and Cllr Richard Livingstone (LB Southwark).

Thames & London Waterways Forum

Cllr Richard Livingstone (LB Southwark)

London Cycling Campaign

Cllr Hilary Gander (RB Kingston), and Cllr Clyde Loakes (LB Waltham Forest)

London Road Safety Council (LRSC)

Cllr Krupa Sheth (LB Brent), Cllr Sizwe James (RB Greenwich), Cllr Jerry Miles (LB Harrow), Cllr Richard Livingstone (LB Southwark), and Cllr Tim Mitchell (City of Westminster)

Dockless Bike Scheme

Cllr Hilary Gander (RB Kingston) and Cllr Clyde Loakes (LB Waltham Forest).

Rail Delivery Group

Cllr John Howard (LB Redbridge)

London Councils' Transport and Environment Committee

Election of TEC Vice Chairs for 2020/21

Item
No: 04

Report by: Alan Edwards **Job title:** Governance Manager
Date: 15 October 2020
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 2020/21 municipal year.

Recommendation: The Committee is recommended to:

- Elect three Vice Chairs for London Councils' Transport & Environment Committee for 2020/21.

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 2020/21 is as follows: 21 Labour members, 8 Conservative members, 3 Liberal Democrat members, the City of London and Transport for London.
3. It was agreed in 2010/11 that a Deputy Chair would no longer be elected to TEC. In line with that decision, therefore it is proposed that three Vice Chairs would be nominated – one Vice Chair from the Labour Group, one Vice Chair from the Conservative Group and one Vice Chair from the Liberal Democrat Group with one of the Vice Chairs acting as Deputy Chair on the Committee.

Recommendation:

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

Legal Implications for London Councils

5. There are no legal implications for London Councils.

Equalities Implications for London Councils

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

Financial Implications for London Councils

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

Background Papers

London Councils Standing Orders, June 2015
Election of Vice Chairs, Item 6, 10/06/10, File: TEC Final 2010/11

London Councils' Transport and Environment Committee

Membership of London Councils' TEC 2020/21

Item
No:05

Report by:	Alan Edwards	Job title:	Governance Manager
Date:	15 October 2020		
Contact Officer:	Alan Edwards		
Telephone:	07767444885	Email:	Alan.e@londoncouncils.gov.uk

Summary: This report sets out the latest details of the Committee's Membership for 2020/21. It was agreed that the TEC membership would be reported at the AGM (now the 15 October 2020).

Recommendation: The Committee is recommended:

- to note the membership as at 15 October 2020, of London Councils' TEC for 2020/21.

Borough Representation for the Municipal Year 2020/21

Barking & Dagenham	Main Rep: Cllr Syed Ghani Deputy: Cllr Cameron Geddes
Barnet	Main Rep: Cllr Peter Zinkin Deputies: Cllr Dean Cohen Cllr Alan Schneiderman Cllr Geoff Cooke Cllr Laithe Jajeh
Bexley	Main Rep: Cllr Peter Craske Deputies: Cllr Alex Sawyer Cllr Melvin Seymour
Brent	Main Rep: Cllr Krupa Sheth Deputies: Cllr Shama Tatler Cllr Promise Knight Cllr Neil Nerva
Bromley	Main Rep: Cllr William Huntington-Thresher Deputies: Cllr Will Rowlands Cllr Will Harmer Cllr Kieran Terry Cllr Colin Hitchens
Camden	Main Rep: Cllr Adam Harrison Deputies: Cllr Danny Beales Cllr Meric Apak Cllr Richard Olszewski
City of London Corporation	Main Rep: Alastair Moss Deputies: Keith Bottomley Jeremy Simons Oliver Sells
Croydon	Main Rep: Cllr Stuart King Deputies:
Ealing	Main Rep: Cllr Julian Bell Deputies: None Given
Enfield	Main Rep: Cllr Guney Dogan

	<i>Deputies: Cllr Ian Barnes</i>
Greenwich	Main Rep: Cllr Sizwe James <i>Deputies: Cllr Denise Scott-McDonald</i>
Hackney	Main Rep: Cllr Jon Burke <i>Deputies: Mayor Philip Glanville</i>
Hammersmith & Fulham	Main Rep: Cllr Wesley Harcourt <i>Deputy: Cllr David Morton</i>
Haringey	Main Rep: Cllr Kirsten Hearn <i>Deputies: Cllr Seema Chandwani Cllr Matthew White Cllr Mike Hakata</i>
Harrow	Main Rep: Cllr Varsha Parmar <i>Deputies: Cllr Jerry Miles Cllr Chloe Smith</i>
Havering	Main Rep: Cllr Osman Dervish <i>Deputies: Cllr Jason Frost Cllr Viddy Persaud Cllr Robert Benham</i>
Hillingdon	Main Rep: Cllr Keith Burrows (tbc) <i>Deputies: (tbc)</i>
Hounslow	Main Rep: Cllr Hanif Khan <i>Deputies: None Given</i>
Islington	Main Rep: Cllr Rowena Champion <i>Deputies: tbc</i>
Kensington & Chelsea	Main Rep: Cllr Johnny Thalassites <i>Deputies: Cllr Cem Kemahli Cllr Will Pascall Cllr Malcolm Spalding</i>

Kingston	Main Rep: Cllr Hilary Gander Deputies: Cllr Tim Corbett Cllr Rebekah Moll Cllr Dave Ryder-Mills
Lambeth	Main Rep: Cllr Claire Holland Deputies: Cllr Nigel Haselden
Lewisham	Main Rep: Cllr Sophie McGeevor Deputies: Cllr Brenda Dacres
Merton	Main Rep: Cllr Martin Whelton Deputies: Cllr Mark Allison
Newham	Main Rep: Cllr James Asser Deputies: Cllr Nilufa Jahan
Redbridge	Main Rep: Cllr John Howard (tbc) Deputies: (tbc)
Richmond	Main Rep: Cllr Alexander Ehmann (tbc) Deputies: (tbc)
Southwark	Main Rep: Cllr Johnson Situ Deputies: Cllr Catherine Rose
Sutton	Main Rep: Cllr Manuel Abellan Deputies: Cllr Ben Andrew Cllr Hanna Zuchowska Cllr Steve Penneck Cllr Jill Whitehead
Tower Hamlets	Main Rep: Cllr Asma Islam Deputies: Cllr Dan Tomlinson
Waltham Forest	Main Rep: Cllr Clyde Loakes Deputies: Cllr Naheed Asghar Cllr Grace Williams
Wandsworth	Main Rep: Cllr Richard Field

	<i>Deputies: Cllr John Locker Cllr Guy Humphries</i>
<i>Westminster</i>	<i>Main Rep: Cllr Tim Mitchell</i> <i>Deputies: Cllr Richard Smith</i>
<i>Transport for London</i>	<i>Main Rep: Alex Williams</i> <i>Deputy: Heather Preen</i>

Red *italics* indicates a new lead TEC representative.

Black *italics* indicates nomination received, but same TEC representative

Legal Implications for London Councils

1. There are no legal implications for London Councils.

Equalities Implications for London Councils

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

Financial Implications for London Councils

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

Background Papers

None.

London Councils' Transport and Environment Committee

Appointment of the Executive Sub Committee for 2020/21

Item
No: 06

Report by: Alan Edwards **Job title:** Governance Manager
Date: 15 October 2020
Contact Officer: Alan Edwards
Telephone: 020 7934 9911 **Email:** Alan.e@londoncouncils.gov.uk

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

Recommendations: The Committee is asked to:

- Elect eleven members to serve on the TEC Executive Sub Committee for the municipal year for 2020/21 on the basis set out in the report, and the Independent from the City of London; and
- Note the procedure for taking urgent decisions as set out in paragraphs 7 to 9.

Background

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

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

Composition of the TEC Executive Sub Committee

5. Under statute the composition of the Sub Committee must reflect the political balance of members of the Main Committee. The TEC Executive Sub Committee has hitherto been made up eleven members with the representative of the City of London specifically invited to attend meetings.
6. On the basis of the London Councils' approach to proportionality (the d'Hondt formula), after the 2018 local elections, this would give the Labour Group 7 members and 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.

Last Year's Composition was as follows:

Cllr Julian Bell (Chair)	LB Ealing	Labour
Cllr Wesley Harcourt	LB Hammersmith & Fulham	Labour
Cllr Claudia Webbe	LB Islington	Labour
Cllr Zulfiqar Ali	LB Newham	Labour
Cllr Denise Scott-McDonald	RB Greenwich	Labour
Cllr Claire Holland	LB Lambeth	Labour
Cllr Richard Livingstone	LB Southwark	Labour
Cllr William Huntington-Thresher	LB Bromley	Conservative
Cllr Richard Field	LB Wandsworth	Conservative
Cllr Tim Mitchell	City of Westminster	Conservative
Cllr Manuel Abellan	LB Sutton	Liberal Democrat

Alastair Moss	City of London Corporation	Independent
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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' Director of Transport and Mobility, that the matter in question is urgent and agree on the Director of Transport and Mobility's recommendation, then the decision shall be taken by the Director of Transport and Mobility in accordance with such recommendation, subject to the decision being recorded in writing, and signed by the Elected Officers agreeing the recommendation and the Director of Transport and Mobility.
9. The Elected Officers and the Director of Transport and Mobility may nominate persons to act in their absence for the purpose of this Standing Order. Any urgent decisions taken under this procedure will be reported to the next meeting of the Committee.

Equalities Considerations

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

Financial Considerations

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

Background Papers

Short Title of Document	Date	File Location	Contact Officer	Exempt Info Para under Schedule 12A
London Councils' Standing Orders	June 2015	London Councils' Offices, Southwark St	Alan Edwards	N/A

London Councils' Transport and Environment Committee AGM Minutes – 13th June 2019

AGM minutes of the meeting of London Councils' Transport and Environment Committee held on Thursday 13th June 2019 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL

Present:

Council	Councillor
Barking and Dagenham	Cllr Syed Ghani
Barnet	Cllr Peter Zinkin (Deputy)
Bexley	Cllr Peter Craske
Brent	Cllr Krupa Sheth
Bromley	Cllr William Huntington-Thresher
Camden	Cllr Adam Harrison
Croydon	Apologies
Ealing	Cllr Julian Bell (Chair)
Enfield	Cllr Guney Dogan
Greenwich	Cllr Denise Scott-McDonald
Hackney	Cllr Jon Burke
Hammersmith and Fulham	Apologies
Haringey	Cllr Kirsten Hearn
Harrow	Cllr Varsha Parmar
Havering	Apologies
Hillingdon	
Hounslow	Cllr Hanif Khan
Islington	Apologies
Kensington and Chelsea	Apologies
Kingston Upon Thames	Apologies
Lambeth	Cllr Claire Holland
Lewisham	Cllr Brenda Dacres
Merton	Cllr Martin Whelton
Newham	Cllr Zulfiqar Ali
Redbridge	Cllr John Howard
Richmond Upon Thames	Cllr Alexander Ehmann
Southwark	Cllr Richard Livingstone
Sutton	Cllr Manuel Abellan
Tower Hamlets	Cllr David Edgar
Waltham Forest	Cllr Clyde Loakes
Wandsworth	Cllr Richard Field
City of Westminster	Cllr Tim Mitchell
City of London	Apologies
Transport for London	Alex Williams

1. Apologies for Absence & Announcement of Deputies

Apologies:

Cllr Claudia Webbe (LB Islington)
Cllr Osman Dervish (LB Havering)
Cllr Stuart King (LB Croydon)
Cllr Wesley Harcourt (LB Hammersmith & Fulham)
Cllr Hilary Gander (RB Kingston)
Cllr Johnny Thalassites (RB Kensington & Chelsea)
Cllr Dean Cohen (LB Barnet)
Cllr Keith Burrows (LB Hillingdon)
Alastair Moss (City of London)

Deputies:

Cllr Peter Zinkin (LB Barnet)

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

60+ Oyster & Freedom Pass

Cllr Peter Zinkin (LB Barnet)
Cllr Julian Bell (LB Ealing)
Cllr Kirsten Hearn (LB Haringey)
Cllr Wesley Harcourt (LB Hammersmith & Fulham)
Cllr David Edgar (LB Tower Hamlets)
Cllr Richard Field (LB Wandsworth)

Dockless Bike Scheme

Cllr Julian Bell (LB Ealing – Chair)
Cllr Clyde Loakes (LB Waltham Forest)

North London Waste Authority

Cllr Peter Zinkin (LB Barnet)
Cllr Kirsten Hearn (LB Haringey)
Cllr Clyde Loakes (LB Waltham Forest)

South London Waste Partnership

Cllr Manuel Abellan (LB Sutton)

South East Waste Disposal Group

Cllr Denise Scott-McDonald (RB Greenwich)

Western Riverside Waste Authority

Cllr Claire Holland (LB Lambeth)

Western Regional Waste Authority

Cllr Wesley Harcourt (LB Hammersmith & Fulham)

Environmental Protection UK

Cllr Denise Scott-McDonald (RB Greenwich)

Thames Regional Flood & Coastal Committee

Cllr Peter Zinkin (LB Barnet)

Car Club

Cllr Julian Bell (LB Ealing – Chair)
Cllr David Edgar (LB Tower Hamlets)
Cllr Tim Mitchell (City of Westminster)

London Road Safety Council

Cllr William Huntington-Thresher (LB Bromley)
Cllr Denise Scott-McDonald (RB Greenwich)
Cllr Richard Livingstone (LB Southwark)

Rail Delivery Group

Cllr John Howard (LB Redbridge)

3. Election of Chair of TEC 2019/20

Councillor Mitchell nominated Councillor Julian Bell to be Chair of TEC for 2019/20. This was seconded by Councillor Abellan. Councillor Julian Bell was duly elected to be Chair of TEC for 2019/20.

4. Election of Vice Chairs of TEC 2019/20

Councillor Claire Holland was elected as the Labour Vice Chair of TEC. Councillor Tim Mitchell was elected as the Conservative Vice Chair of TEC. Councillor Manuel Abellan was elected as the Liberal Democrat Vice Chair of TEC.

5. Membership of London Councils' TEC 2019/20

The Committee considered a report that set out the details of the TEC membership for 2019/20. All 32 borough nominations, the City of London and Transport for London had been confirmed.

Decision: The Committee noted the membership of London Councils' TEC for 2019/20

6. Appointment of the Executive Sub Committee for 2019/20

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

Decision: The Committee elected the following members to the TEC Executive Sub Committee:

The following appointments to the TEC Executive Sub Committee were made:

Labour

Cllr Julian Bell (LB Ealing – Chair)
Cllr Claire Holland (LB Lambeth)
Cllr Wesley Harcourt (LB Hammersmith & Fulham)
Cllr Claudia Webbe (LB Islington)
Cllr Denise Scott-McDonald (RB Greenwich)
Cllr Richard Livingstone (LB Southwark)

Cllr Zulfiqar Ali (LB Newham)

Conservative

Cllr Tim Mitchell (City of Westminster)

Cllr William Huntington-Thresher (LB Bromley)

Cllr Richard Field (LB Wandsworth)

Liberal Democrat

Cllr Manuel Abellan (LB Sutton)

City of London

Alastair Moss – *It was agreed that Alan Edwards would notify Alastair Moss of his appointment to the TEC Executive Sub Committee.*

7. Nominations to Outside Bodies 2019/20

The Committee received a report that sought nominations to various outside bodies which related to the work of the Committee for 2019/20.

Decision: The Committee agreed the following nominations to the TEC related outside bodies:

(a) Heathrow Airport Consultative Committee (HACC)

Cllr Steve Curran (LB Hounslow)

Conservative Deputy nomination to follow

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

West: Cllr Peter Zinkin (LB Barnet - Conservative)

South West: Cllr Julia Neden-Watts (LB Richmond – Liberal Democrat)

South East: Cllr Denise Scott-McDonald (LB Greenwich - Labour)

North East: Cllr Syed Ghani (LB Barking & Dagenham – Labour)

Central North: Cllr Wesley Harcourt (LB Hammersmith & Fulham – Labour)

Central South: Cllr Richard Livingstone – LB Labour)

North: Cllr Jon Burke (LB Hackney - Labour)

(c) The London Sustainable Development Commission (LSDC)

Cllr Claudia Webbe (LB Islington)

(d) Urban Design London

Cllr Nigel Haselden (LB Lambeth – Labour)

Daniel Moylan (Conservative nomination)

(e) Thames River Basin Liaison Panel (Thames LP)

Cllr Wesley Harcourt (LB Hammersmith & Fulham)

(f) London City Airport Consultative Committee (LCACC)

Cllr Osman Dervish (LB Havering)

(h) London Cycling Campaign (LCC) Policy Forum

Cllr Clyde Loakes (LB Waltham Forest)

(i) The Thames & London Waterways Forum

Cllr Denise Scott-McDonald (RB Greenwich)

Cllr Nick Draper (LB Merton)

Conservative nomination to follow

(j) London Fuel Poverty Partnership

Cllr Claudia Webbe (LB Islington)

- It was agreed that Alan Edwards would write to the above outside bodies, informing them of the TEC nominations.
- The above names would be passed on to the Chief Executive of London Councils for appointment to outside bodies.

The Chair thanked Councillor Feryal Demirci and Councillor Daniel Anderson for all their work on TEC.

London Councils' Transport and Environment Committee

Constitutional Matters - Variation to the London Councils Transport and Environment Committee Governing Agreement and Amendments to Standing Orders, Scheme of Delegation and Financial Regulations

Item
No: 08

Report by: Christiane Jenkins **Job title:** Director, Corporate Governance
Date: 15 October 2020
Contact Officer: David Dent
Telephone: 020 7934 9753 **Email:** david.dent@londoncouncils.gov.uk

- Summary:** This report summarises a variation to the London Councils Transport and Environment Committee (LCTEC) Governing Agreement to delegate the joint discharge of further functions to the joint committee relating to the provision and operation of charging vehicle apparatus.
- The variation ensures that the LCTEC committee can continue to operate in a way that meets the current and future needs of the organisation and has been approved by all the participating authorities in line with London Councils' constitution and governance requirements.
- The report also contains minor changes to London Councils Standing Orders, Scheme of Delegation and Financial Regulations
- Recommendation:** The Committee is recommended to:
- Note the variation to the LCTEC Governing Agreement set out in paragraph 7 of the report and at **Appendix One**.
 - Note the changes to the Standing Orders, Scheme of Delegation and Financial Regulations at **Appendices Two to Five**

Background

1. “London Councils” is a term that is used to refer collectively, and for convenience, to three separately constituted, but inter-related, statutory joint committees appointed by the 33 London local authorities for the joint discharge of their functions i.e.:
 - a. the London Councils Leaders’ Committee (“Leaders’ Committee”),
 - b. the London Councils Transport and Environment Committee (“LCTEC”), and
 - c. the Grants Committee.
2. Leaders’ Committee has been appointed with the 33 participating London local authorities’ agreement under sections 101 and 102 of the Local Government Act 1972 and section 9EB of the Local Government Act 2000 (and the relevant Regulations). LCTEC is similarly constituted and also includes Transport for London (TfL) as a member of the joint committee. Further, albeit not relevant to the variation to which this report refers, LCTEC is also constituted under other legislative provisions in respect of the joint discharge of various functions of the participating authorities and, as relevant, TfL, e.g. the appointment of the road traffic adjudicators and the London Concessionary Fares Scheme (Freedom Pass) arrangements, etc.
3. London Councils must operate within the delegations which have been made to the joint committees (Leaders, Grants and LCTEC) by the 33 London local authorities and Transport for London (TfL), as set out in the Governing Agreements. There have been occasions when it has been necessary to supplement or amend these arrangements and this has been achieved by varying the terms of the Governing Agreements. If this is not done, decisions taken by London Councils without appropriate delegated authority to do so will be *ultra vires*. Additionally, a failure to comply with the governance framework, set out in the Governing Agreements, to support the effective discharge of the functions delegated to the London Councils joint committees, could be subject to challenge.
4. Each Agreement includes a number of clauses that are very specific about the way in which London Councils conducts its business. The rationale behind these was to ensure appropriate information flow between the joint committees

as well as enshrining their relative roles and responsibilities to provide for the effective and efficient discharge of the functions delegated.

5. The LCTEC Governing Agreement has been formally amended (varied) five times since 2001 to delegate the joint discharge of additional functions to LCTEC and to vary the arrangements by which the authorities have agreed the joint committee should operate.¹ Additional delegations have also been made to the joint committee under a mechanism which was incorporated into the Governing Agreement² under Part 3(D) of Schedule 2 with the agreement of the 33 participating authorities and TfL. The mechanism was included to seek to expedite the process to achieve a formal variation to the Governing Agreement having regard to the number of parties (34) whose approval and written consent is required for a formal variation to take effect. This Report relates to one such variation which has been incorporated into Part 3(D) of Schedule 2 of the Governing Agreement.

The Variation

6. The terms of the variation as incorporated into Part 3(D) of Schedule 2 of the Governing Agreement are set out at **Appendix One**.
7. In summary the variation, which all 33 participating authorities and TfL have agreed **effective from 16 July 2020**, is to delegate to the joint committee (for its joint discharge on behalf of all 33 participating London local authorities) the powers to provide and operate charging apparatus for electrically powered motor vehicles under section 16 of the London Local Authorities and Transport for London Act 2013 (including to delegate the exercise of powers under section 1 of the Localism Act 2011 for that purpose and to permit agents/contractors, including TfL, to be appointed for that purpose).
8. LCTEC gave its in principle support to the proposed variation at its meeting of 15 June 2017. On 16 July 2020 all the Participating Councils had made the delegation in the same form, and as noted above the variation was therefore effective from that date.

¹ Refer: LCTEC Agreement dated 13 December 2001, the First Variation dated 1 May 2003, the Further Variation dated 30 November 2006, the Second Further Variation dated 8 June 2009 the Third Further Variation dated 14 May 2015 and the Fourth Further Variation in July 2017.

² Second Further Variation dated 8 June 2009.

Other Constitutional Documents

9. **Standing Orders** - London Councils Standing Orders (SOs) are contained in Schedule 6 of the Leaders' Committee Governing Agreement. In accordance with section 27.2 of the SOs, they can be amended by a decision of London Councils Leaders' Committee. The SOs have been amended a number of times since 2001. The current version was last amended by Leaders' Committee in July 2019.
10. The proposed amendment is detailed in **Appendix Two**. In addition to the proposed change as set out in paragraph 3 below, Members should be advised that, in relation to the 'Time and Place of Meeting' section of the Standing Orders, the Protocol for 'virtual' meetings, agreed at Leaders Committee on 7 July 2020, will be included as an Appendix to the Standing Orders (attached here as **Appendix Three**).
11. There is one proposed change:

Duration of Meeting (section 7)

This section has been amended to give the meeting the discretion to extend beyond the previously agreed maximum time of two and a half hours if a simple majority of the members present wish the meeting to continue, and subject to there being a quorum.

12. **Scheme of Delegation** - In line with London Councils Standing Orders, London Councils Scheme of Delegations to Officers is approved annually at Leaders' Committee's AGM, although additional delegations may be made during the year. The current Scheme was approved at Leaders' Committee AGM on 4 June 2019.
13. London Councils' joint committees have retained the authority to make decisions on policy and service provision and have delegated to officers the administrative functions relating to the running of London Councils.
14. The Scheme of Delegations to Officers reflects the current structure of London Councils and enables effective and transparent decision-making

processes. It does not seek to repeat the delegations contained within the Governing Agreements in full, only repeating them if it enhances the usefulness and clarity of the relevant delegation. The Scheme also does not repeat the specific delegations granted to the Director, Corporate Resources, where the responsibilities are included within the financial regulations. The Scheme of Delegations to Officers refers largely to administrative functions such as staffing, which are delegated in the first instance to the Chief Executive.

15. The proposed changes are as follows. The revised Scheme of Delegation, with tracked changes, is attached as **Appendix Four**:

In Sections 7 and 8, amendments have been made to reflect the role of the Deputy Chief Executive in relation to any unexpected indisposition or absence of the Chief Executive

In Section 13 the words 'and settlement agreements' have been added, following legal advice, to the delegation of the Director of Corporate Governance in signing contracts of employment

The footnote at Section 20 relating to LFEPA has been deleted as this body no longer exists

Some additional wording has been added to B1 to reflect that the Audit Commission is no longer in existence and B7 has been amended to correct some previous drafting errors.

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

Financial Regulations and Appendix 6 – the EU public procurement threshold for public supply and service contracts increased to £189,330 in January 2020. The corresponding thresholds in Section 8 of the Financial Regulations and the Procurement Toolkit (Appendix 6 to the Financial Regulations) require updating to reflect the current threshold. The Financial Regulations, including appendices, are listed as background documents and are available on request

and on London Councils website:

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

Appendix 5 – Authorised Signatories: there are several proposed changes to job titles to reflect the current organisational structure. The proposed updated Appendix Five is appended to this report with track changes, for ease of reference.

Recommendation

17. The Committee is recommended to:

- Note the variation to the LCTEC Governing Agreement set out in paragraph 7 of the report and at **Appendix One**
- Note the changes to the Standing Orders, Scheme of Delegation and Financial Regulations at **Appendices Two to Five**

Legal Implications for London Councils

18. Variations to London Councils Governing Agreements must be properly made in a manner which is consistent with the terms of those Agreements.
19. Clause 15.1 of the LCTEC Agreement provides for minor variations of the LCTEC Governing Agreement to be achieved by a decision of that joint committee, subject to both: the variation not involving any additional financial contributions (otherwise than already specifically provided for in the LCTEC Governing Agreement); and further to there being no objection to the variation by the London local authorities and/or TfL within 28 days' written notice of the variation.
20. A minor variation to the LCTEC Governing Agreement, if approved by LCTEC, shall come into effect following 28 days' written notice of the variation to each Participating Council and Transport for London, if no objection is received from any Participating Council and/or Transport for London during the notice period. The notice shall be effective as set out in clause 14.1 of the LCTEC agreement. For example, if notice is delivered by first class post, notice will take effect 48 hours after posting.

21. Should LCTEC, and otherwise the participating authorities and TfL, decide that a variation is not considered to be minor as provided under the Governing Agreement, in order for a change to be effected, a formal Variation to the Governing Agreement would need to be authorised, and the terms agreed in writing, by each participating London local authority and TfL. A formal Variation would also be required if there was a need to delegate the exercise of new functions from the participating authorities to the joint committee to allow the joint committee to do something it does not currently have the authority to do. This is required to enable the joint committee to act *intra vires*.

Equalities Implications for London Councils

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

Financial Implications for London Councils

23. There are no specific financial implications to London Councils, the costs associated with the discharge of the new functions delegated to the joint committee, being allocated in accordance with the existing provisions of the Governing Agreement which provides (at Part 4, Schedule 4, and with reference to clause 12) that the associated costs shall be reimbursed by the participating authorities as reasonably determined by LCTEC following consultation with the participating authorities.

Appendices:

Appendix One: London Councils Transport and Environment Committee (LCTEC) Governing Agreement 2001 (as amended) as at 16 July 2020.

Appendix Two: London Councils Standing Orders October 2020 with proposed amendments shown as track changes.

Appendix Three: Protocol for 'virtual' meetings as agreed at Leaders Committee on 7 July 2020

Appendix Four: London Councils Scheme of Delegations to Officers 2019 (document with track changed amendments as outlined in this report).

Appendix Five: Appendix 5 to the Financial Regulations - Authorised Signatories

Appendix One

London Councils Transport and Environment Committee (LCTEC) Governing Agreement (consolidated version)

13 December 2001

DATED 13 DECEMBER, 2001

[LONDON COUNCILS]¹

TRANSPORT AND ENVIRONMENT COMMITTEE: AGREEMENT

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

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

Ref: TL0100/003/LJ/DC July 2020

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

THIS AGREEMENT is made this 13th. day of December, 2001

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

1. **RECITALS**

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

1.2 On 30th August, 2000, Transport for London became a member of the Transport Committee for London in accordance with section 283 Greater

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

London Authority Act 1999 for the purposes of the functions set out in Parts 1 and 2 of Schedule 2

- 1.3 On 20th June, 2000, the name of Transport Committee for London was changed to the Association of London Government Transport and Environment Committee (“ALGTEC”)³
- 1.4 The Councils referred to in Clause 1.1 above are herein collectively named “the Participating Councils”
- 1.5 The functions discharged by [LCTEC] are set out in Schedule 2
- 1.6 The functions of some of the Participating Councils set out in Schedule 2 are the responsibility of the executive of those Councils under executive arrangements adopted for the purposes of section 10 Local Government Act 2000 while the functions of other Councils remain the responsibility of the Councils themselves
- 1.7 It is expedient that any Participating Council which should adopt executive arrangements after the date of this Agreement should be able through arrangements made by their mayors, executives, members of executives, committees of executives, executive leaders or council managers (as appropriate) to continue as or to become parties to this Agreement.
- 1.8 This joint committee approved the change of name of the Association of London Government Transport and Environment Committee (“ALGTEC”) to London Councils Transport and Environment Committee (“LCTEC”) on 17 October 2006 (shortly after the Association of London Government had changed its name to London Councils)

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

IT IS HEREBY AGREED AS FOLLOWS

2. COMMENCEMENT AND DURATION

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

3. DEFINITIONS AND INTERPRETATION

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

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

3.3 "the Finance Officer" means the Finance Officer appointed in accordance with Clause 8.3⁵

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

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

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

⁴ The Association of London Government changed its name to London Councils on 12 September 2006. This joint committee is otherwise known as Leaders' Committee. [Deleted: "ALG" means the Association of London Government, the joint committee of all the Participating Councils established in accordance with the Association of London Government Agreement referred to in Recital 1.1 above.]

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

⁶ Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

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

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

4. **FUNCTIONS OF [LCTEC]**

4.1 As from the Commencement Date the Participating Councils and (insofar as relevant) Transport for London have delegated the functions set out in Schedule 2 to [LCTEC]

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

[4.1(B) As from 30th November 2006 the Schedule 1 Part 1 Participating Councils have delegated to LCTEC the functions set out in Part 3(B) of Schedule 2 of this

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

Agreement. Any of the Schedule 1 Part 1 Participating Councils may at any time revoke the delegation of the functions set out in Part 3(B) of Schedule 2 in accordance with Clause 13.2]⁸

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

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

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

5. MEMBERSHIP AND CONSTITUTION OF [LCTEC]

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

5.2 Each Participating Council and Transport for London shall as soon as

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

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

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

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

practicable after becoming party to this Agreement notify the Director of [LCTEC] of the identity of its representative and the identity of any substitute representative

5.3 Each Participating Council and Transport for London shall be entitled by notice in writing in accordance with Clause 5.4 below to remove such representative from [LCTEC] at any time or until he ceases to be entitled to be a representative of that Participating Council or Transport for London under the constitutional arrangements applicable to the appointing Participating Council or Transport for London and by like notice to appoint to [LCTEC] any other representative from that Participating Council or Transport for London in place of the representative so removed

5.4 A notice of appointment or removal shall be signed by a duly authorised officer of the Participating Council or Transport for London as the case may be and shall take effect upon delivery thereof to the Director of [LCTEC]

5.5 Every representative appointed pursuant to Clause 5.1 shall hold office until he is either removed from office or dies or resigns or until he ceases to be entitled to be a representative of the Participating Council or Transport for London under the constitutional arrangements applicable to that Participating Council or Transport for London

6. MEETINGS AND PROCEEDINGS OF [LCTEC]

6.1 [LCTEC] shall hold at least 2 meetings each year one of which shall be an Annual General Meeting

6.2 Subject to Clause 6.1 above, meetings of [LCTEC] shall be called in accordance with the Standing Orders set out in Schedule 6 of the [London

Councils] Agreement and the procedure to be adopted at such meetings shall be determined in accordance with those Standing Orders

- 6.3 No representative appointed by [a Participating Council or]¹² Transport for London shall be entitled to speak or vote or receive papers relating to any question arising in respect of a function to which [that Participating Council or]¹³ Transport for London does not subscribe and shall not be counted as part of the quorum for the meeting or part thereof wherein such question is considered

7. LEAD AUTHORITY FUNCTIONS

- 7.1 [LCTEC] may by agreement with the Participating Council and/or [London Councils] appoint one or more of the Participating Councils and/or [London Councils] to act as its agent in discharging all or any of the functions which are set out in Schedule 3
- 7.2 In the event that any Participating Council or [London Councils] withdraws its consent to discharge a Lead Authority function it shall give (unless otherwise agreed) not less than six calendar months' written notice (to expire on 31st March) of its intention to do so to
- 7.3 [LCTEC] may terminate the appointment of a Participating Council or [London Councils] in respect of any Lead Authority function following a majority vote of the members of [LCTEC]
- 7.4 Subject to Clause 7.5 below, any termination pursuant to Clause 7.3 may be made by [LCTEC] giving (unless otherwise agreed) not less than six calendar months' notice in writing to the Participating Council or [London Councils] of its

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

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

intention to terminate the appointment and may be given at any time.

- 7.5 Notwithstanding Clause 7.4, if the Participating Council or [London Councils] is in material breach of any of its obligations in respect of a Lead Authority function (whether the obligations are contained in this Agreement or in any Service Level Agreement for the time being between [LCTEC] and the Participating Council or [London Councils]) any such termination pursuant to Clause 7.3 may be made at any time thereafter by [LCTEC] giving not less than one calendar month's notice in writing to the Participating Council or [London Councils] of its intention to terminate the appointment
- 7.6 Notwithstanding Clause 7.2 above if [LCTEC] is in material breach of any of its obligations to the Participating Council or [London Councils] (whether the obligations are contained in this Agreement or in any Service Level Agreement between [LCTEC] and the Participating Council or [London Councils]) the Participating Council or [London Councils] may withdraw its consent to act in respect of a Lead Authority function by giving not less than three calendar months' notice in writing to [LCTEC] of its intention to withdraw its consent
- 7.7 [LCTEC] shall reimburse each Participating Council and/or [London Councils] appointed under this Clause 7 all costs and charges including VAT correctly levied in the provision of all services provided by that Participating Council and/or [London Councils] hereunder (or arising/outstanding under the Previous Agreement) within 30 days of receipt of invoices submitted by it to [LCTEC]
- 7.8 The consideration payable by [LCTEC] to each Participating Council and/or [London Councils] appointed or acting under this Clause 7 shall be subject to audit by [LCTEC] and the Participating Council(s) and/or [London Councils] shall upon request make available all accounts records and other documents

reasonably required for such purpose

- 7.9 Upon the termination of any appointment of a Participating Council or [London Councils] under this Clause 7 howsoever occasioned, the Participating Council or [London Councils] shall be entitled to claim from [LCTEC] any outstanding costs reasonably incurred in the performance of its duties in respect of a Lead Authority function

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

8. OBLIGATIONS OF [LCTEC]

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

sent to Transport for London

9. OBLIGATIONS OF PARTICIPATING COUNCILS AND TRANSPORT FOR LONDON

9.1 Each Participating Council and Transport for London shall:

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

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

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

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

10. ASSETS AND LIABILITIES

10.1 The assets and liabilities which vested in [LCTEC] prior to the Commencement Date shall continue to so vest following the Commencement Date

11. FINANCIAL ARRANGEMENTS

11.1 [Each year, LCTEC shall cause draft budgets for the following financial year to be sent in respect of the operation of each of the functions contained in

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

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

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

11.3 Whenever any sum of money is recoverable from or payable by a Participating Council and/or Transport for London it may be deducted from any sum then due to that Participating Council and/or Transport for London and vice versa

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

12. **COSTS AND EXPENSES**

12.1 The costs and expenses of [LCTEC] shall be reimbursed by the Participating Councils and Transport for London in accordance with the provisions of

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

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

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

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

Transport for London and to [LCTEC] for payments to the Association of Train Operating Companies or its successors.

- 12.4 Interest shall accrue at the rate of 2 per cent above the base rate for the time being of National Westminster Bank Plc on all amounts due to [LCTEC] Transport for London or the Transport Operators (as defined in Clause 12.3) pursuant to Clause 12.3 from the due date of payment until the date of payment in full inclusive
- 12.5 In the event of any disagreement as to the amount of costs and expenses to be borne by Transport for London and/or any Participating Council Transport for London and/or the Participating Council(s) in dispute shall not later than 14th February or a date agreed with the Finance Officer following the date of notification under Clause 12.3 notify the Finance Officer of the nature of the dispute and shall provide full supporting reasoning and documentation as appropriate to the Finance Officer. The Finance Officer and Transport for London and/or the Participating Council(s) shall thereafter use all reasonable endeavours to resolve the dispute. In the event that the dispute remains unresolved on 14th March or a date to be decided by the Finance Officer following the date of notification under Clause 12.3 the matter shall be referred by [LCTEC] to an independent Chartered Accountant of not less than ten years' standing. Any such independent Chartered Accountant shall be deemed to act as an expert and not as an arbitrator and his determination shall in the absence of manifest error be binding on [LCTEC] and Transport for London and/or the Participating Council(s). In the event that the dispute is resolved at first instance by the Finance Officer or by the Chartered Accountant in favour of Transport for London and/or the Participating Council(s) interest shall not be payable on any

outstanding sums In the event that the dispute is resolved in favour of [LCTEC] by the Chartered Accountant interest shall accrue on all outstanding payments in accordance with Clause 12.4 Costs of arbitration hereunder shall be met by the unsuccessful party

13. TERMINATION AND BREACH

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

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

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

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

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

13.3 This Agreement may be terminated in relation to any Participating Council by

[LCTEC] by written notice effective on receipt on the occurrence of any of the following events:-

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

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

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

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

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

13.4.2 the Schedule 2 Part 2 functions (the London Lorry Ban) by the Participating Council giving one year's notice to expire on 31st. March¹⁶

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

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

procedures]¹⁷

14. GENERAL

14.1 Notices

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

14.2 Continuing Agreement

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

14.3 Good Faith

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

14.4 Further Assurance

Each of the parties shall (and shall insofar as it is able use its reasonable

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

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

14.5 Waiver

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

14.6 Severability

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

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

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

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

[LCTEC]

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

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

15. ENTIRE AGREEMENT

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

16. EXECUTION

16.1 This Agreement is executed by each party signing the annexed Memorandum of

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

Participation on behalf of that party and such Memorandum of Participation shall be evidence of execution by that party when Memoranda executed by all the parties are incorporated into this Agreement

SCHEDULE 1

PART 1

THE PARTICIPATING COUNCILS

Council

The London Borough of Barking and Dagenham

The London Borough of Barnet

The London Borough of Bexley

The London Borough of Brent

The London Borough of Bromley

The London Borough of Camden

The London Borough of Croydon

The London Borough of Ealing

The London Borough of Enfield

The London Borough of Greenwich

The London Borough of Hackney

The London Borough of Hammersmith and Fulham

The London Borough of Haringey

The London Borough of Harrow

The London Borough of Havering

The London Borough of Hillingdon

The London Borough of Hounslow

The London Borough of Islington

The Royal Borough of Kensington & Chelsea

The Royal Borough of Kingston-upon-Thames

The London Borough of Lambeth

The London Borough of Lewisham

The London Borough of Merton

The London Borough of Newham

The London Borough of Redbridge

The London Borough of Richmond upon Thames

The London Borough of Southwark

The London Borough of Sutton

The London Borough of Tower Hamlets

The London Borough of Waltham Forest

The London Borough of Wandsworth

The City of Westminster

The Mayor and Commonalty and Citizens of the City of London

[PART 2

THE SCHEDULE 1 PART 2 PARTICIPATING COUNCILS

The London Borough of Barking and Dagenham

The London Borough of Barnet

The London Borough of Brent

The London Borough of Camden

The London Borough of Croydon

The London Borough of Ealing

The London Borough of Enfield

The London Borough of Greenwich

The London Borough of Hackney

The London Borough of Hammersmith and Fulham

The London Borough of Haringey

The London Borough of Harrow

The London Borough of Hillingdon

The London Borough of Hounslow

The London Borough of Islington

The Royal Borough of Kensington and Chelsea

The London Borough of Lambeth

The London Borough of Lewisham

The London Borough of Merton

The London Borough of Newham

The London Borough of Richmond upon Thames

The London Borough of Southwark

The London Borough of Sutton

The London Borough of Tower Hamlets

The London Borough of Waltham Forest

The London Borough of Wandsworth

The City of Westminster

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

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

SCHEDULE 2

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

1. STATUTORY

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

2. NON-STATUTORY

Any functions (subject to Section 111 of the Local Government Act 1972) which [LC TEC] agrees are appropriate for its implementation Without prejudice to the

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

generality of the foregoing such functions may include but not be limited to the following:-

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

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

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

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

("THE LONDON LORRY BAN")

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

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

1. DEFINITIONS

In this Part 3 of this Schedule 2:

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

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

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

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

2. CONCESSIONARY FARES SCHEME

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

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

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

Councils.

- 2.2 In particular [LCTEC] shall have the power to negotiate contracts in the name of the Participating Councils not exceeding seven years in duration (the duration of such contracts current at the date of this Agreement not to be exceeded without the consent of all the Participating Councils) with the Transport Operators which shall be binding on all the Participating Councils and [LCTEC] shall have the power to agree to reimburse to the Transport Operators the cost of Concessions granted pursuant to Section 240 of the Greater London Authority Act 1999 except the unanimous consent of the Participating Councils shall be required for any increase, decrease or variation in the Current Concessions (but not the Limited Concessions any increase, decrease or variation in which may be agreed by [LCTEC]) and for any increase, decrease or variation in the Hours of Availability.
- 2.3 To manage on behalf of the Participating Councils the Concessionary Fares Scheme and in particular to make arrangements to reimburse to the Transport Operators the cost of the Current Concessions.
- 2.4 To make appropriate arrangements for the issue of travel permits, photocard, blind persons cards etc to eligible persons for the purpose of the Concessionary Fares Scheme.
- 2.5 To carry out or have carried out or commission and oversee such research and survey work as shall from time to time be deemed necessary for the calculation of an appropriate reimbursement to the Transport Operators for providing concessionary travel on their services;

- 2.6 To approve survey work associated with assessment of the volume and notional value of bus travel made by holders of concessionary free travel permits;
- 2.7 To monitor and assess the performance of the consultants selected to carry out the work of the Greater London Bus Passenger Survey;
- 2.8 To approve survey work associated with the London Underground, Docklands Light Railway and any such other rail survey work as is deemed appropriate;
- 2.9 To approve survey work associated with establishing payment to bus operators or other independent bus operators.
- 2.10 To negotiate with Post Office Counters Limited or other bodies agency legal agreements and charges for the distribution of elderly and/or disabled persons' travel permits.
- 2.11 Providing that nothing herein shall prevent any of the Participating Councils from setting their own eligibility criteria for the discretionary elements of the Concessionary Fares Scheme

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

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

Taxicard Scheme

- 3.2 [LCTEC] shall have the duty to carry out tendering procedures and the power to enter into contracts²¹ in the name of the London Taxicard Scheme. Participating Councils with taxi operators which shall be binding on all the London Taxicard Scheme Participating Councils whereby [LCTEC] pays the taxi operators the sums due from each of those London Taxicard Scheme Participating Councils for taxi journeys made by persons who are approved members of the Scheme and resident in the area of the Council concerned provided such journeys are made in accordance with the particular restrictions respectively imposed by each such Council.
- 3.3 To provide policy and development advice concerning the London Taxicard Scheme to London Taxicard Scheme Participating Councils and any other relevant organisations.
- 3.4 To manage the day to day operation and budget of the London Taxicard Scheme to ensure that agreed strategic aims, objectives and targets of the Scheme are fully implemented in accordance with [LCTEC]'s Annual Business Plan and so as to comply with eligibility, membership, budgetary provision and trip allocation requirements specified by London Taxicard Scheme Participating Councils.
- 3.5 To make appropriate arrangements for the issue of taxicards, photocards etc. to eligible persons for the purpose of the London Taxicard Scheme.

²¹ The words "(not exceeding four years in duration)" deleted by way of minor variation agreed by the LCTEC on the 15 June 2017 and notified to the Participating Councils and Transport for London on [INSERT DATE] without any objection being received within 28 days of that notice, per clauses 14.1 and 15.1 of the Governing Agreement .

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

4. ACCESSIBLE TRANSPORT

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

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

1. Pursuant to Regulation 6(1) and in accordance with Regulation 6(2) of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 (“the Regulations”) authorise any officer or person -
 - 1.1 to carry out tests on vehicles which are in, or which are about to pass through, or which have passed through an area designated as an air quality management area; and
 - 1.2 to issue fixed penalty notices in respect of emission offences; and
 - 1.3 to carry out any other functions required or permitted by Part 5 of the Regulations.
- 2 The reduction or waiver of fixed penalties in accordance with Regulation 19 of the Regulations.
- 3 The withdrawal of a fixed penalty notice in accordance with Regulation 20 of the Regulations.
- 4 The recovery of unpaid fixed penalties in accordance with Part 8 of the Regulations.
- 5 The prosecution of offences arising under Regulation 9(7), Regulation 11(2) and Regulation 18(2) of the Regulations.
- 6 The service of a fresh fixed penalty notice in accordance with Regulation 23(4)(e) of the Regulations.
- 7 The carrying out of any other function required or permitted by the Regulations.]²²

²² Inserted by Variation (also known as the Second ALGTEC Agreement) dated 1 May 2003

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

1. To set the levels of fixed penalties for any fixed penalty offences under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004.
2. To undertake any other functions that are required or permitted to be undertaken by a joint committee of London local authorities under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004.]²³

²³ Inserted by Further Variation (also known as the Third ALGTEC Agreement) dated 30 November 2006

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

1. To publish a code of practice in accordance with section 11 of the London Local Authorities Act 2007 (unauthorised advertising: measures to be taken).
2. To publish a code of practice in accordance with section 25 of the London Local Authorities Act 2007 (powers to require removal of waste unlawfully deposited) after consultation with each of the Participating Councils.
3. In accordance with section 28 of the London Local Authorities Act 2007 (disposal of removed vehicles), to prescribe the sum to be paid as a bond under subsection 4(5) of the Refuse Disposal (Amenity) Act 1978.
4. To set the levels of penalty charges in accordance with sections 66 of the London Local Authorities Act 2007.
5. To undertake any other functions that are required or permitted to be undertaken by a joint committee of London local authorities under the London Local Authorities Act 2007.]²⁴

²⁴ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

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

1. To undertake any other functions conferred on the Participating Councils and Transport for London under any other legislation insofar as such legislation relates to transport, environment and planning matters, subject to consultation with the Participating Councils and the written agreement of each Participating Council and, insofar as is relevant, Transport for London, such functions to be listed at paragraph 2 below.
2. Pursuant to paragraph 1 above, the further functions which the Participating Councils, and where relevant Transport for London, have agreed shall be exercised by the Committee under Part 3(D) of this Agreement are:
 - a. [Make pan-London traffic order(s) under section 6 of the Road Traffic Regulation Act 1984, and all other enabling powers, where it is in the collective interests of the Participating Authorities, and TfL as relevant, such decision to be taken only after consultation with each of them. To provide for the implementation and enforcement of any order(s) so made including but not limited to the monitoring of the effectiveness of the said implementation and enforcement, the examination of vehicles, the issue of permits including the consideration of appeals arising from the refusal or conditioning of any such permits, the erection of adequate signs, liaison with the police, the prosecution of offences arising under such order(s) and any amendments approved from time to time, the updating of technical information on new vehicle designs,

the taking of all necessary steps to promote and make amending, supplementary and other variation orders affecting the primary order(s) and the determination and implementation of policy and the giving of advice.]²⁵

(b) [(i) The provision and operation of charging apparatus for electrically powered motor vehicles and/or the grant of permission to provide and operate charging apparatus for electrically powered motor vehicles under section 16 of the London Local Authorities and Transport for London Act 2013 PROVIDED THAT such provision and operation may only take place at locations first agreed by the Participating Council which is the highway authority for the affected road (or, where it is the highway authority for the affected road, TfL) AND PROVIDED FURTHER THAT any grant or other monies provided to LCTEC for the purpose of providing and/or operating charging apparatus for electrically powered motor vehicles shall be applied to any such provision and operation by LCTEC which shall be at no cost or expense to the Participating Councils unless first agreed.

(ii) The exercise of powers under Section 1 of the Localism Act 2011 for the purposes of giving effect to the joint exercise of functions under Section 16 of the London Local Authorities and Transport for London Act 2013 by LCTEC, or otherwise for the purposes of supporting and facilitating the Participating Councils and/or TfL in their exercise of those functions, including but not limited to oversight and management of the arrangements

(iii) For the purposes of exercising functions under (b)(i) and (b)(ii) above LCTEC may appoint TfL to act as its agent (subject to Part 7 of this Agreement applying to

²⁵ At 27th October 2014 all the Participating Councils and Transport for London had made the delegation in the same form.

any such appointment, including its termination) and FOR THE AVOIDANCE OF DOUBT the functions referred to at (b)(i) and (b)(ii) above may be exercised directly by LCTEC or pursuant to a contract or Service Level Agreement between LCTEC and TfL (or between LCTEC and another appropriate body) or through such servant, agent or contractor as LCTEC may appoint.]²⁶

...

3. At such time as amendments are made under this Part 3(D), the Committee shall provide each Participating Council and Transport for London with an updated copy of this Part 3(D) reflecting the amendments to paragraph 2.]²⁷

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

2. The general power of competence under section 1 of the Localism Act 2011 for the purpose of providing, on a full cost recovery basis, and independent appeals service for disputes arising in respect of parking on private land (with reference to section 56 and Schedule 4 of the Protection of Freedoms Act 2012)]²⁸

PART 4 FUNCTIONS: GENERAL

1. To do anything which is calculated to facilitate or is conducive or incidental to any of the functions set out in [Parts 1-3E]²⁹ of this Schedule ("the Functions")

²⁶ Inserted by an Amendment authorised by LCTEC at its meeting of 15 July 2017. At 16 July 2020 all the Participating Councils had made the delegation in the same form.

²⁷ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

²⁸ Inserted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

²⁹ Substituted by Third Further Variation (also known as the Fifth ALGTEC Agreement) dated 14 May 2015

2. To procure the employment of such staff on such terms and conditions of employment as [LCTEC] considers appropriate to discharge the Functions
3. To enter into contracts for goods works and services in relation to any aspect of the Functions or such other functions as [LCTEC] can lawfully discharge and to enter into service level agreements with any of the Participating Councils in relation thereto. For the avoidance of doubt the Participating Councils have hereby delegated to [LCTEC] the function of negotiating and entering into a contract with Transport for London for the purposes of the recovery of costs pursuant to section 275(3) Greater London Authority Act 1999 to [LCTEC] (the installation operation and maintenance of traffic signal and associated traffic control equipment on borough roads and associated advice)
- [4. To undertake any policy actions on behalf of the Participating Councils in relation to any aspect of the Functions or other such functions as [LCTEC] can lawfully discharge, including functions conferred on the Participating Councils under any legislation insofar as such legislation relates to transport, environment and planning matters, such policy actions to be subject to consultation with the Participating Councils
5. To publish any statutory codes of practice in relation to any aspect of the Functions or other such functions as [LCTEC] can lawfully discharge, including functions conferred on the Participating Councils under legislation insofar as such legislation relates to transport, environment and planning matters
6. In this Part of this Schedule:

- (a) “policy action” shall mean any of the following actions on behalf of the Participating Councils:
- (i) the lobbying of Government bodies in relation to proposed legislation and Government policy,
 - (ii) responding to Government consultations,
 - (iii) liaising with other persons and bodies and representing the views of the Participating Councils in relation to the development of policies,
 - (iv) drafting policies, guidance, model documents and codes of practice for adoption or use by the Participating Councils
PROVIDED THAT no policy or code of practice so drafted shall be deemed to have been adopted by a Participating Council unless approval to it has been given by that Council or it is a statutory code of practice which falls within paragraph 6(b) below
- (b) “statutory code of practice” shall mean a code of practice published (after consultation with each of the Participating Councils) in response to a stipulation in an Act of Parliament or in subordinate legislation or in response to an undertaking given to Parliament that certain powers contained in that Act of Parliament or subordinate legislation may not be or will not be (as the case may be) exercised until a joint committee of the London local authorities has published a code of practice in relation thereto]³⁰

³⁰ Inserted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009

SCHEDULE 3

LEAD AUTHORITY FUNCTIONS

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

SCHEDULE 4

COSTS AND EXPENSES

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

1. The following costs shall be apportioned equally amongst the Participating Councils and Transport for London:-
 - 1.1 Appoint parking adjudicators for the purposes of the Road Traffic Act 1991 subject to the Lord Chancellor's consent
 - 1.2 Determine the penalty charge levels and fees for de-clamping vehicle recovery storage and disposal subject to the approval of the Secretary of State
 - 1.3 Determine the rate of discount for early payment of penalty charge notices
 - 1.4 Determine the form for aggrieved motorists to make representations to Local Authorities under Section 71 of the Act
 - 1.5 The publication and updating as necessary of the Code of Practice for Parking in London
 - 1.6 General data collection and service monitoring
 - 1.7 The co-ordination of publicity and public relations activities
 - 1.8 The establishment of common training standards in connection with parking standards the accreditation of training centres and award of qualifications

- 1.9 The establishment of London-wide parking schemes
- 2, The following costs shall be apportioned according to the number of PCNs issued:
 - 2.1 Provision of accommodation and administrative staff for the parking adjudicators
 - 2.2 The establishment of links with the Metropolitan and City Police the County Courts and the DVLA
 - 2.3 The co-ordination of -
 - 2.3.1 payment facilities
 - 2.3.2 pound facilities
 - 2.4 The maintenance of records detailing persistent evaders and offenders
3. The following costs shall be apportioned according to actual use:
 - 3.1 The marginal costs of the functions set out in Clause 2 above together with those set out below
 - 3.2 The co-ordination and maintenance of vehicle removal and clamping operations
 - 3.3 The establishment and maintenance of a communications and control service to deal with vehicle removals
 - 3.4 The establishment and maintenance of a communications and control service to deal with wheel clamping
 - 3.5 Ticket Processing

PART 2: IN RESPECT OF THE LONDON LORRY BAN

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

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

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

- (a) in respect of permits issued to eligible London residents, allocated to Participating Councils in proportion to the number of persons resident in those boroughs holding valid permits to travel on 30th September in those years in which permits are reissued, or on such other dates as LCTEC may determine following consultation with the Participating Councils, subject to any decision taken by LCTEC in accordance with section 244 of the Greater London Authority Act 1999 and Clause 12.1 of the Agreement to vary these arrangements; and
- (b) in respect of permits issued to eligible persons under section 145A(4) of the Transport Act 2000, allocated to Participating Councils in such proportions as may be agreed by ALGTEC in accordance with section 244 of the Greater London Authority Act 1999 and Clause 12.1 of the Agreement.]³¹

2. All costs arising out of the exercise of the delegated functions in relation to the

³¹ Substituted by Second Further Variation (also known as the Fourth ALGTEC Agreement) dated 8 June 2009. This paragraph now needs to be read in conjunction with the consent award dated 8 October 2008, which changes the basis of apportionment. In light of the availability of two years' worth of usage data for London Overground and National Rail and consistent with the consent award dated 8 October 2008, on 13 December 2012 the LCTEC voted unanimously for a 3-year transitional period for the introduction of usage apportionment for the National Rail and London Overground elements of the Freedom Pass settlement from 2014/15 onwards.

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

PART 4: GENERAL

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

Standing orders

October 2020

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 13 October 2020

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 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. If neither the Chair, Deputy Chair or a Vice Chair is present the meeting shall elect a chair from one of its members.
- 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 a simple majority of the members present wish the meeting to continue, and subject to there being a quorum.

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 "Director, Transport & Mobility" 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 Planning and Strategy Director” for “Chief Executive” and referring to the Elected Officers of the Grants Committee.
- 19.8 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.
- 19.9 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, including registering and declaring interests.

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 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.

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

- 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.

Item 14 A - Appendix Two

Protocol for London Councils Joint Committee Meetings¹:

- All meetings will be conducted virtually using *Microsoft Teams*
- The relevant committee agendas will indicate that the “meeting place” is “virtual”
- The notice of meeting and publication of relevant agendas and papers will continue to comply with the five working day *Access to Information* Regulations and will be available on London Councils website
- All meetings will be formally minuted and attendance recorded
- The normal quorum requirements will apply
- All votes will be dealt with by a roll call by the Chair or by the affirmation of the meeting if there is no dissent [by assent]
- Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer or meeting facilitator, who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time
- For exempt items, the Chair will “clear the room” of press and public and the livestreaming will then be stopped. Each Member in remote attendance must ensure that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings
- In the event of any apparent failure of the conferencing connection, the Chair should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be no more than ten or fifteen

¹ This protocol applies to: London Councils Leaders’ Committee and its sub-committees; London Councils Transport and Environment Committee (TEC) and its sub-committees; Grants Committee and its sub-committees; Greater London Provincial Council (GLPC); Greater London Employers Forum (GLEF); Young Persons Education & Skills Board (YPES) and should be read in conjunction with London Councils Standing Orders 2019

minutes, to allow the connection to be re-established.

- Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting should continue to deal with the business whilst this happens, providing the meeting remains quorate and the public are able to hear
- In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s
- If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment
- If a connection to a Member is lost during the meeting, and the connection cannot be restored within a reasonable time, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

The following Meeting etiquette will be observed:

1. All members of the Committee should join the meeting promptly to avoid unnecessary delays to the start of the meeting
2. At the start of each meeting, the Chair will check the number of attendees and confirm that the meeting is quorate and can continue²

² 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 (London Councils Standing Orders 6.1).

3. All members will then be asked to have muted microphones as the default position to improve the sound quality of the meeting
4. It will be a decision of each respective Committee Chair, but the default position for the Joint Committee Meetings will be that, other than the Chair, all cameras will be switched off when a member is not speaking to save bandwidth and improve the sound quality of the meeting
5. Members will only speak when invited to by the Chair
6. Members can indicate that they would like to speak by using the chat facility and turning on their camera
7. All members should state their name and authority before speaking for the benefit of the press and public (officers/invited guests should state their name/job title/organisation)
8. It will be a decision of each respective Committee Chair, but the default position for all Committee Meetings will be that the chat facility is not used other than as an indication of a wish to speak
9. Only one person may speak at any one time
10. The chat facility must not be used for private conversations between participants
11. In respect of key committees, it will assist the meeting if those Members who wish to speak on a particular item could indicate their wish to speak to the Chair and to the Democratic Services Officer in advance of the start of the meeting where possible. Political groups are also encouraged to co-ordinate this activity wherever possible in respect of meetings likely to result in a high number of requests to speak
12. Members (and officers) should be careful not to allow exempt or confidential papers to be seen.

Each agenda, when published, will have the meeting “etiquette/house rules” and any relevant useful information included. London Councils website will also have this protocol, plus house rules and any helpful information permanently displayed on its committee page.

Scheme of delegations to officers

June~~October~~ 20192020

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

Limitations

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 nominate the ~~Corporate Director of Policy and Public Affairs~~Deputy Chief Executive to assume authority to exercise all powers delegated to him in his absence.
8. In the event of the Chief Executive being unexpectedly indisposed, authority will be granted to the ~~Corporate Director, Policy and Public Affairs~~Deputy Chief Executive 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 whom that authority has been specifically delegated.

⁵ Current Financial Regulations dated 5/6/18

⁶ Current Standing orders dated 11/7/17

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 Board (CMB), 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 CMB and the JCC are unable to reach an agreement on the terms of a policy that policy will be referred to the London Councils' (Leaders) Executive Committee for approval;
 - (d) any 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 Director of Corporate Governance is authorised to sign all contracts of employment⁸ and settlement agreements⁷, 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

~~13.14.~~ 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.

~~14.15.~~ 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 specifically delegated to another officer; and

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

⁸ Including secondment agreements

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

~~15.16.~~ 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.

~~16.17.~~ 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.

~~17.18.~~ 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

~~18.19.~~ 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

~~19.20.~~ 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 nomination¹⁰.

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

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

¹⁰ ~~For example, the mechanism employed in determining the number of nominations for each political party made by London Councils to the London Fire and Emergency Planning Authority is set out in legislation – the Greater London Authority Act 1999. This will be determined by the application of the d'Hondt formula~~

the parties represented on Leaders' Committee at that time.

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

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

20-21. The YPES Board is a Forum (or sub-committee) of London Councils Leaders' Committee

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.

which operates under a constitution (terms of reference) approved by Leaders' Committee in accordance with Standing Orders. Leaders' Committee has the power to approve the appointment of representatives to the YPES Board upon their nomination by those organisations who are members of the Board. On behalf of Leader' Committee, the Chief Executive will have delegated authority from Leaders' Committee to approve appointments to casual vacancies of the YPES Board.

Appendix A

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 Board.

	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
2	Section 96 – The officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Director of Corporate Governance
3	Section 99 + Schedule 12 - To give notice and send summonses in respect of any 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	Director of Corporate Governance
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	Director of Corporate Governance
7	Section 100C (2) – The officer to prepare a written summary of proceedings of committees or sub-committees from which the public were excluded	Director of Corporate Governance
8	Section 100D (1)(a) – The officer to prepare a list of background papers for reports considered by committees or sub-committees	Director of Corporate Governance
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	Director of Corporate Governance

	STATUTORY PROVISION	PERSONS AUTHORISED
10	Section 100F (2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection	Director of Corporate Governance
11	Section 100G - To maintain a register of the names and addresses of Elected Members and membership of committees, lists of delegations and the like	Director of Corporate Governance
12	Section 115 – The officer to whom money properly due from officers shall be paid	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 all Directors
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		
24	Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 - provision of certificates as to whether a post is politically restricted	Director of Corporate Governance
25	Section 4 – The officer to be designated Head of Paid Service	Chief Executive
26	Sections 15 – 17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups	Chief Executive

	STATUTORY PROVISION	PERSONS AUTHORISED
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 Board
LOCAL GOVERNMENT (CONTRACTS) ACT 1997		
28	Certification of relevant powers to enter into contracts	Chief Executive and Director of Corporate Resources
GENERAL DATA PROTECTION REGULATION (EU) 2016/679 and DATA PROTECTION ACT 2018		
29	To act as Data Protection Officer under Article 37 of GDPR.	Corporate Governance Manager
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)
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 the Audit Commission , a Government Department , body or 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
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 the London Councils or where there is a suspicion that same are 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.

LONDON COUNCILS FINANCIAL REGULATIONS - APPENDIX 5

AUTHORISED SIGNATORIES (Updated ~~13 June 2019~~ 4 October 2020)

PART A:

All Tenders, quotations, deeds* and contracts;

DIRECTORATE	TITLE
Chief Executive's	Chief Executive
Chief Executive's	Director of Corporate Governance
Chief Executive's	Director of Corporate Resources
Chief Executive's	Chief Accountant
PaPA Services Services	Deputy Chief Executive <u>Corporate Director</u> Director, Transport & Mobility Strategy Director

*Deeds must be signed by one authorised signatory and witnessed by another.
Any of the persons authorised above are authorised to sign or witness the signing of a deed. No-one else is authorised to witness the signing of a deed which binds London Councils.

PART B:

Tenders and quotations not exceeding £75,000:

DIRECTORATE	TITLE
Chief Executive's	Chief Executive
Chief Executive's	Director of Corporate Governance
Chief Executive's	Head of London Regional Employers Organisation
Chief Executive's	Director of Corporate Resources (Finance Officer)
Chief Executive's	Chief Accountant
Policy & Public Affairs	Deputy Chief Executive <u>Corporate Director</u>
Policy & Public Affairs	Director of Communications
Policy & Public Affairs	Strategic Lead: Strategic Policy Group
Policy & Public Affairs	Head of Children and Young People Services
Policy & Public Affairs	Director: Local Government Performance & Finance
Policy & Public Affairs	Strategic Lead for Finance, Performance & Improvement
Policy & Public Affairs	Strategic Lead: Enterprise, Economy & Skills
Policy & Public Affairs	Strategic Lead for Health & Adult Social Care
Policy & Public Affairs	Strategic Lead: Transport & Environment
Policy & Public Affairs	Strategic Lead: Housing & Planning
Services	Director, Transport & Mobility
Services	Chief Contracts Officer
Services	Strategy Director

PART C:

Orders for Works, Goods and Services (FR para 16.2)

Official 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 nominated deputy as set out below. 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 official orders can be found at appendix 10.

The schedule of authorised Purchase Order signatories by Job/post from [413 JuneOctober 201920](#) is shown below.

DIRECTORATE	TITLE
Chief Executive's	Chief Executive
Chief Executive's	Head of Chief Executive's office
Chief Executive's	Secretary to Head of Office
Chief Executive's	Director of Corporate Governance
Chief Executive's	Head of Governance
Chief Executive's	Head of London Regional Employers Organisation
Chief Executive's	Director of Corporate Resources (Finance Officer)
Chief Executive's	Chief Accountant
Chief Executive's	Management Accountant
Chief Executive's	Head of ICT & Facilities Management
Chief Executive's	Governance Manager
Policy & Public Affairs	Deputy Chief Executive Corporate Director
Policy & Public Affairs	Director of Communications
Policy & Public Affairs	Strategic Lead: Strategic Policy Group
Policy & Public Affairs	Head of Children and Young People Services
Policy & Public Affairs	
Policy & Public Affairs	Director: Local Government Performance & Finance
Policy & Public Affairs	Strategic Lead for Finance, Performance & Improvement
Policy & Public Affairs	Head of Improvement
Policy & Public Affairs	Strategic Lead: Enterprise, Economy & Skills
Policy & Public Affairs	Strategic Lead for Health & Adult Social Care
Policy & Public Affairs	Strategic Lead: Transport & Environment
Policy & Public Affairs	Strategic Lead: Housing & Planning
Policy & Public Affairs	Promotions Manager
Policy & Public Affairs	E-communications Manager
	E-communications Officer
Policy & Public Affairs	Publishing Manager
Policy & Public Affairs	Head of Media Manager ; and Public Affairs Head of Capital Ambition ;

DIRECTORATE**TITLE**

Policy & Public Affairs
Policy & Public Affairs
Policy & Public Affairs

~~Programme Manager – Capital Ambition~~
Director of London Office of Technology & Innovation (LOTI)
LOTI Lead Engagement Officer
LOTI Programme Manager

Services
Services
Services
Services
Services

Director, Transport & Mobility
Chief Contracts Officer
Head of Support Services
Transport Manager
Mobility Services Manager

Services
Services
~~Services~~
~~Services~~
Services
Services

Strategy Director
ESF Technical Adviser
~~Principal Programme Manager (Operations)~~
~~Principal Programme Manager (Quality)~~
Regional Commissioning Manager – YPES
Executive Assistant – YPES

Any new requests / amendments agreed by completion of the “Authorised Signatory Form” and signed by the Chief Executive, Deputy Chief Executive
~~Corporate Director PaPA~~, Director, Transport & Mobility or Strategy Director
(See below)

Those signatories listed in PART C can also accept tenders and quotations where the value is under £10,000.

AUTHORISED SIGNATORY FORM

Name of signatory	
Job Title	
Division/Section	
Start Date	
Specimen signature	

	Contracts	<input style="width: 80px; height: 30px;" type="checkbox"/>
Authorised to sign (Please tick the relevant box)	Purchase Orders Only	<input style="width: 80px; height: 30px;" type="checkbox"/>
	Invoices Only	<input style="width: 80px; height: 30px;" type="checkbox"/>
	Both Purchase Orders & Invoices	<input style="width: 80px; height: 30px;" type="checkbox"/>

Approved by (to be completed by signatory's Chief Executive/[Deputy Chief Executive](#)~~Corporate~~
[Director PaPA](#)/Director, Transport & Mobility and /Strategy Director)

Name	
Job Title	
Division	
Signature	
Date	

London Councils' Transport & Environment Committee

LWARB Activities Update

Item
No: 09

Report by: Wayne Hubbard

Job title: Chief Executive Officer

Date: 15 October 2020

Contact Officer: Wayne Hubbard

Telephone: 07732 681849

Email: wayne.hubbard@lwarb.gov.uk

Summary:

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

Recommendations:

- Members to note and discuss the update

LWARB Activities Update

Business Plan

1. The LWARB Business Plan was published in March. It sets out a series of activities designed to reduce the amount of waste London produces and to recycle more of what remains. These actions are part of a theory of change designed to reduce London's consumption-based emissions, to help address the climate emergency by contributing to capping global temperature rises at 1.5°C.
2. The Business Plan will enable LWARB to become a more financially sustainable organisation by adopting a more commercial approach. It sets out changes to the way support is delivered through a combination of paid-for and free services. It also sets out the additional resources needed to become more commercial and provides a budget to deliver our programme over five years.

Resource London

3. Resource London is LWARB's London borough support programme, delivered in partnership with WRAP. Below is a summary of current activity.
4. Several regional projects are underway in partnership boroughs:

- a. Existing purpose-built flats –

Cost benefit tool: Resource London is in the final beta testing phase of a (online) cost benefit calculator. The calculator provides information on which London local authorities and housing providers can calculate the one-off capital and on-going revenue costs and savings (from improving capture rates and reducing contamination) associated with rolling out the Flats Recycling Package (FRP).

Textile and food waste interventions: Following the completion of the main flats project LWARB rolled out two further pilots: one on food waste and one on textile recycling (across four estates). New banks for these materials were introduced on Peabody estates where the FRP had been rolled out. An analysis to assess the impact of these banks has been delayed due to COVID-19.

- b. New build flats – Officers are working with LB Tower Hamlets to develop supplementary planning guidance (SPG) for waste in new build (including purpose-built flats). A draft has been developed and is being consulted on with stakeholders. The SPG could provide a template for other London local authorities that are seeing significant increase in new build flats.
- c. Waste Composition Analysis (WCA) - A London waste composition has always been difficult to establish, even with many waste authorities conducting WCAs. This is particularly true for flats' waste data, where the LWARB study (of 12 estates) represents the best national waste composition data available for flats. Officers are developing a protocol for local authorities to standardise how WCAs are conducted. The protocol will provide guidance and a downloadable specification for London local authorities. An advisory group has been set up

for the project which includes: the GLA, WRAP, LEDNet and boroughs. A draft consultation has been developed and officers are currently making amendments based on consultation feedback from the advisory group.

- d. Contamination Hit Squad – Part funded by LEDNet, this project tested the hypothesis that a shared dedicated team of recycling quality officers (RQOs or the hit squad) checking contamination in kerbside containers, presents a cost-effective way of reducing contamination. The pilot was delivered in the London boroughs of Lewisham, Greenwich, Haringey and Brent. The field research completed just before lockdown. Officers are now writing up the final report and preparing a borough toolkit. The key findings are:
- Dedicated recycling quality officers identify significantly more contaminated recycling bins, than when left to the crews;
 - A contamination policy, with a feedback mechanism to residents, has a significant impact on residents' behaviour. The majority of households did not contaminate more than twice over the course of the project;
 - The huge increase in incidences of contamination, puts pressure on the back office functions, so it is important to correctly resource this;
 - The cost benefit of running this scheme is dependent on existing costs and existing arrangements of reactively dealing with contamination. It is also linked to the MRF gate fees;
 - Employing RQOs should be seen as a last resort, as in many cases, improvements to comms and service provision should lead to a reduction in contamination;
- e. Short-term-lets – Prior to lockdown Resource London commenced interrelated projects: an ethnographic study of HMO residents to look at waste and recycling behaviours; and audience insights research into users of London holiday rentals to gain a better understanding the impact of their waste management behaviours on borough services. The HMO report is available, the short term lets project will be publish later this month.
- f. Plastic project - Anecdotal evidence suggests that the COVID-19 crisis has resulted in a decrease in reuse and a significant increase in single use items (most notably PPE). LWARB has just commenced a research project, to produce a 'state of the nation' report. This will involve capturing all of the activity taking place across London to tackle single-use plastics and plastic packaging, engaging with key stakeholders and learning valuable lessons. This will also include engaging with those boroughs that have set out RRP commitments around reduction of plastic and those that have already launched or committed to launch low plastic zones. The research will look at activity in London and other cities, pre-COVID-19; how the topic has been impacted by the COVID-19 response; and make recommendations on what London can do collectively to tackle single use plastics to take activity beyond pre-COVID-19 levels.
- g. Reduction and Recycling Plans (RRP) –Officers have reviewed RRP's and put each identified action (c.500 individual actions across the 33 RRP's covering household and commercial waste services) into a database. Actions have then

been categorised and grouped in 50 key topics (crossed referenced against the Mayor's priorities). LWARB support will be on four key areas:

- Restricted residual (size and frequency) - including three weekly collections;
- Introduction of commercial food collections;
- Improving kerbside and introducing flats food waste services; and
- Improving flats recycling services.

- h. COVID-19 Response – the LWARB team have been supporting boroughs to deliver frontline services. Interventions spanned from frontline waste and recycling services support and public information campaigns, to engaging with government on policy interventions. The LWARB team created practical collaboration tools, offered expert guidance and provided targeted communications resources. The team is continuing to deliver COVID19 related project that focuses on recovery.

COVID-19 response lessons learnt and good practice report

In order to share lessons learnt and good practice from London waste authority's response to the COVID-19 crisis LWARB conducted a survey of London waste authorities covering five key service areas: household collections, household disposal, commercial collections, commercial disposal and communications. Not all surveys were relevant to every authority, but at least two were relevant to every authority. The survey period has now finished, with 90 surveys completed. This presents a huge amount of rich data. Officers are reviewing the survey returns in order to produce a report for London. Key findings will be shared with waste authorities in October. In addition, the results will be fed into national COVID-19 waste management impacts research to ensure London is strongly represented.

COVID-19 Adaption for commercial waste services

At the end of lockdown LWARB produced a considerations document for London boroughs. It looked at the immediate impacts of COVID-19 on commercial waste, focusing on potential changes to day-to-day local authority services and operations, with the aim of sharing good practice. LWARB is currently developing phase two of this project.

- i. Behaviour Change – London Recycles - From March - June 2020, the London Recycles campaign channels were dedicated to the COVID-19 response and supporting borough services. This continues to form a part of campaign and social activity. In addition, in support of 'Plastics Free July' London Recycles ran a 'Know your Plastics' campaign on social media, as well as funding eight boroughs to run localised campaign activity. The campaign provided information about what plastic items can and can't be recycled, as well as ideas for reusable alternatives. Given the environment in which the campaign was delivered, creatives focused heavily on single use plastics with pertinent COVID-19 related elements (such as hand sanitizer gel bottles and disposable plastic gloves) and encouraging reusable options (such as positive messages about reusable face masks).

The focus on the COVID-19 response has meant that planning the 2020-21 London Recycles activity has been delayed (albeit audience insight research to

understand what motivates 18-34 year olds to recycle has been completed). As COVID-19 response delivery eases, planning for the main campaign activity has now begun.

Alongside campaign planning the following activities are scheduled:

londonrecycles.co.uk

A new website has been developed to refresh the campaign's online presence. The website is currently in beta testing and is being launched in time for Recycle Week. It features a number of exciting new elements, including a services-at-a-glance area, with a dedicated service page for each borough that is visual, with easy to digest essential information and links to useful pages on council website; an A-Z search featuring key items, with detailed information about correct recycling and disposal; and an entirely new commercial recycling section with lots of useful resources and toolkits which businesses and council commercial recycling teams can download and use to improve their service.

London Repair Week

12- 17 October

This is the first London Repair Week and is a really exciting opportunity to promote repair and reuse. The week is being delivered in partnership with commercial and public partners (including Dixons Carphone, London Designer Outlet, Westfield London and HP Enterprises (HPE)). The campaign is predominantly focused at consumers and will include online and instore events (including bike repair, electricals repair and clothing upcycling workshops, panel discussions and fireside chats), but also includes two borough focused events: one for boroughs to understand repair opportunities for their internal operations, being delivered in partnership with HPE and LB Enfield; and one being delivered in partnership with LEDNet to showcase best practice of promoting repair and reuse to residents.

Circular London

5. Circular London is LWARB's programme to accelerate the development of a circular economy in London. Currently the programme is focused on providing business advice and finance, as well as developing a community of circular economy businesses and practitioners. The programme will be further developed to help enable residents reduce waste through circular economy products and services.
 - a. Research and Analysis - LWARB has initiated work to create the London Circular Economy Route Map 2.0. One of the key activities is to develop the capability to underpin London's planning and policy making with high quality research and analytics which enable a deeper understanding of the transition to net zero and reduction of consumption-based emissions.
 - b. Food - London is, together with New York and Sao Paulo, one of three Flagship Cities of the Food Initiative of the Ellen MacArthur Foundation. The initiative is convening a consortium of public-private businesses to co-design, test, and scale solutions based on circular economy solutions for food, including food waste reduction.

London is one of the implementation partners of the EU funded project Food Wave, aiming to increase citizens' knowledge, awareness, and engagement on sustainable patterns of food consumption and production for climate change mitigation and adaptation. It focuses on young people (15-35 year olds) and, in particular, young people from disadvantaged backgrounds.

A series of food events will be held in December:

- "London vs. food waste" event on the 3rd of December (12.3) with the objective of encouraging attendees to sign up as an official Friend of the Champions 12.3 movement and take action on food waste in their own business.
- Meet the Innovator event to facilitate collaborations between key player of the food chain and London circular food innovators

- c. Built Environment - The implementation of the EU Horizon 2020 CIRCulT Programme is building momentum. The project involves Copenhagen, Hamburg and Helsinki Region (City of Vantaa) as well as London. The programme is developing London based demonstrations with the GLA, boroughs and private sector partners. We are preparing digital outputs, training, events and other dissemination activities that explore how circular construction principles and strategies can be replicated and scaled at city level.

As part of CIRCulT, we are in progress of establishing networks across the built environment, which include:

- The City Network, a group of European cities in addition to the four CIRCulT cities that will meet once a year to discuss learnings from the project and share ideas about circular construction. Participating cities include Manchester, Glasgow, Liepaja, Lisbon, Helsinki, and Vienna. The first meeting will be held on 3rd November and explore the theme, 'Circularity in data and urban planning policy'.
 - An Urban Decision Maker Forum in each CIRCulT city. In London, this forum will bring together key planning and design stakeholders from across the city to identify key local barriers, opportunities, and policy changes to accelerate implementation of circular construction and will co-develop implementation toolkits and Circular Building Roadmaps. The forum will also steer the development of resources, training and other support required. The first meeting will be held on 28th September, and, along with the GLA, will have participation from the following councils: Redbridge, Camden, Newham, Hounslow, City of London, and Southwark.
- d. Circular Economy Week - Following on from last year's successful London Circular Economy Week, we held a virtual #CEweekLDN 2020 from 1st – 5th June to coincide with World Environment Day on 5th June. The week began with a launch event on Mon, 1st June followed by three key events on the CIRCulT project on Tuesday 2nd, and behaviour change and finance on Weds 3rd and Fri 5th June respectively. The events were virtual and also included over 40 events hosted by our partners and collaborators. We had over 2,330 participants, 13,694 new visitors to the CEweek London platform and the

number of times our messages were viewed on social media increased by 68% in comparison to last year.

- e. More information is on the website: <https://ceweek.london/>
- f. Support to circular economy SMEs - Our objective is to support SMEs in building viable circular economy businesses and develop a viable circular economy business cluster with the ability to support London citizens, businesses and boroughs.

LWARB's Advance London programme continues to support the growth and scale up of innovative circular SMEs. To date, the team has supported circa 190 SMEs, launched 43 new circular products/services and contributed to the creation of 50 jobs. Despite of the pandemic, the team has continued to deliver support and transitioned the delivery of its services to a virtual format. Three circular pilots have been kicked off, two on leasing-based revenue models in the furniture industry and a take-back scheme in the food retail industry. The virtual outreach of the programme is steadily increasing (including 1,350 followers on Twitter). During this period, we have supported the roll-out of the 'Trigger for Life' take-back initiative across 33 London Fire stations, working closely with Delphis Eco and LFB. The scheme resulted in the recovery and diversion from landfill/incineration of more than 1,000 pumps, triggers and spray tops.

The team delivered support to businesses with specific support streams being rolled out. More specifically:

- Circular Food Business Masterclass on the 29th July
- The Unwrapping 'circular' packaging stream, onboarding 16 new SMEs in collaboration with the Young Foodies network
- Validating 8 new SMEs including Lendobox, Gively, Robin Waste, Goldfinger Factory, Spruce, Farmdrop, Style Swap, Reli

The team is currently developing two knowledge products;

- A Circular Business Guide featuring 100+ circular London based innovations
- Circular packaging fact-sheet

Events that are in the pipeline for the next quarter this year include:

- The Meet the Buyer for the Food sector (9th December).
- The Meet the Borough - Hounslow event (est. November)
- A meet the businesses event with AECOM to provide exposure of built environment SME to the MI-ROG consortium members (est. October)
- Christmas virtual Circular Connect networking event (December)

- g. Circular economy directory of goods and services - We have initiated our work on a circular economy directory and we are commissioning research on the current provision and the need for a directory. Current thinking is that a directory can provide businesses, local authorities and residents with tools to enable them to significantly reduce waste (and therefore consumption based emissions).

h. Training Academy

LWARB is developing a training academy to upskill local authorities in the benefits and opportunities of applying circular economy practices and business models to their council. The team is consulting with London local authorities at all levels, including LEDNet, to ascertain training needs, and to ensure there is a demand for what we develop. We have also been in touch with various bodies to discuss content, delivery methodology, potential partnerships and accreditation. We have worked with London Councils and LEDNet on the development of a climate change training programme for members and senior managers which will be delivered by a third party organisation. We have had conversations with several partners as we develop the concept and the delivery options.

We are in the process of assessing the need for a training academy to build capacity around waste management and recycling and the circular economy for London Boroughs.

Recommendations

- Members to note and discuss the update

Financial Implications

None arising from this report

Legal Implications

None arising from this report

Equalities Implications

None arising from this report

London Councils' Transport and Environment Committee

Environment and Traffic Adjudicators Item Annual Report 2019/2020 no: 11

Report by:	Caroline Hamilton	Job title:	Chief Adjudicator Environment and Traffic
Date:	15 th October 2020		
Contact Officer:	Caroline Hamilton		
Telephone:	020 7520 7200	Email:	ProperOfficer@Londontribunals.gov.uk

Summary: The statutory joint Annual Report by the Environment and Traffic Adjudicators for the reporting year 2019-2020.

 This report is presented to the Transport and Environment Committee on behalf of the independent Environment and Traffic Adjudicators by the Chief Adjudicator Caroline Hamilton.

Recommendations: That members receive and note the report.

The Environment and Traffic Adjudicators

ANNUAL REPORT

2019-2020



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CHIEF ADJUDICATOR'S FOREWORD

I am pleased to present the joint statutory annual report on behalf of the environment and traffic adjudicators that, as well as providing background information to the appeal statistics generated by our automated case management system, assists in providing a more rounded insight into the decisions and case management of the independent adjudicators, allowing for a clearer understanding of the impartial adjudicators' jurisdiction, responsibilities and functions under the statutory civil penalty schemes.

The end of this reporting year saw the necessary and abrupt closure of our tribunal premises at Chancery Exchange, as a result of the COVID19 health emergency, but during the course of the majority of the year, the tribunal remained open to the public, operating in the usual efficient manner, the adjudicators determining appeals against civil fixed penalties issued in respect of moving traffic, bus lane, parking, London lorry control, litter and waste contraventions in London.

Until the closure of the tribunal, the adjudicators continued to provide the accessible and flexible hearings timetables, that allow parties to not only select the type of proceedings they prefer to participate in (personal or postal appeal), but also allowing for the selection of a suitable hearing day and time, for those who decide to attend a personal appeal hearing. By offering personal hearings slots from 8am to 8pm and by including Saturday morning and early afternoon hearings, the tribunal retains the features that saw its concern for users described as "unmatched elsewhere in the justice system" by Sir Andrew Leggatt

(1930-2020) in his detailed study and review of tribunals. This review ultimately resulted in the Courts and Tribunals reform programmes and the Tribunals, Courts and Enforcement Act 2007, from which we take guidance.

Adjudicators continue to recognise the importance of maintaining the unparalleled access to justice, that the wide range of hearing times and the postal or personal hearing selections provide, with the aim of ensuring that no appellant will be obliged to take time off from work or other commitments, to fully participate in a hearing.

At the end of the reporting year, when personal attendance at appeals was unavoidably replaced by a telephone attendance, the necessary adaption did not hinder our flexible listing practices, or impede the adjudicators' efficiency. Unlike many courts and tribunals throughout the justice system, the adjudicators were able to resume hearings with a telephone attendance for those who had selected a personal hearing, as soon as government restrictions allowed, without any additional operational delay. Hearings remain informal with regard to the evidence submitted and are as before, entirely participative.

As ever, the adjudicators take this opportunity of formally thanking the Proper Officer team, provided by the joint committee, for its thoughtful and dedicated administrative support over the year.

Caroline Hamilton
Chief Adjudicator

April 2020

1. Workload

The number of penalty charge notices that result in an appeal to the independent adjudicator remains low. With the majority of parking cases, before a right of appeal arises, the motorist will have had the opportunity of making informal representations to the issuing authority against the penalty charge notice and a formal challenge to the notice to owner, issued by the enforcement authority to the DVLA registered keeper. It is only when the formal challenge is rejected by the enforcement authority in the “Notice of Rejection” document, that the statutory right of appeal to the independent adjudicator arises. Again in other types of case there will also be a Notice of Rejection after formal representations.

Authorities continue to upload penalty charge notice details including photographs, to their websites allowing the motorist, who finds a penalty charge notice served to his vehicle, to view the enforcement evidence that resulted in the issue of the penalty charge notice without delay. This prompt confirmation of events, allows the motorist to see and understand why a penalty has been issued and clearly assess whether representations or a payment should be made.

Penalties issued by post are invariably received some time after the incident relied on by the enforcement authority has taken place. This makes it even more useful for motorists to be able to view images, including moving images, online, allowing the motorist, who may be unaware that an infringement occurred, to recollect an incident, see it in context and make a more informed assessment as to whether the

allegation on the face of the penalty charge notice is one that should be rejected or accepted by a prompt payment, taking advantage of the statutory discounted penalty amount.

This ability to make evidence available at first instance assists in allowing matters to be resolved between the parties, without the need to resort to an appeal. The very small number of appeals registered, compared with the number of tickets issued in London, remains a reflection of a process where enforcement and the pre-appeal investigations, are properly applied.

Once an appeal is registered, it is still incumbent on the parties to assess the available evidence and decide whether the matter should be pursued to a hearing. This can be particularly relevant to issues arising from the sale or theft of a vehicle, where the required evidence was not available to the motorist within the statutory timeframes allowed for making formal representations to the authority. The ongoing duty to assess the evidence is reflected in the number of appeals that are not contested, generally as a result of further, post notice of rejection evidence submitted with the notice of appeal.

Statutory Declaration and Witness Statement referrals

The witness statement declaration process is in place to assist motorists who have not received statutory documents and whose post has for some reason, gone astray.

The grounds for making a declaration are as follows:

1. I did not receive the notice to owner (parking)

Enforcement notice (bus lane)

Penalty charge notice (moving traffic)

2. I made representations about the penalty charge to the local authority concerned within 28 days of the service of the notice to owner/enforcement notice/penalty charge notice, but did not receive a rejection notice.
3. I appealed to the parking adjudicator against the local authority's decision to reject my representation within 28 days of service of the rejection notice, but have had no response to my appeal.

Once the revocation order has been issued by the Court, it is referred to the adjudicator by the enforcement authority, who then considers whether a right of appeal has been established, or whether an appeal should be registered.

It must be understood by the Respondent motorist in the County Court, that the orders made at the Traffic Enforcement Centre **do not** cancel a ticket and do not bring the enforcement of a penalty charge notice to a close. This information appears on the face of the Court's order but motorists still frequently seek to rely on the order as a ground of appeal.

The Court's order is simply the legal mechanism that allows the parties to be returned to the point where communications failed:

"Important note to respondent:

This order does NOT cancel the original penalty charge notice. You should contact the Local authority/charging authority as they may well

take further action on it. The authority should inform you as soon as possible it is intending to do so.”

The adjudicator will consider the referred orders and it is only if the declaration is substantiated and the adjudicator is satisfied that a right of appeal has been established, that the matter will be listed for a contested appeal hearing.

If no statutory appeal rights are established, the enforcement authority remains entitled to continue enforcement and the adjudicator will make a payment direction in favour of the authority. This direction requires a payment of the full penalty amount to be made to the authority within 28 days, or the time frame indicated by the adjudicator.

The Traffic Enforcement Orders appear in our appeal statistics below as “referrals”. The payment directions are not included as appeal outcomes, in the statistics below, no right of appeal having been established by the County Court Respondent.

APPEALS

The appeal statistics, furnished via our automated case management system, are accompanied by short commentaries clarifying or expanding on any points of note, or issues that have arisen over the reporting year.

TOTAL of all:

36,288 (37,051) appeals received

7,847 (6,099) statutory declaration/witness statement referrals

Total: 44,135 (43,150)

32,035 (36,473) appeals were determined
16,426 (17,600) appeals were allowed of which 9,624 (9,752) were not
contested

15,609 (18,873) appeals were refused

Appeals registered at London Tribunals may be registered in one reporting year and determined in the next, resulting in a perceived discrepancy in the figures. The regulations require 21 days to pass before an appeal is listed for hearing. The tribunal allows for 28 days, to safeguard against postal delays. This time allows the parties to prepare and submit evidence and consider evidence served by the opposing party.

The individual appeal types (parking, moving traffic, bus lane, London lorry control, litter and waste) had the following receipt numbers and outcomes.

PARKING appeals received

20,692(22,245) appeals were received

5,275 (4,786) referrals were made

TOTAL: 25,967 (27,031)

Parking appeals decided

18,981 (22,118) appeals were determined

Allowed

10,044 (11,083) appeals were allowed of which 5,824 (6,264) were not
contested

Refused

8,937 (11,035) appeals were refused

BUS LANE appeals received

1,851 (1,765) appeals were received

264 (206) referrals were made

TOTAL: 2,115 (1,971)

Bus lane appeals decided

1,660 (1,674) appeals were determined

Allowed

979 (902) appeals were allowed of which 630 (556) were not contested

Refused

681 (772) appeals were refused

This year the trend observed in 2018-19 continued, with our records showing a small reduction of parking appeals, replaced by a similarly small increase in moving traffic appeals.

MOVING TRAFFIC appeals received

13,621 (12,900) appeals were received

2,308 (1,107) referrals were made

TOTAL: 15,929 (14,007)

Moving traffic appeals decided

11,268 (12,552) appeals were determined

Allowed

5,322 (5,536) appeals were allowed of which 3,114 (2,883) were not contested

Refused

5,946 (7,016) appeals were refused

Each recorded appeal may contain multiple penalty charge notices.

Moving traffic appeals are necessarily served by post further to the identification of the registered keeper by the DVLA. Each appeal registered at London Tribunals can accommodate a number of penalties

issued to the vehicle, which is more common in moving traffic contraventions, when a motorist, unaware of camera enforcement, or having failed to observe a restriction, repeats the contravention before being served with the postal penalty charge notice.

LONDON LORRY CONTROL appeals received

120 (131) appeals were received

0 (0) referrals were made

London Lorry Control appeals decided

121 (121) appeals were determined

Allowed

76 (73) appeals were allowed of which 55 (49) were not contested

Refused

45 (48) appeals were refused

LITTER and WASTE appeals received

4 (10) appeals were received

0 (0) referrals were made

Litter and Waste appeals decided

5 (8) appeals were determined

Allowed

5 (6) appeals were allowed of which 1 (0) was not contested

Refused

0 (2) appeals were refused

The adjudicators' written determinations are published on our statutory register that can be viewed online through our website at

www.londontribunals.gov.uk

RECOMMENDATIONS:

The adjudicators have no power to take mitigating circumstances into account and can only allow an appeal when a statutory ground of appeal has been established. The scheme is a fixed penalty scheme and the adjudicators do not and cannot assess degrees of culpability. This has been confirmed in terms by the Court of Appeal in the Road User Charging appeal of Walmsley v Transport for London [2005] EWCA Civ 1540, where it was underlined that the adjudicators had no such power under the statutory fixed penalty schemes. The judicial review detailed below further illustrates this point (see page 29, Edmond Michaels v Royal Borough of Kingston-upon-Thames *ETA 2190299405 (2019)*).

The Traffic Management Act 2004 introduced the concept of “compelling reasons” allowing the adjudicator, who had no power to allow a parking appeal, but who was satisfied that compelling reasons had been established could make a formal recommendation to the authority that a notice to owner is cancelled.

The authority is then required to consider cancellation of the notice to owner, taking full account of all observations made by the adjudicator and, within a period of 35 days, must notify the appellant and the adjudicator, as to whether or not it accepts the adjudicator’s recommendation.

Recommendations that are not accepted must be accompanied by reasons, but no appeal to the adjudicator arises further to that decision.

If the enforcement authority does not respond to the recommendation made by the adjudicator within the statutory time frame, the recommendation is deemed to have been accepted and the notice to owner must be cancelled.

Most appeal representations received at London Tribunals are accompanied by an element of mitigation. This must not however be confused with a “compelling reason” which connotes a high threshold and is usually a matter that has arisen after representations have been rejected and/or have not already been properly considered and addressed by the authority in the notice of rejection document.

The limited use of the power by adjudicators reflects the high threshold the motorist must meet to demonstrate a compelling reason for cancelling a notice to owner, when a contravention has been proved by the enforcement authority’s evidence and no statutory ground of appeal has been established.

Refused with a recommendation: 281 (471)

Recommendation accepted: 98 (142)

Deemed accepted: 97 (173)

Recommendation Rejected: 86 (156)

PERSONAL/POSTAL APPEALS

Appellants are able to select the appeal type they prefer to participate in when they complete the notice of appeal form either online, via the tribunal’s appellant portal, or on the paper forms that can still be submitted by post. The enforcement authority may also wish to elect to attend an appeal by sending a presenting officer, but generally the authority submits its case (which may include the CCTV images of the

incident relied on) without a personal attendance. On occasion the adjudicator may direct attendance by a party or witness but this is rarely necessary or proportionate.

Applications for costs orders made by the enforcement authorities relating to witness statement declarations are also listed for personal hearings to allow the Respondent to the Traffic Enforcement Court Order, who has failed to substantiate the declaration made, the opportunity of explaining why a declaration was indeed lawful.

Postal Hearings: 25,534 (30,986)

Personal Hearings: 10,754 (6,055)

Further to the health emergency, personal attendance at our hearing centre was replaced by a telephone attendance. The adjudicators, using the automated case management system, telephone parties and witnesses and hear evidence and submissions in the usual way.

The telephone appeals have been largely successful, with adjudicators being able to consider and assess oral evidence and submissions using a conference call facility where necessary.

Issues of pure credibility that favour a face to face attendance are unusual in the tribunal, where motorists relying on oral evidence of an activity, such as loading, are generally also able to provide delivery notes or invoices to support the claimed exemption, thus corroborating oral evidence. The adjudicator will also have sight of the enforcement officer's contemporaneous notes and photographs to assist in the assessment of evidence. Telephone attendances still allow the

adjudicator to test evidence and explore representations that might establish a ground of appeal that was not recognised by the motorist.

At the date of publication of this report, the hearing centre remains closed to the public and we are still unable to return to personal attendance.

COSTS

The Civil Enforcement of Parking Contraventions (England)

Representations and Appeals Regulations 2007 Schedule Part 2

Regulation 13 and The Road Traffic (Parking Adjudicators) (London)

Regulations 1993 Part II Regulation 12.

The adjudicator has no power to make an award of compensation or damages, but may make an award of costs in limited circumstances. The regulations underline that an award of costs is not the norm and the claimant must first satisfy the adjudicator that one of the statutory conditions has been met. Before listing a matter for a contested hearing the adjudicator will determine whether there is evidence demonstrating that a party has acted:

“...frivolously or vexatiously or that his conduct in making, pursuing or resisting an appeal was wholly unreasonable...”

Or against an enforcement authority “where it is considered by the adjudicator that the disputed decision was wholly unreasonable. “

It should be noted that the tribunal considers that Respondents at the Traffic Enforcement Centre who have repeatedly relied on false

declarations to achieve the revocation of an order for recovery and the cancellation of a charge certificate have acted vexatiously and wholly unreasonably and referrals accompanied by an authority's application for fixed costs are treated accordingly.

Applications for costs listed for determination by the adjudicator:

APPELLANTS	ENFORCEMENT AUTHORITIES
Parking 16 (75)	Parking 93 (91)
Bus Lane 1 (4)	Bus Lane 2 (3)
Moving Traffic 16 (22)	Moving Traffic 34 (43)
London Lorry Control 0 (0)	London Lorry Control 0 (0)
Litter and Waste 0 (0)	Litter and Waste 0 (0)
Total 33 (101)	Total 129 (137)

2. KEY CASES

Failing to comply with a prohibition on certain types of vehicle: the red prohibition roundel.

A number of cases came into the appeal lists where a motorcyclist dismounts and pushes a bike through a prohibited area.



Most Traffic Management Orders will refer to the motorist “causing” the vehicle to enter the prohibited area, but the test for “driving” was analysed by the Courts in DPP v Alderton [2003] EWHC 2917 (Admin) where “controlling

the movement and direction” of a vehicle was found to be sufficient (no engine on), although the extent and degree of control will be an important consideration, with a use of the driver’s controls for directing the movement relevant.

The appeal decision of adjudicator Mr Styles, below gives an example of the approach that the tribunal has long adopted to motorists circumventing restrictions by pushing a vehicle.

Shanewaj v City of London (ETA 2200169625)

“... The prohibition (See Article 4. with Schedule 2. Item 3.) on motorcycles as signed and illustrated on the CCTV clip was very prominent.

Under the traffic management order sent me by the Council breaches occur when persons "cause any motor vehicle to enter" on the restricted route.

There is no legal exemption in respect of vehicles being pushed or "walked". It is legally irrelevant whether the engine is on or not. The vehicle is still a motor vehicle.

I have seen the driver in this case dismount but I am satisfied the contravention did occur and I have recorded this appeal as refused. There is no legal exemption which can justify cancellation in this case.”

Failing to comply with a prohibition on certain types of vehicle – goods vehicles exceeding max gross weight indicated.

A number of appeals were consolidated at the tribunal arising from the implementation and enforcement of weight restrictions at Rotherhithe tunnel. The appeals related to the adequacy of signage at the location and were determined by adjudicator Mr Houghton as detailed below:



TCMC Crowded Space Limited v Transport for London (ETA 2190140816)

“This is one of a large number of cases listed before me many of which raise issues relating to the weight restriction in force in the Rotherhithe Tunnel and to the clarity or otherwise of the signage indicating that restriction. In the cases involving personal Appellants the enforcement authority, TfL, attended the hearing (and its adjournment) represented by its officer Mr. Garrett. Although each individual case must be decided on its own merits some of the same points are raised time and time again, either separately or in combination. In summary these may be stated as the inadequacy of the indication that the limit is only two tonnes, the absence of any indication that the 2 tonnes means the weight the vehicle is capable of carrying as opposed to the actual weight, and the impression given by the sign that the restriction applies only to lorries. In addition some Appeals raise issues as to what the vehicles gross weight actually is and whether or not the vehicle falls within the definition of a goods vehicle at all.

In the cases where a personal hearing took place TfL has made detailed written submissions dealing with these and other potential points relating to enforcement. At the conclusion of the hearing I reserved my decision to give the matter the detailed consideration it requires. Having

done so it seems to me appropriate to include in this and nearly all the cases identical paragraphs setting out my decision on the relevant issues, and then to deal as may be necessary with any remaining issues raised in individual cases.

The Appellant will therefore appreciate that not everything in the extensive paragraphs that follow will necessarily apply to his/her particular case.

THE RESTRICTION AND TRAFIFC MANAGEMENT ORDER

By virtue of a Traffic Management Order coming into force on the 21st September 2018 a weight restriction for goods vehicles with a "maximum gross weight exceeding 2 tonnes" was imposed on defined sections of roads immediately leading to the Rotherhithe Tunnel (Branch Road and Brunel Road). The Order was subsequently amended with effect from the 1st May 2019 to include definitions of "Goods vehicle" and "maximum gross weight" and to amend a previous consolidation Order to change the prohibition on vehicles actually entering the tunnel from 17 tonnes maximum to bring that prohibition, rather late in the day, in line with the 2018 Order.

DEFINITION OF A GOODS VEHICLE

At the date of the alleged contravention the definition of a goods vehicle in the Order of the 18th April (and which is lifted from the definition in the Traffic Signs Regulations and General Directions 2016) i.e. a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description") was not in force.

However it seems to me that considering the meaning of the words as a

matter of ordinary use of the English language a similar conclusion is arrived at. Whether a vehicle is a goods vehicle depends on what it is, what it is designed for, not what it is being used for. A saloon car does not become a goods vehicle as soon as goods are put in it, and a van does not cease to be a goods vehicle because it happens to be empty.

Whether or not a vehicle is a goods vehicle is essentially a question of fact. TfL relies heavily on the category allocated to it by the DVLA, which is based on its type approval (category N for goods vehicles). It submits, in simple terms, that if the manufacturer tells the authorities that it considers its vehicle to be a goods vehicle then it should be treated as such on the basis that the manufacturer must be taken to know what the vehicle is constructed to do. Whilst I would not regard the DVLA record as unchallengeable I would agree that this is extremely persuasive evidence and that in the absence of any evidence of some error on the part of the DVLA when registering the vehicle very strong evidence would be required to refute that of the DVLA registration.

The majority of the present cases involve vans of some description - which are self-evidently goods vehicles on any view.

MAXIMUM GROSS WEIGHT

The TMO prohibition applies to vehicles of a maximum gross weight. This is not the actual weight of the vehicle at the time but its maximum weight fully loaded to its maximum design capacity. It is the case that, no doubt as a result of hasty drafting, no definition of the expression "maximum gross weight" appears in the TMO as it was in force at the

time. Nevertheless this is a long standing expression in Road Traffic law and is defined in the Road Traffic Act 1988 s 108 as "the weight of the vehicle laden with the heaviest load which it is constructed or adapted to carry". It is a term used and defined in the TSRGD (see below). Other terms are also in use, The DVLA website states that -

Maximum authorised mass (MAM) means the weight of a vehicle or trailer including the maximum load that can be carried safely when it is being used on the road. This is also known as gross vehicle weight (GVW) or permissible maximum weight. It will be listed in the owner's manual and is normally shown on a plate or sticker fitted to the vehicle. This weight is also the "revenue weight" of the vehicle (s60A vehicle Excise and Registration Act 1994). In proving that a given vehicle had a maximum weight in excess of 2 tonnes TfL has relied on the information held by the DVLA and which appears on the registration document showing that weight. This is as I accept, derived from information provided by the manufacturer, and I would regard this as all but conclusive in the absence of some very persuasive evidence from an Appellant that some error had occurred in the DVLA's records. The manufacturer must be taken to know the weight the vehicle is designed to carry.

Some Appellants submitted that they cannot be expected to know this weight. I reject that submission. It seems to me that a driver of any goods vehicle should be familiar with the maximum load it is designed to carry which can be ascertained from the vehicle's handbook or its registration document.

THE STATUTORY SIGNAGE

The sign showing the outline of a lorry with a figure on it , in this case 2t, is the sign prescribed by the Traffic Signs Regulations and General Directions 2016 ("the TSRGD") to show the maximum weight. Diagram 622.1A is stated (at Schedule 3 Part 2 item 13) to indicate "Goods vehicles exceeding the maximum gross weight indicated prohibited."

Maximum gross weight is defined in Schedule 1 TSRGD as the "maximum laden weight", which is in turn defined as "the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden". It appears that many of the drivers in these cases did not appreciate that the weight shown means the maximum weight the vehicle is designed to carry, not the actual weight the vehicle happened to be at the time.

In addition some Appellants have submitted that the use of a lorry image is incorrect or confusing; however this is simply the symbol prescribed by Regulations to indicate merely a goods vehicle (not necessarily a heavy goods vehicle or lorry). There is no separate symbol prescribed by the Regulations for light goods vehicles. The lorry symbol is used for this general purpose to cover goods vehicles of all sizes, in this and previous Regulations, on many types of sign; and many a small van driver has correctly relied on it for exemption when it appears on a sign indicating, for example, an exemption to entering a Pedestrian Zone in order to load/unload.

The sign is the correct sign for the restriction specified in the TMO, and is indeed the only sign TfL could lawfully use, at the entry point to the tunnel, to indicate the presence of the restriction. Any other sign of some design other than that prescribed by the TSRGD would be open to challenge on the basis that it was not the legally prescribed sign. The sign is shown in the Highway Code, with which all motorists should be familiar, and is correctly described there as indicating a prohibition on a goods vehicle over the maximum gross weight shown.

As a result of the positioning of the cameras the sign is not visible in the photographs showing the various vehicles. However TfL has produced site photographs showing the signs in position; and although these are dated the 23rd May I accept TfL's evidence that, as one would expect, the signs were erected prior to the coming into force of the Order and were regularly checked. In the absence of any compelling evidence to suggest that these signs were not there at the material time it seems to me the balance of probabilities lies strongly in favour of the signs being in place as shown.

ADVANCE WARNING SIGNS

I would accept in principle that a single sign at the very entrance to the tunnel (though legally required in the prescribed form) would not necessarily be sufficient on its own to give adequate information as to the prohibition relied on (which is what the signage is required to do). Various passages in the Traffic Signs Manual, official guidance on siting of signage, 2019 Chapter 3 support this position

5.1.2 "it is important to address the directional signing changes needed when a regulatory measure prevents some or all traffic from following the previously signed route

5.1.3 Advance warning of certain restrictions may be given by incorporating the prohibitory sign into directions signs. These are not a substitute for the terminal signs at the start of the restriction.

5.17 only one sign is required but care should be taken to ensure that a single sign is clearly visible to all road users and does not give rise to issues of enforcement or road safety...

In the present case by the time motorists see the single statutory sign there is a risk that they do so too late to take another "escape" route. In my judgement some sort of warning is required, and indeed it appears to be accepted by TfL that the warning is at least desirable. It duly points to the presence of the warning signs shown on its plan. I accept that the signs are in the positions shown. Photographs produced by some appellants appear to show the previous signage.

The signs are of a large rectangular design containing four roundels, including one showing the 2t weight restriction, headed with the warning "ROTHERHITHE TUNNEL RESTRICTIONS AHEAD" and in the case of the signs positioned further away from the tunnel entrance, an indication of the route to be followed by restricted traffic. I accept TfL's evidence that a motorist could not arrive at either entrance without passing one of these signs. Some motorists refer to the possibility of these signs being temporarily obscured from certain angles by passing traffic. However given the number and size of these it seems to me

improbable that a motorist could arrive at the mouth of the tunnel without having seen any warning sign. Indeed the majority of the motorists in these cases do appear to have noted the presence of the signs, but misinterpreted their meaning.

These signs do not comply with any signage in the TSRGD but they are not required to do so, falling to be treated as a freestyle warning sign. The only issue is whether they are effective to provide clear warning. It seems to me that they are adequate. They tell the motorist that there are "restrictions" at the tunnel and that the restrictions are those shown on the four roundels. Those roundels are copies of the signs prescribed by law to indicate the restrictions in force and are in my view a reasonable method of giving advance information of the restrictions and the signage later to be encountered. There is a sign available in the TSRGD for giving advance warning of a weight restriction (Diagram 818.4). However this sign also similarly gives the warning by means of a copy of the same rondel (on a blue background with the wording Weight restriction). I am not persuaded that this sign (sited together in a group of the three others that would then be necessary for the other restrictions) would be any more visible or its meaning any clearer to motorists than the one in use.

Some Appellants encountered the restriction having been previously entitled to use the tunnel for many years. However motorists must respond to signage as they encounter it and cannot assume that because a route was open to them yesterday it is open to them today. Obviously it would be good practice for an enforcement authority to give some

period of warning, but I am satisfied on the basis of TfL's evidence and the evidence of some appellants TfL did so, in that there was a period not only of warning notices being issued but a period when TfL took the highly unusual step of placing staff at the entrances to the tunnel to warn drivers in person.

CONCLUSION

It seems to me that in those cases where the issues of signage are raised that the Appellants fell foul of the weight restriction not because of a failure of signage but as a result of a failure of understanding. It is in my view impossible to say that the roundels indicating the weight restriction were not reasonably visible, even as one of a group of four, and they are the entirely correct and prescribed signage to indicate that restriction. Naturally the number of PCNs issued (obtained in one case by a Freedom of Information request) and the fact that initially personnel were placed at the tunnel entrance to turn van drivers away might suggest the level of misunderstanding to be fairly widespread. On the other hand one has to approach this kind of evidence with some caution in that for every driver who misunderstood the sign there may be many others who did not, and took care not to enter the tunnel.

As in the present case I am satisfied in this case that the signage was reasonably visible and correctly indicated the prohibition relied on a contravention occurred and the PCN was lawfully issued.”

Further cases of failing to comply with a prohibition on certain types of vehicle.

A number of cases arose regarding roads or routes that had been altered with new restrictions being put in place. Motorists, accustomed to taking a certain route having failed to heed or notice prohibition signs that were not in place when previous journeys were made.

Adjudicator Mr Teper's decision underlines the burden on the motorist to be alert to restrictions even in circumstances where a familiar route is used.



Begum v LB Newham (ETA 2200345455)

"The Authority's case is that the Appellant's vehicle failed to comply with a prohibition on certain types of vehicle (motor vehicles except buses, taxis and permit holders A1) when in Browning Road on 4 May 2020 at 00.26.

The Appellant's case is that she has used this route before and was unaware of the new restriction. She also argues that the Authority failed to respond to her representations within the required 56 days.

I have considered the evidence and watched the CCTV footage and I find that the Appellant's vehicle failed to comply with a prohibition on certain types of vehicle (motor vehicles except buses, taxis and permit holders A1) when in Browning Road on 4 May 2020.

I find that the signage is both compliant with the regulations and that it is clear and adequate. The signage indicating the restriction can be seen

when in Rectory Road in good and sufficient time to take an alternative route.

The 56 day rule for responding to formal representations is in relation to parking matters only. There is no time limit for a response to formal representations for moving traffic contraventions, however anything significantly over 3 months would be considered excessive. This is not the case here.

Motorists are not entitled to rely on past experience when driving because restrictions change, and the changes apply equally to those new to the location as well as those who have used it before.

All other matters raised by the Appellant go to mitigating circumstances, which have already been considered by the Authority; they do not provide an exemption or defence.

The Adjudicator decides appeals by making findings of fact and applying the law as it stands. The Adjudicator has no power to quash a penalty charge on the basis of mitigation submitted.

The appeal is refused.”

3. JUDICIAL REVIEW

Once appeal rights under the statutory schemes have been exhausted (appeal and review), parties may contest an outcome further, by making

an application to the High Court for permission to seek the judicial review of an adjudicator's decision.

This year saw one application for judicial review given permission to progress to a full hearing, resulting in the appeal outcome being overturned by the learned judge, who was satisfied that that vehicle was parked on private land (see page 33 below).

Outcomes

1. *The Queen on the Application of Edmond Michaels -v- The Parking Adjudicator and (interested party) Royal Borough of Kingston-upon-Thames [CO/4651/2019] (Edmond Michaels v Royal Borough of Kingston-upon-Thames ETA 2190299405 (2019))*

The appeal:

Adjudicator's Reasons

"The Authority's case is that the Appellant's vehicle was stopped on a restricted bus stop when in Clarence Street on 6 June 2019 at 20.34.

The Appellant has explained that he is disabled and required urgent use of a lavatory.

I have considered the evidence in this appeal and I find that the Appellant's vehicle was stopped on a restricted bus stop when in Clarence Street on 6 June 2019.

Motorists are not permitted to stop, load/unload, perform manoeuvres, wait for parking spaces to become available or set down or pick up passengers whilst on restricted bus stops under any circumstances.

The contravention is one of 'stopping' which is an instant contravention and not one of 'parking'.

All matters raised by the Appellant go to mitigating circumstances, which have already been considered by the Authority. They do not amount to a defence or an exemption.

The Adjudicator decides appeals by making findings of fact and applying the law as it stands. The Adjudicator has no power to quash a penalty charge on the basis of mitigation submitted.

The appeal is refused.”

REVIEW: Reasons

“1. The general principles of review are that findings of fact and law are generally final. One Adjudicator will not overturn the findings of fact or law of another unless there are compelling reasons for doing so, such as where the findings are not compatible with the evidence before the original Adjudicator or the law.

2. I conclude that the original Adjudicator was entitled to reach the decision on the basis of the evidence submitted. The original Adjudicator found as a fact that the applicant's vehicle was in contravention as alleged. The decision was based on cogent evidence including the observations of the applicant's vehicle. Therefore the original Adjudicator was entitled to make this finding.

3. The original Adjudicator also made findings that an exemption was not proved on the balance of probabilities in the applicant's case. The original Adjudicator was entitled to come to this conclusion on the

evidence for the reasons given.

4. In addition, the original Adjudicator correctly identified the relevant legal principle that mitigation is not a lawful excuse and an Adjudicator has no power to take mitigating factors into account.

5. The applicant's latest representations are essentially no more than a disagreement with the original Adjudicator's findings and a repetition of the submissions made before. There is no reason to conclude that the original Adjudicator did not consider all the evidence submitted and all matters raised in the applicant's original representations."

JUDICIAL REVIEW: The learned judge found no realistic prospect that the claim could succeed, noting that the reason for stopping was mitigation that did not absolve the claimant (motorist) from liability.

RENEWAL: Permission to bring the judicial review was refused with costs of £2,000 awarded to the enforcement authority.

2. *The Queen on the Application of Benjamin Williams -v- Adjudicator for London Tribunals and London Borough of Hammersmith and Fulham*[CO/193/2020] (Benjamin Williams -v- London Borough of Hammersmith and Fulham ETA 2180384450 (2019))

The appeal:

Adjudicator's Reasons

"Mr Williams attended today. He appeals as he states that it is not possible to see the box junction in Talgarth Road before the car is at the

edge of the box. Mr Williams argues that it is not possible to stop before driving into the box. Mr Williams provides video footage taken in December 2018 from his car as it drove towards the box junction.

The contravention occurs if a person causes a vehicle to enter the box junction so that all or part of the vehicle has to stop within the box junction due to the presence of stationary vehicles. The Enforcement Authority does not have to prove that the vehicle caused any obstruction to other road users.

The local authority provides a map of the location. The CCTV footage shows the box junction markings. Mr Williams provides a photograph of the box taken from Google Streetview. I am satisfied that the box junction markings comply with the Traffic Signs Regulations and General Directions 2016. I find that the road markings are clear.

I have seen Mr Williams's video but I am not persuaded that this demonstrates that an approaching motorist unfamiliar with the area cannot see the box junction until it is too late for a motorist to stop or pause before driving into the box.

The CCTV footage shows the appellant's car drive into the box junction and drive round a bus into the outside lane. The car is forced to stop in the box as it is unable to exit it due to the presence of the vehicle in front. Mr Williams states that he could not see the exit because of the bus that was stopped in the box. I accept this but he should have waited to ensure that he could see that there was a space on the other side of the junction before he drove into the box.

I find that the contravention occurred. I refuse this appeal."

REVIEW: The reviewing adjudicator found no ground for interfering in the appeal decision.

JUDICIAL REVIEW: The application was refused; the claim was wholly unarguable. The adjudicators at first instance and on review were entitled to come to the decision made.

RENEWAL: The appellant (claimant) applied for an extension of time to allow the claim to be renewed at an oral hearing, but this was refused.

3.The Queen on the Application of Dr Preeti Pereira-v- London Borough of Southwark [CO/3424/2019] (Preeti Pereira -v- London Borough of Southwark ETA 2180438775 (2019))

R (Pereira) v Environment and Traffic Adjudicators [2020] EWHC 811 (Admin)

Under section 15 of the Greater London Council (General Powers) Act 1974, it is an offence to park in London “with one or more wheels on or over any part of the road”. Section 2 defines “road” to include “any length of road or any part of the width of the road”; and, by section 104 of the Road Traffic Regulation Act 1967, “‘road’ means any highway and any other road to which the public has access”. By Schedule 7 paragraph 3(2)(a) an offence under section 15 is a parking convention.

R (Dawood) v Parking and Traffic Appeals Service [2009] EWCA Civ 1411 concerned circumstances in which a motorcycle was parked on Cleveland Street W1 outside the house of the bike owner, on land owned by him but to which the public had access as users of Cleveland Street. The adjudicator held that that was in contravention. The Administrative Court and the Court of Appeal refused permission to proceed on the basis that the contrary was unarguable.

The issue has been revisited in R (Pereira) v Environment and Traffic Adjudicators [2020] EWHC 811 (Admin). There was a pavement outside the appellant's property. The part nearest the carriageway was owned by the highway authority ("the chain-link strip"). Just further down the road, it had a tree growing in it, so anyone walking down the pavement would have to deviate into the middle of the pavement ("the middle strip"). Adjacent to the hedge that fronted the house, there was a third strip ("the hedge strip") where the appellant regularly parked her car and the cars of visitors to the house. Each strip was about a car's width. The hedge strip and middle strip were owned by the appellant. Beyond the appellant's property, there were obstructions of the hedge strip (a post) and the chain-link strip (a post and tree) which meant that anyone walking down the pavement would have to divert into the middle strip.

The adjudicator refused the appeal, on the basis that the hedge strip formed part of the adopted highway or alternatively it was a road over which the public had access. On review, the adjudicator also held that it was part of the highway, but on the different basis that it had been deemed dedicated after 20 years use. He did not consider the public access limb.

Dr Pereira applied for judicial review. In the usual way, the adjudicator played no part in the claim. The Council said that they would not contest it because it would be disproportionate to do so. However, permission to proceed was granted, and the substantive hearing went ahead with just Dr Pereira being represented, by Leading and Junior Counsel.

Fordham J allowed the claim.

As to whether the hedge strip was highway, he found that, before the adjudicator, the Council had not advanced any claim based on (nor adduced any evidence in support of) deemed dedication. The appellant's legal representatives had only raised deemed dedication to dismiss it. The judge held that the adjudicator had erred in considering the issue at all; and, in any event, he had erred in law in concluding that, because for 20 years there had been a way over the middle strip (on which the appellant never parked), there was deemed dedication of the hedge strip (on which she had frequently parked). That was a fact-specific finding. The judge did not remit the matter for rehearing by an adjudicator because the Council had never taken the point.

Nor did he remit the matter on the alternative, public access limb of determining whether the hedge strip was part of the "road", because he found that, on any view, the public had neither factual nor legal access to the hedge strip.

- (i) He considered that, as a matter of fact, public access over the hedge strip had been defeated by the actions of the appellant in regularly impeding that access (whether or not coupled with the fact the public did not have access on the particular occasion when the PCN was put on the car).
- (ii) He found that the public did not have legal access to the hedge strip at the relevant time (when the appellant's vehicle was parked on it), because they were permitted access by way of an implied licence which was inoperative when the car was parked there.

Comments

This judicial review was largely determined on its facts, and any legal exposition was both made without full legal argument and *obiter*. However, this judgment emphasises the following.

- (i) Although an adjudicator can raise an issue not raised by any party – and, when an obvious point, may be obliged to do so (Robinson) – it is important to give both parties a full opportunity to deal with the issue. An adjudicator must make it plain that he/she is minded to consider the (new) point, and invite submissions on whether it is a point that should be dealt with/determined and the substantive point itself.
- (ii) Where a vehicle is parked on a pavement, it may still be served with a PCN. If there is evidence that that part of the pavement is privately owned, then both the legal and factual position is complex. If the owner of the vehicle does not own the land or have the authority of the owner to park there, on the basis of this case, he is likely not to have “legal access”. Whether there is factual public access will require careful consideration of the evidence; and it may be necessary to ask both the appellant and the council for their position with regard to this issue and any evidence upon which they rely.

The Court’s full judgment can be found under key cases on our website at www.londontribunals.gov.uk

4. TRAINING AND APPRAISAL

TRAINING

The adjudicators attended a training meeting in December 2019. The adjudicators, appointed under the terms of the Traffic Management Act 2004 are part-time, independent office holders. The training sessions serve to highlight new appeal issues or enforcement locations and allow feedback from the appraisal scheme to be shared.

The meetings are also an opportunity for the adjudicators, who will have all attended the hearing centre at different times during the course of the year, to meet, share and discuss best practices, cementing our collegiate approach.

The new restriction in force at the Rotherhithe tunnel (see page 18 above) and the consolidated decision relating to contraventions occurring in Phoenix Way (prior to sign amendment) were considered in the December session.

APPRAISAL

The tribunal's mandatory appraisal scheme remains in place, with appraisals being completed on a three-year cycle. The scheme ensures the maintenance of the tribunal's standards and consistency of practices. It also provides an opportunity for adjudicators to provide feedback and identify ways that the tribunal may be improved. This is of particular value to the tribunal, where a number of adjudicators hold fee paid judicial appointments in other jurisdictions, allowing them to share court and tribunal processes that have already been found to promote justice and efficiency.

The objectives of the appraisal scheme are to:

- ensure the maintenance of the tribunal's standards and consistency of practices,
- ensure that the tribunal's training programme is informed by the identification of particular needs,
- maintain public confidence in judicial performance as a result of regular monitoring,
- ensure that all adjudicators demonstrate the competences necessary for their role,
- measure individual performances against the tribunal's standards,
- identify individual and general training and development needs,
- use the collected experience of adjudicators to identify ways of improving the tribunal procedures in particular the overall efficiency of the tribunal, and
- provide an opportunity for adjudicators to raise issues relating to their experience in sitting, training and tribunal procedures.

Adjudicators appointed in March 2017 completed their second round of appraisals in the first quarter of 2020. All adjudicators completed appraisal in 2020. The scheme is now due to resume in the first quarter of 2023.

5. The Environment and Traffic Adjudicators

This reporting year saw the retirement of adjudicators Jennifer Shepherd and John Lane and the appointment of adjudicator Joanne Oxlade to the first-tier tribunal (Immigration). We wish them well in their future endeavours.

1. Alderson, Philippa
2. Anderson, Jane
3. Aslangul, Michel
4. Brennan, Teresa
5. Burke, Michael
6. Chan, Anthony
7. Fantinic, Cordelia
8. Greenslade, Henry Michael
9. Hamilton, Caroline
10. Hamilton, John
11. Harman, Andrew
12. Harris, Richard
13. Hillen, Monica
14. Houghton, Edward
15. Kaler, Anju
16. Lawrence, Michael
17. McFarlane, Alastair
18. Moore, Kevin
19. Oliver, Michael
20. Patel, Dharmesh
21. Parekh, Mamta
22. Pearce, Belinda
23. Rach, Neena
24. Iqbal, Samina
25. Sheppard, Caroline
26. Stanton-Dunne, Sean
27. Styles, Gerald
28. Teper, Carl
29. Thorne, Timothy
30. Udom, Ini
31. Walsh, Jack
32. Wright, Paul

*The Environment and Traffic Adjudicators
London Tribunals 2019-2020*

London Councils' Transport & Environment Committee

Chair's Report

Item No: 12

Report by: Cllr Claire Holland **Job title:** Chair of London Councils Transport and Environment Committee

Date: 15 October 2020

Contact Officer: Katharina Winbeck

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Summary This report updates Members on transport and environment policy since the last TEC meeting on 11 June 2020 and provides a forward look until the next TEC meeting on 10 December 2020.

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 11 June 2020 and provides a forward look until 10 December 2020.

Transport

Meeting with the London Ambulance Service

2. I, with Cllr Bell and officers from London Councils, met with the Chair and Chief Operating Officer of the London Ambulance Service (LAS). We discussed the issues highlighted by LAS surrounding some of the transport schemes boroughs have been implementing as a response to Covid-19 to improve social distancing and active travel for residents.
3. It was a positive meeting, where we were able to gain better understanding about the way in which each of our organisations operate and LAS were happy to come and talk to the whole of TEC if that was of interest to Members. LAS re-iterated its support to improve social distancing and active travel initiatives in London. We agreed on some ways in which communications between boroughs and the LAS could be improved, for example, LAS has now divided London into five sectors and the AD of operations in each of those will act as the first point of contact for boroughs. This list has been shared with TEC members and LEDNet officers.
4. The meeting also highlighted some aspects where London Councils and LAS can collaborate more, for example, on lobbying government to include ambulances responding to emergencies for exemptions at no entry signs. We have agreed to meet quarterly, so if members want to highlight any issues concerning the LAS, please contact Katharina Winbeck and we will be sure to raise this.

The London European Partnership for Transport (LEPT) Update

5. LEPT has continued to deliver a full programme of activities in the first two quarters of 2020/21. However, despite the approval of the TfL business plan in December 2019, which agreed to continue the £140,000 per year funding for the activities of LEPT, the future of the commitment is uncertain. This is due to the TfL funding crisis caused by the COVID emergency and a scaling back of financial programmes.
6. We have continued to demonstrate the value that LEPT provides in terms of funding opportunities and the sharing of best practice, and borough engagement is as strong as it has ever been. We will continue to work with boroughs, sub-regions and TfL on securing funding for this valuable service.
7. In the past three months, LEPT has engaged boroughs on a number of topics, providing them with reports and opportunities to engage with European activity on air quality and vehicle emissions, transport poverty and urban freight. LEPT has also been liaising with European stakeholders on a number of project opportunities that may have benefits for London boroughs. LEPT are currently a partner on two funding calls that include the City of London and the University of Westminster. This concerns access restrictions/ Geofencing and Liveable Neighbourhoods and Street design.

Parking Update

8. Together with the Local Government Association (LGA) and the British Parking Association (BPA), London Councils has continued to play a central role in providing advice to boroughs on parking and traffic management during the COVID crisis. We are currently on version 10 of the advice, which is updated regularly as the situation evolves.
9. We are working closely with Central Government on future developments, especially surrounding the MHCLG NHS parking pass which we are aware – in its current incarnation - is causing boroughs some problems.
10. We will continue to liaise with key stakeholders and ensure that borough views and concerns are heard at a national level. It should be noted that the response from boroughs in reacting to the challenges has been very positive and demonstrated the real benefit of both a pan-London and national approach.

Speed Enforcement and Response to Roads Policing Call for Evidence

11. At the TEC Executive Sub-Committee, it was agreed that London Councils would send a response to the Roads Policing Call for Evidence that had been approved by the Chair and Vice Chairs of TEC. London Councils were invited to respond to this call by Baroness Vere at the Department for Transport following our letter outlining our concerns regarding the impact and levels of speed enforcement in London and how safety and compliance could be improved under a partially decriminalised system.
12. A full response was submitted by the deadline of 5 October 2020, but a brief summary of our key asks can be seen below:
 - The partial decriminalisation of speed enforcement to allow effective enforcement of non-compliance on boroughs roads is essential. This would include the ability to retain endorsements on offences to maintain the deterrent impact and the ability for boroughs to manage, decide and provide speed awareness courses;
 - The ability for boroughs to enforce vehicle obstruction offences currently undertaken by the police, including parking close to junctions;
 - A reversal of the ban on CCTV enforcement for all but a few parking contraventions that is having an impact on congestion, accessibility and road safety;
 - A change in legislation to permit the use of ANPR to manage and enforce council controlled car parks;
 - The drafting of the regulations that would allow the enforcement of moving traffic contraventions across the UK under the Traffic Management Act (TMA) 2004;
 - The ability to enforce vehicle encroachment on cycle Advanced Stop Lines (ASL) and cycle lanes;
 - Effective legislation to deal with persistent evaders and the collaborative working with enforcement agencies to share intelligence and deal with any associated criminal activity;
 - The creation of legislation on a nationwide ban on footway parking that would strengthen the London based legislation;
 - Changes to traffic order legislation to allow for the development of map based digital orders and a simplification of the order making process, especially the removal of the requirement for newspaper advertising;

- A mandate to encourage proactive collaborative working and the accessibility of systems and data to allow for better enforcement;
- Proactive campaigns that highlight anti-social and illegal behavior on subjects such as Blue badge fraud.

13. London Councils will continue to pursue the ambitions of the committee and lobby Central Government for partial decriminalisation of speed enforcement and work with key National stakeholders to build a strong evidence base for this change.

Future Mobility Agenda – Update

Car Clubs

14. London Councils' officers have been working together with Imperial College London and the RAC Foundation to review existing car club data sharing schemes and propose a new standardised format of data sharing between car clubs and local authorities.
15. Following an in-depth literature review, interviews with senior transport officers from other countries and several workshops with key stakeholders (London boroughs, TfL, DfT, car club operators, academia and other researchers), the final report will be published later this Autumn. The final data sharing framework, which is to be known as CLADS (Car club – Local Authority Data Standard), will set out technical details for data sharing standards that are beneficial and acceptable to both car club operators and local authorities. We anticipate that this research project will lead to a closer partnership and better understanding between London local government and shared mobility operators.
16. To better coordinate London's car clubs policies, London Councils and TfL agreed to co-fund a new Car Club Coordinator position to ensure we have the resources needed to support the car club sector going forward. We are now in the process of recruiting to this post.

E-scooters

17. Since May 2020, London Councils and TfL have been hosting weekly borough officer working group meetings to consider the case for an e-scooter trial in the Capital and what London's boroughs would like to see in any trial that was proposed to the DfT for their approval. Officers from London boroughs, TfL and London Councils have now agreed the final version of the trial proposal document and are currently developing other aspects of the trial.
18. London Councils' officers will continue to work closely with TfL to support boroughs with the multi-borough rental e-scooter trial by hosting regular officer working group meetings, facilitating further developments of relevant documents, supporting TfL in selecting potential operators for the trial, and sharing relevant information from DfT and other stakeholders.

Press Work

London Councils in the press

- Transport Xtra (13.07.20): *Hackney sets bike hire enforcement rules*
- London Post (16.07.20): *London boroughs are innovating to provide active travel options for Londoners*
- Transport Xtra: (16.07.20): *London boroughs provide active travel options*

- Government Business (16.07.20): *London boroughs making proactive changes to roadspace*
- BBC Radio London (22.09.20): *Cllr Georgia Gould discusses LTNs with Eddie Nestor on Drivetime*
- Government Business Magazine (week of 28.09.20): *London Boroughs and Active Travel*

London Councils Media Work

- Press Release: [London boroughs are innovating to provide active travel options for Londoners](#) – 16th July 2020
- Comment Piece for Government Business Magazine on Active Travel – published on 30 September, to be published in October's hard copy of the magazine.

Environment

Meeting with the Deputy Mayor for Environment and Energy

19. I met with the Deputy Mayor for Environment and Energy earlier this month. We discussed the Green Recovery and the Green New Deal Mission as part of that; our collective spending review submissions, climate change and the progress we are making on our ambitious programme as well as the expansion of ULEZ.

My BEIS Enquiry

20. In May, the Business, Enterprise and Industrial Strategy (BEIS) Select Committee launched an inquiry into future priorities for the Committee. London Councils submitted a proposal for an inquiry on the role of local government in supporting the development of the low carbon economy.
21. London Councils proposal noted that although the low carbon economy is essential to achieving our net zero carbon target and can be a major driver of growth and recovery from Covid-19, there is currently no consistent strategy for driving local low carbon growth, and no joined up approach to policy and funding. This increases the risk of failing to meet both local and national decarbonisation targets, missing out on crucial growth in the low carbon sector, and missing the opportunity to showcase these opportunities at COP26, next year.
22. Our proposal was shortlisted from more than 200 proposals, and I 'pitched' it to the Committee in July. Unfortunately, we did not make it through to the final selection, but our arguments will be considered further in the Committees' report on 'Post-Covid recovery'.

London Green Space Commission

23. The London Green Space Commission published its [report](#) in August 2020, after a presentation to and input from the TEC Executive in July. The two main recommendations are:
 - Centre of Excellence: The idea behind this is a coordinating role London-wide to help with finances and fundraising. The Commission was keen to make use of

existing structure and bodies, which is why the charity Parks for London are felt to be the best placed, existing organisation to be doing this, with some modifications. Part of its role will be to set up a Green Space Investment Fund. The Commission recommends that up to five full-time officers would be working on this and London Councils' is currently putting some officer time into developing this further.

- Skills development: This was chosen as a focus areas, because there is an existing skills gap, plus a changing nature of work within the green spaces sector, which requires new skills. Green Space was originally about land management, now it is very much about working effectively with volunteers, making green spaces financially sustainable, etc. The plan is therefore to have a future green space skills programme and to integrate this with the Green New Deal Mission, which is part of the London Recovery Board.

24. Londoners have appreciated the green spaces of London much more during the height of Covid 19. There is now a real opportunity to push this higher up onto the agenda, involve residents more and ensure that the future of green spaces is secure. The work of the Green New Deal Mission will help with this.

Environment Bill

25. The sittings of the Public Bill Committee have been suspended until further notice. It is scheduled to report by Tuesday 1 December 2020 on the Environment Bill. Once the report is published and the Bill moves to the following parliamentary stages, London Councils will send a briefing paper to all London MPs asking to table and support relevant amendments to the Bill that would strengthen the Office for Environmental Protection (OEP) and air quality regulations.

26. London Councils has previously asked for the following amendments:

- The Office of Environmental Protection (OEP) should be more independent of Government. The choice of Chair and budget should not be the responsibility of Defra, but of Parliament.
- The OEP should have the ability to levy fines against companies or Government, as the European Commission can currently do.
- The Government should adopt the World Health Organisation target for PM2.5 as a legal limit to be met no later than 2030 and introduced as soon as is possible.
- The Government should introduce additional regulatory powers for local authorities to control emissions from appliances, such as gas and solid fuel boilers, combined heat and power plants, construction machinery and standby diesel generators.
- Government should look to review and align the tax system, such as fuel duty and other relevant taxes, with air quality and other environmental priorities.

London Climate Action Week – July

27. July saw the first online London Climate Action Week, and I joined a panel session hosted by London Councils on 'Accelerating the green recovery in London's boroughs'. Other panellists were Jordan Cummins (CBI), Afsheen Rashid (Repowering) and Kas Mohammed (Schneider Electric), and with nearly 200 attendees it was clearly of wide interest.

28. Some the key points made included: the importance of tackling inequality as a core part of the green recovery; that there is already huge community consent and demand for green opportunities and that communities must be involved in shaping local solutions, including those that disrupt and innovate; that we need to support people – including young people – to understand the changing nature of careers and to access ‘green’ jobs and skills; that businesses need to be genuinely engaged in the green recovery, including small businesses who are often the backbone of local low carbon works; and that there is already a lot of innovation out there which can be scaled up, for example around building energy use and the use of social value in procurement.
29. London Councils are considering opportunities during the November London Climate Action Week (14 – 20th) to support borough’s work on climate action.

Press Work

London Councils in the press

- Let’s Recycle (30.06.20): *Councils express waste budget concerns*
- Newham Recorder (30.08.20): Recorder letters: *Fly-tipping, walk for sick animals, council finances and cleaning Tesco*

London Councils Media Work

- Press Release: [London boroughs and the public must work together to keep parks and green spaces open to all](#) – 13th May 2020
- Press Release: [“Now is the time to lay the foundations needed to achieve our climate goals” London Councils champions a green recovery from Covid-19](#) – 23rd July 2020

Forward Look

30. Forthcoming meetings and consultations between now and the next TEC meeting on 10 December 2020:

October

Black History Month

International Walk to School Month

16 – World Food Day

17 – International Day for the eradication of poverty

22 – Thames RFCC Main Committee Meeting

November

02 – BEIS consultation on Proposals for a green gas levy closes

10 – London Councils Executive Meeting

14-20 – London Climate Action Week

15-21 – Enterprise Week

15 – World Day of Remembrance of Road Traffic Victims

16-22 – Road Safety Week

16 – International Day for Tolerance

19 – TEC Executive Meeting

20 – World Children's Day

28-06 – National Tree Week

December

2 – International Day for the Abolition of Slavery

3 – International Day for Disabled Persons

8 – London Councils Leader Committee Meeting

10 – London Councils TEC Main Meeting

30 – BEIS consultation on Improving the energy performance of privately rented homes closes

London Councils' Transport & Environment Committee

TEC Priorities for 2020/21

Item no: 13

Report by: Spencer Palmer **Job title:** Director, Transport and Mobility
Katharina Winbeck Strategic Lead, Transport and Environment Policy

Date: 15 October 2020

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Summary This report provides Members with a look back at what has been achieved in 2019/20 and look forward to the priorities for 2020/21.

Recommendation

- Members to note and comment on the report

Introduction

1. We help improve the lives of millions of Londoners every single day, through the London-wide services we run, such as the Freedom Pass, Taxicard and London Lorry Control schemes and through the highly valued support we provide to London boroughs on a range of traffic, parking, transport and environment policy matters.
2. This report sets out the strategic priorities for the Transport and Mobility services plus related projects and policy areas, headed by Spencer Palmer; and the Transport and Environment policy function which is headed by Katharina Winbeck. The format of this report gives a look back at what has been achieved in 2019/20 under each of the main headings of activity and then presents the priorities for the 2020/21 period.
3. The priorities have been considered and agreed by the TEC Chair and Vice Chairs as well as London Councils Executive and Leaders Committee as part of the wider London Councils' business planning process.
4. This year the future priorities have been considered in the context of the Covid-19 pandemic and the recovery structure set up to deal with the aftermath as well as the "Pledges to Londoners", which were agreed by the Leaders Committee in 2019.
5. Whilst the priorities contained within this report are what officers will focus on for the rest of 2020/21, officers will continue to be responsive to changing or emerging priorities of Members, the Mayor of London and Government, and respond or undertake work as appropriate. This is particularly relevant this year, given the uncertainty around Covid-19, the prospect of further lockdown measures and the additional burdens associated with such measures.

Environment Policy

In 2019/20 London Councils has:

- Launched the fourth consecutive year of air quality polling on Clean Air Day, resulting in much positive press coverage and much interest from a wide range of stakeholders.
- Undertook a co-ordinated effort to communicate all the activities that took place as part of Clean Air Day in London.
- Held two high profile events on air quality issues for London, one jointly hosted by the City and London Councils and one organised jointly by London Councils, the Cross-River Partnership, LEDNet and ADPH together with businesses.
- Developed a lobbying strategy around the Environment Bill and prepared detailed briefings for both MPs and Peers to highlight London Councils position on the Bill and get these raised at the appropriate time.
- Responded to three Defra waste consultations on producer responsibility, Deposit Return Schemes and consistency, in collaboration with LEDNet.
- Co-chaired the London Green Space Commission together with the GLA, looking at how London can better support its valuable green spaces.

- Made representations at the London Plan Examination in Public on issues around air quality, water resources and parking standards.
- Held the second joint TEC-LEDNet workshop with a focus on climate change, resulting in an ambitious statement covering seven themes.
- Published the TEC LEDNet Joint Statement on Climate Change, getting significant interest from stakeholders.
- London Councils and LEDNet are invited to join the local government and green sector climate change policy coalition, resulting from its ambitious statement.
- Continued the more formal relationship between London Councils TEC and LWARB through regular meetings between the two chairs and reports to TEC. This resulted in a joint workshop on LWARB priorities going forward, which significantly influenced the current Business Plan.
- Continued to support the Thames Flood Advisors to ensure they provide a relevant, efficient and sustainable service to local authorities.
- Continued to work jointly with the Thames RFCC including the Environment Agency and Thames Water on flood related issues.
- Through LEDNet:
 - boroughs took part in a London Assembly roundtable on fly-tipping research and continues to trial a number of interventions to reduce the occurrence of fly-tipping in London;
 - boroughs exchanged knowledge and learning on fly-tipping enforcement practices and performance;
 - completed a number of peer reviews across environmental services functions;
 - boroughs responded to the consultation on the proposed Waste Sector Deal;
 - boroughs discussed the implementation of a Workplace Parking Levy in their areas; and
 - boroughs began reporting to London Gold and the Strategic Coordination Group on behalf of London's environment services, following the significant increase of Covid-19 cases in London.

In 2020/21 London Councils will:

Provide leadership and collaboration to address the climate change emergency and London's wider environmental challenges in the context of a green recovery from Covid-19.

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

- a. Secure low carbon solutions as a core principle of action for the London Recovery Board.
- b. Deliver agreement on how London boroughs will move to a commitment on 100 per cent renewable energy for their own estate and publicise their contribution to climate change.
- c. Develop and publicise a collaborative strategy to develop London's green economy with support from business and the Mayor.

- d. Run a wider media campaign to publicise the importance of climate action and London boroughs' contribution to addressing this challenge.
- e. Deliver powerful advocacy interventions that call for adequate powers and funding to deliver on our shared ambitions to tackle the climate change and ecological emergencies and the crisis around air quality.
- f. Lobby to influence statutory guidance for consistency in recycling and for additional powers to improve air quality.
- g. Develop and publicise a collaborative strategy to prioritise walking and cycling in existing and future developments with support from TfL and the Mayor.

Transport Policy

In 2019/20, London Councils has:

- Continued engagement with TfL and borough finance directors to scrutinise and better understand the TfL business planning process.
- Lobbied the Mayor for a top up of LIP funding from his budget.
- Achieved a place on TfL's board to be nominated by London Councils.
- Continued the delivery of the Go Ultra Low Cities Scheme (GULCS) to roll out electric vehicle charge points, reaching the milestone of 1,000 charge points in April 2019. In addition:
 - GULCS electrical guidance was published and is being used across the country;
 - Bidding for Round 2 Funding opened and was over-subscribed, resulting in 28 boroughs getting £4m to deliver another 1,000 charge points;
 - Held two events aimed at borough officers to both update and seek views for future activities of the co-ordination body and discuss the new concept of Community Charging Hubs;
 - Participated and contributed to the EV Taskforce;
 - Completed and shared with boroughs an analysis of electric vehicle charge point usage data for nearly 2,000 on-street residential charge points delivered by London boroughs;
 - Took part and show-cased the achievements of GULCS at the 'Everything EV Event' in London; and
 - Launched London Councils web page directing all London residents to borough processes to request an on-street electric vehicle charge point.
- Secured funding for a transport function with the Local London sub-regional partnership; the only area of London that was not in receipt of any financial support from TfL until then.
- Together with LoTAG, published the third State of the City report outlining the vast funding gap for London's road infrastructure maintenance. Jointly with LoTAG, organised its annual conference, with a key note address from the chair of TEC.
- Used a number of parliamentary question opportunities to raise awareness of the funding pressures faced by London's highway assets and pressed for a more sustainable funding situation, such as devolution of VED.

- Ran two task and finish groups on future mobility, one on car clubs and one on Smart Mobility and Mobility as a Service (MaaS) with recommendations that achieved wide stakeholder buy in.
- Finalised and supported the publication of the Car Clubs Annual Survey Report led by Steer.
- Secured 50 per cent of funding from TfL to deliver the Electric Vehicle and Car Club co-ordination function at London Councils from April 2020 for a period of two years.
- Jointly with TfL, applied for funding for 12 schemes from the Major Road Network Fund, which were all successful at the first stage.
- Helped to commission valuable, qualitative research on walking habits of Londoners and what would enable Londoners to walk more, through the London Walking Forum.
- Engaged with Network Rail on its London Rail Strategy and wrote to the SoS to support the devolution of the great northern franchise to TfL.
- Took part in Centre for London research on a new road user charging scheme, making sure that boroughs interests were protected and reflected in any recommendations.

In 2020/21 London Councils will:

Promote transport infrastructure investment for London to support the economic recovery from Covid-19 and good growth in the longer term.

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

- a. Support boroughs to deliver 1,000 charging points for electric vehicles during this year.
- b. Create and lobby for a programme of local transport infrastructure delivery that supports the economic recovery from Covid-19 and addresses enhanced connectivity, orbital travel, platform extensions, walking and cycling and related responses to growing demand.
- c. Make the public case to drive transport innovation in the capital, such as micromobility (dockless bikes, e-bikes and possibly e-scooters), demand responsive initiatives, car sharing and autonomous transport.
- d. Make a public case to central government about the importance of borough influence on relevant rail franchise arrangements.
- e. Argue for additional resources to respond to the Covid-19 crisis and encourage more active travel across London and improved funding for local roads through.
- f. Lobby for the delivery of major transport investment including Crossrail 2, High Speed 2, Euston redevelopment, Bakerloo Line Extension, West London Orbital and Tram network.
- g. Develop proposals and media influencing fiscal devolution of transport taxes, including VED.

Transport and Mobility Services

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

In 2019/20, London Councils has:

- Negotiated the Freedom Pass annual settlements with TfL, and other bus operators, achieving another consecutive annual cost reduction.
- Calculated and agreed the apportionment of Freedom Pass costs to boroughs.
- Introduced a new, more customer friendly method of renewing approximately 640,000 expiring passes, saving £1.4 million compared to the previous renewals of a similar scale.
- Managed the implications of the delays to the Elizabeth Line on the scheme settlement and apportionment.
- Completed the mid-term review of passholders whose passes expire in 2022 to check continued eligibility for the scheme and avoid costs.
- Refined the business case for annual eligibility reviews to reduce fraudulent use and costs.
- Continued to review customer service provision and made progress in delivering more channel shift towards digital and online services, including:
 - making improvements to the mid-term eligibility review online for the first time; and
 - using data matching to enable auto-renewal for most Freedom Pass holders.
- Completed three National Fraud Initiative reviews to identify deceased members in order to cancel their cards to prevent fraudulent use by others (an increase from two completed in previous years).
- Concluded negotiations for the 2020/21 settlement with the Rail Delivery Group (RDG) including a phased introduction of an 'Oyster clicks' calculation method achieving a fair deal that reflects current travel trends and avoided a sharp increase in costs to boroughs.
- Worked closely with staff and suppliers to ensure that services continued uninterrupted despite the COVID-19 outbreak.

In 2020/21, London Councils will:

- a. Negotiate the Freedom Pass annual settlements with Transport for London and other transport operators, achieving best value for London's authorities who fund the scheme.
- b. Complete renewal of Freedom Passes expiring in 2021 and the mid-term review of passes expiring in 2023.
- c. Ensure that the service and associated contracts are reviewed and where necessary updated to account for the impact of COVID-19.
- d. Further enhance customer experience through improved digital service provision.

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

In 2019/20, London Councils has:

- Worked closely with its Taxicard supplier to improve performance significantly over the course of the year.
- Achieved significant potential savings through new contract and subsequently agreed new funding arrangement with TfL.
- Developed further co-ordination of Taxicard and Dial-a-Ride schemes with TfL, including joint performance monitoring and reporting and a common approach for complaints handling. A single application process and joint on-line portal was considered but ruled out at this time.
- Started development of a new online application portal and process.
- Conducted a review of the Taxicard eligibility criteria with boroughs to achieve greater consistency and clarity for users.
- Continued to improve and enhance customer care, through use of new customer care charter, staff development and monthly customer service reviews with the contractor.
- Completed regular reviews of usage, cancelling cards following two years of inactivity.
- Continued to work with TfL on their Assisted Travel Budget pilot schemes.
- Amended the Taxicard scheme to meet the challenge of Covid-19, by introducing a collection and delivery service for shielded customers.

In 2020/21, London Councils will:

- a. Further enhance customer experience through improved digital service provision.
- b. Maintain improvements in service reliability.
- c. Ensure that the service and associated contracts are reviewed and where necessary updated to account for the impact of COVID-19.

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

In 2019/20, London Councils has:

- Continued to manage the London Lorry Control Scheme, issuing permits and enforcing to ensure compliance.
- Continued to implement the scheme review recommendations, including:
 - developing a comprehensive Communications Strategy and Plan
 - improving scheme monitoring arrangements
 - Completed a successful ANPR enforcement pilot
 - Commenced a detailed review of on street signs
 - Commissioned a consultancy to review the outstanding recommendations and advise of the best way forward to complete the recommendations.
- Reviewed the scheme traffic order to bring Barnet back into the scheme and have progressed discussions with Barnet to implement the necessary changes.

- Engaged with Redbridge, Hillingdon and Havering to discuss when and how enforcement can resume in these boroughs.
- Continued to work closely with TfL on the development of the Direct Vision Standard Scheme to improve lorry safety and the proposal to introduce this new initiative with an amendment to the London Lorry Control Scheme order.
- Extended the enforcement service contract.
- Suspended the scheme at the end of March for a period of three months to support the freight sector in light of the COVID-19 emergency.

In 2020/21, London Councils will:

- a. Progress implementation of outstanding scheme review recommendations.
- b. Renew enforcement contract, introducing ANPR technology.
- c. Ensure that the service and associated contracts are reviewed and where necessary updated to account for the impact of COVID-19, including the impacts of the temporary suspension of enforcement between 17 March and 15 June.

Traffic and Parking Policy and Advice: Helping to deliver effective and consistent traffic and parking policies and operations in London.

In 2019/20, London Councils has:

- Provided day-to-day advice and support to boroughs on a range of traffic and parking policy and enforcement issues and hosted borough forums, including the Parking Managers Seminar.
- Represented borough interests at relevant events, groups and forums, including:
 - London Technical Advisors Group (LoTAG)
 - LoTAG Parking and Healthy Streets Sub-Group
 - TfL's Lane Rental Governance Committee
 - London Authority Partnership
 - British Parking Association (BPA) Council and Local Authority Special Interest Group
 - TTF Smarter Parking Group
 - London Automotive Forum
 - TfL's Direct Vision Standard Project Board
 - London FreightLab Project
 - Centre for London -Future of parking and kerbside management study
- Reviewed and updated the parking contravention codes list.
- Continued to work with the BPA, on the 'Positive Parking Agenda' to improve public awareness of the benefits of effective parking management in making the capital's roads safer, more accessible and cleaner.
- Provided debt registration services with the Traffic Enforcement Centre for the majority of London boroughs.
- Agreed the apportionment of traffic signal and control equipment maintenance costs to boroughs, including the design and agreement of a new settlement and apportionment methodology.
- Collated, analysed and published London-wide traffic and parking enforcement and appeals statistics.
- Worked with key stakeholders and Central Government on advice for authorities on parking and traffic enforcement in light of the COVID-19 emergency.

- Continued to lobby government for enhanced parking and traffic enforcement powers including the reintroduction of CCTV, vehicle idling and moving traffic contraventions.
- Progressed work to review the enforcement of speed limits in London, building the case to lobby for partial decriminalisation of speed enforcement in London as agreed by TEC. Also continuing to work with TfL, MPS and boroughs on improvements in existing enforcement methodology.

In 2020/21, London Councils will:

- a. Lobby for legislative change for the partial decriminalisation of speed enforcement, giving powers to London's local authorities to enforce the speed limits they are responsible for setting.
- b. Continue to provide highly valued advice and support to boroughs and represent their interests at relevant forums and meetings, including hosting the Parking Managers Seminar.
- c. Continue to work closely with the Local Government Association and British Parking Association in developing and publishing advice to all authorities on parking and traffic management in light of the COVID-19 emergency.
- d. Continue to lobby Central Government for additional parking and moving traffic enforcement and management powers to help ensure road user safety. The need for this has intensified with the active travel focus in light of COVID-19.

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

In 2019/20, London Councils has:

- Continued to operate the London Health Emergency Badge scheme, issuing parking waivers to eligible health workers to use in emergency situations.
- Completed a review of practices and processes to ensure the service is delivered as effectively and efficiently as possible, including the following recommendations:
 - The HEB scheme and badge be renamed to the 'Urgent Care Badge'.
 - A two-hour time limit is set to attend any urgent care visit and indicated with a clock to be displayed with the badge.
 - A new badge designed to include additional security features to help prevent fraud and misuse.
 - A new Case Management System is procured to improve the application and management processes.
 - The eligibility and allocation criteria to remain the same.
 - The Terms and Conditions of Use strengthened and updated.
 - The cost of the badge be reviewed.
 - Invitation to Tender for CMS drafted.

In 2020/21, London Councils will:

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

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

In 2019/20, London Councils has:

- Continued to manage and operate the TRACE service, seeing a continuing increase in take up of the online portal service.

In 2020/21, London Councils will:

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

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

In 2019/20, London Councils has:

- Continued to monitor European and other funding and knowledge exchange opportunities, and briefing boroughs accordingly.
- Attended EU Working Group meetings on issues key to boroughs and the Mayor's Transport Strategy, feeding back good practice and knowledge sharing opportunities.
- Set up a borough European study tour to the Netherlands to look at electric vehicle charging points
- Published 8 policy briefings on issues of particular interest to boroughs that outlined London's position for a European audience/project partners as well as European example (e.g. street closures and cycle parking)
- Enhanced collaborative work with TfL on funding opportunities through the setting-up of quarterly meetings which resulted in collaboration on proposals.
- Continued to review and improve the LEPT website and the information held, and to distribute a monthly online newsletter.
- Continued to increase outreach through enhanced communications.
- Helped borough access European opportunities such as reference groups from existing projects or workshop attendance.
- Agreed a new schedule of activity and s.159 funding agreement for 2020/21.

In 2020/21, London Councils will:

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

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

In 2019/20, London Councils has:

- Continued to provide the administrative support and infrastructure to the Environment and Traffic Adjudicators and Road User Charging Adjudicators.
- Continued to deliver year on year savings to boroughs reducing the costs of running ETA.
- Continued work on the development of integrated electronic transfer and communication of all appeals with enforcement authorities.
- Effectively implemented changes for the ULEZ scheme and commenced related appeal hearings.
- Commissioned and completed a user-perspective study of the online appeals system with a view to enhancing the appellant's experience when submitting appeals online.
- Completed a discovery project with adjudicators to deliver further service enhancements.
- Undertook a series of assessments and reviews and implemented effective measures to mitigate against the impact of Covid-19, which resulted in the temporary closure of the tribunal at the end of the financial year.

In 2020/21, London Councils will:

- a. Implement further system enhancements and efficiencies.
- b. Implement changes and resources to manage the introduction of the Direct Vision Standard Scheme and amendments to the Congestion Charge and ULEZ schemes in response to the COVID-19 emergency.

Recommendation:

- Members note and comment on the priorities for 2020/21

Financial Implications

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

Legal Implications

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

Equalities Implications

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



London Councils' Transport and Environment Committee

Electric Vehicle Coordination Item No: 15 Function Update

Report by: Claudia Corrigan

Job title: Senior Lead – EV Infrastructure

Date: 15 October 2020

Contact Officer: Claudia Corrigan

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Summary: This report updates TEC on the activities of London Councils' EV coordination function.

Recommendations: Members are asked to:

- Note and comment on the report.
- Approve proposal to disband the GULCS Steering Group (see paragraph 9);
- Approve proposal to disband the TEC sub-group for EV rapid charging (see paragraph 12).

Background

1. In December 2019 TEC approved a request to allocate funding from the TEC Special Projects specific reserve to co-fund, with TfL, the delivery of an electric vehicle (EV) and car club infrastructure coordination function at London Councils. The funding was subject to all London boroughs and the City of London agreeing the proposed delegation of EV responsibility to TEC, received in June 2020.
2. From 1st July 2020 the funding came into effect and the role of GULCS Senior Lead transitioned into Senior Lead – EV and Car Club Coordination. Recruitment is underway for a supporting policy and projects officer.
3. Responsibilities of the EV coordination function include overseeing delivery of the Go Ultra Low Cities Scheme (GULCS), sharing knowledge, supporting borough delivery, identifying and securing funding and partnership opportunities to continue future delivery and collating and analysing charge point usage data to inform future delivery. This paper will provide an update on progress to date.
4. It is worth noting that the electrification of essential vehicle journeys is a key part of a green recovery from the COVID-19 pandemic and supports a shift towards more sustainable travel to drive improvements in air quality. Providing charge point infrastructure is essential to overcome the barriers to EV uptake in London.

GULCS programme update

5. London's Go Ultra Low City Scheme (GULCS) bid was awarded £13m in capital funding to drive the uptake of ultra-low emission vehicles in the period 2016 - 2020. The funding was allocated to 28 London boroughs in response to two rounds of bidding, and TfL, to deliver on-street residential charge points, car club charge points, rapid charge points, community charging hubs and neighbourhoods of the future programmes. The programme had a target to deliver a total of 2,150 on-street charge points in total.
6. At the start of 2020 boroughs were on schedule to complete delivery of their programmes, including the provision of more than 3,000 on-street residential charge points, by December. However, the COVID-19 pandemic and lockdown restrictions meant that all non-essential construction work, including the installation of charging infrastructure, was brought to a safe stop in late March 2020. Charge point installation work restarted in July and as a result of the disruption caused, OLEV granted the programme an extension to spring 2021. All boroughs are now working to complete delivery by March 2021, should no further delays be incurred due to the COVID-19 pandemic. To date, 1,972 charge points have been delivered through the programme.
7. The GULCS programme is managed in partnership between London Councils, TfL and the GLA. The governance structure includes a Steering Group with membership from London Councils¹, TfL², GLA³ and LEDNet⁴. The role of the Steering Group is to provide

¹ Director, Transport and Mobility, TEC Chair and Vice Chairs

² Strategy & Planning Manager, Finance, Lead Sponsor

³ Air Quality Manager

⁴ Chair of Air Quality and Transport Working Group

strategic oversight of the Programme including defining the benefits to be delivered and the Group has been instrumental in shaping the direction of the programme to date.

8. Underneath the Steering Group sits the Programme Board, which supports and ensures day to day delivery of agreed targets against budget. The Programme Board is attended by representatives from London Councils, TfL, GLA and LEDNet and reports into the Steering Group on any issues that required decisions at that level. Membership of the Programme Board duplicates that of the Steering Group, minus TEC representation and plus London Councils Strategic Lead for Transport and Environment Policy.
9. The Steering Group has not convened since December 2019, given that delivery is well under way and all funding has been allocated. It is proposed that the Steering Group is now disbanded as the programme completes delivery over the next six months, which will continue to be overseen by the Programme Board. Updates will continue to be provided to the TEC and TEC Executive meetings on a regular basis.

TEC sub-group for EV Rapid Charging

10. In early 2018, a TEC sub-group was formed to consider the emerging pan-London response to developing EV rapid charge point issues. The aim of the group was to enhance the provision of rapid charge points across London and consider setting appropriate targets for installation. The group had six members, three from the Labour Party⁵, two from the Conservative Party⁶ and one from the Liberal Democrat Party⁷. The Group reported back to the GULCS Steering Group, TEC and its Executive, having no delegated authority of its own.
11. The group met 4 times, with the last meeting in February 2019, and contributed to shaping the rapid charge point programme led by TfL and significantly improved communications between TfL and the boroughs, particularly around planning matters. The programme has delivered 260 rapid charge points to date and is on track to complete delivery of a target 300 rapid charge points by the end of 2020.
12. It is proposed that the sub-group is disbanded as the rapid charge point programme nears the end of delivery. A requirement for a similar group, with a wider remit to cover all EV charge point infrastructure in London will be kept under review by the EV coordination function.

Charge point demand

13. Key findings from the London Charge Point Infrastructure Taskforce Delivery Plan, published in 2019, showed that by 2020, the capital would need 200 to 400 rapid charge points and 3,400 to 4,700 slow to fast charge points. By 2025, this could rise to between 2,300 to 4,100 rapid charge points and 33,700 to 47,500 slow to fast charge points. The

⁵ Representatives from Ealing, Hackney, and Islington

⁶ Representatives from Westminster and Bromley

⁷ Represented by Kingston-upon-Thames

latest data from ZapMap shows that London now has more infrastructure than the Delivery Plan indicated would be required in 2020. As of August 2020, ZapMap's data shows that London has over 5,500 charge points in total, of which over 450 are rapid charge points.

14. London Councils, the GLA and TfL have been working with The International Council on Clean Transportation (ICCT) on further analysis of the EV charging infrastructure needed to fulfil London's electrification goals up until 2035. It builds on the work undertaken for the EV Infrastructure Delivery Plan by looking at London's infrastructure needs at an individual borough level, broken down by charge point type, until 2035. It also includes case studies with a more in-depth overview of three boroughs. The report will be published later this year and used to inform future EV infrastructure planning in London.
15. To assist London boroughs in gathering information on demand for on-street residential charge points, at the start of 2020 London Councils launched a webpage⁸ to direct Londoners to boroughs processes to suggest a location for the delivery of an on-street charge point near their home. The page is linked from the TfL and GLA websites and has seen a steady increase in visitors following a sharp peak during promotional activity earlier this year. This is consistent with other early positive signs for the EV sector in 2020, with the latest figures from the Society of Motor Manufacturers and Traders (SMMT) showing that while vehicle sales have fallen overall, in the year to August 2020, Battery Electric Vehicles were the fastest-growing sector of new vehicle sales.⁹

Charge point usage

16. London Councils receive charge point utilisation data for all on-street residential charge points delivered through the GULCS programme and TfL's Electric Vehicle Charging Infrastructure Framework. Working with the London Office for Technology and Innovation (LOTI) and the GLA, London Councils is leading on a data project to transfer this data to the London DataStore for analysis. A dashboard has been created to display key patterns and trends and assist boroughs with understanding current usage and planning future delivery. The dashboard will be available for borough officers to access in late October 2020 and an online workshop will be scheduled to demonstrate functionality and discuss charge point usage trends.
17. Data from October 2019 to June 2020 from approximately 1,800 charge points is included in the DataStore analysis to date. Results show that the COVID-19 pandemic has had a significant impact on charge point usage across London. From October 2019 – February 2020 there was an upward trend in utilisation rates, charging events and energy drawn. When travel restrictions were implemented in March 2020 there was a predictable sharp decline in these trends, starting to rise again when restrictions began to ease in May 2020.

⁸ <https://www.londoncouncils.gov.uk/our-key-themes/transport/electric-vehicle-charging/suggest-location-ev-charge-point>

⁹ <https://www.smmmt.co.uk/2020/09/august-ev-registrations-3/>

18. The data shows that usage trends are typical for these types of slow charge points. The most popular time for users to plug in is between 5pm and 8pm for an overnight charge, and the average plug-in time is considerably longer than the average charge time. Charging events are fairly evenly distributed from Monday to Friday, with Saturdays and Sundays slightly more popular.
19. The project aims to collate and analyse charge point data for as many charge points as possible and to encourage all London boroughs and TfL to include a contractual requirement for operators to share data in a consistent format with the DataStore for all future delivery. London Councils is working with TfL and charge point operators to request data for charge points that have already been delivered, prioritising data sharing for rapid charge points that have been delivered by TfL and part-funded through the GULCS programme.

Future funding

20. In August 2020 London Councils submitted a bid to OLEV requesting £2.1 million funding for the delivery of on-street residential chargepoints by April 2021. £1.3m has been allocated with the remaining funding due to be confirmed in October. If the full funding is granted, it will enable the delivery of more than 700 slow - fast charge points across 14 boroughs.
21. London Councils, GLA and TfL continue to ask central government for more funding towards charge point infrastructure in London, including through a submission to the Treasury's 2020 Comprehensive Spending Review.
22. In addition to seeking funding from central government for the continued delivery of charge points, London Councils is working with private sector operators to maximise opportunities for delivery of infrastructure without financial support from the public sector. Offers of fully funded fast and rapid charge points have been identified and shared with borough officers for consideration.

Recommendations: The Committee is asked to:

- Note and comment on the report.
- Approve proposal to disband the GULCS Steering Group;
- Approve proposal to disband the TEC sub-group for EV rapid charging.

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.

London Councils' Transport and Environment Committee

Taxicard Update

Item No:
16

Report by: Andy Rollock **Job title:** Mobility Services Manager
Date: 15 October 2020
Contact Officer: Andy Rollock
Telephone: 020 7934 9544 **Email:** andy.rollock@londoncouncils.gov.uk

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

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

Background

1. The Taxicard scheme provides subsidised taxi and private hire vehicle (PHV) journeys to approximately 60,000 London residents with serious mobility impairments, or who are severely sight impaired.
2. However, since the social distancing measures were put in place by HM government to contain the spread of Covid-19, temporary changes have been made to the scheme. This report provides an update about these changes as well as the financial implications in the remainder of the year.

Introduction

3. Procurement activity took place in 2017/18, and in March 2018 this committee agreed to award a new Taxicard supply contract to CityFleet Networks Ltd. However, there were some initial problems with some aspects of the service. These were outlined in a paper submitted to this committee in June 2019. CityFleet were placed on a detailed improvement plan, which is monitored by officers on a regular basis. Through this we are seeing improvements in service delivery and continue to work with the contractor to ensure these are sustained.

Service Improvements

4. In response to government initial instructions on social distancing and lockdown, officers took steps to implement risk management measures to ensure the service was able to operate effectively. The Taxicard team quickly adopted remote working technology in order to maintain a seamless service delivery to Taxicard members, borough officers and contractors. In June a new telephony platform was implemented to replace temporary mobile phone arrangements, which has given the team full functionality to respond to customer telephone enquiries in a remote and office-based environment.
5. London Councils officers are working, and having regular conversations, with the contractor to ensure they have enough resources to service the contract, as they have placed some of their staff on furlough. The contractor has moved their contact centre and customer team to remote working and continue to service the contract effectively.
6. Overall vehicle arrival performance has continued to improve since the last report to this committee in June 2020. Over the last few months, CityFleet has made good progress towards meeting their targets of 95% fulfilment within their Service Level Agreement (SLA). However, it must be recognised that this is against a reduced level of bookings due to the continued COVID-19 outbreak.
7. In order to assist in meeting the challenges of the Covid-19 pandemic and maintain a service to vulnerable members, officers proposed an amendment to the scheme. Using the urgency procedure, the Transport and Environment Committee gave officers permission to seek a temporary discretion from boroughs to allow the scheme to be used for collection and delivery of essential supplies without the Taxicard holder travelling.
8. The discretion allows Taxicard members to book a taxi or private hire vehicle to collect essential items on their behalf. At the time of booking the customer must provide a collection reference number (where possible) for the driver to quote when collecting goods. In addition, all goods ordered must be paid for prior to the collection taking place. Taxicard members can also nominate a family member, friend or carer to travel in a taxi or private hire vehicle to collect essential items on their behalf.
9. For people that are self-isolating and social distancing, allowing this discretionary flexibility in the use of member trips/passes gives members another means by which to receive groceries and medicines. This helps those who are not covered by other government and borough support/measures, such as the shielding initiative.
10. All 32 boroughs and the City of London Corporation agreed to this discretion, which initially was granted until the 30 August 2020. Before the change was adopted, Taxicard members had to be present in the vehicle to use the scheme. This is a general condition of the scheme which is common to all London local authorities.

11. As this discretion was only granted until 30 August 2020, a recommendation was put to the Transport and Environment Executive Sub-Committee in July to consult with boroughs on extending the collection and delivery service until 31 December 2020 and also to gauge levels of interest in making this a standard feature of the scheme moving forward.
12. All 32 boroughs and the City of London Corporation were written to, to provide signed agreement to extend this discretion until 31 December 2020, and to indicate their support for future consideration being given to making this a standard element of the scheme. To date 31 boroughs have returned their signed approval, with two indicating they are not willing to consider making this a standard element of the scheme moving forward. Further discussion will take place with these boroughs to gain an understanding as to why they have adopted this position, as unanimous agreement is required for any change to be made.
13. London Council officers are in communication with borough officers who have not yet returned their approval of the extension, in order to get these returned as soon as possible. However, we can make the temporary change borough by borough, and do not need unanimous support to extend this arrangement within the authorities that wish to do so.
14. The below table shows the volumes of delivery and collection bookings made from 30 March 2020 to 25 Sept 2020. As can be seen, the numbers of trips are not particularly high in the context of weekly journey volumes of 14-17,000 per week pre-Covid-19 and 2,000-3000 per week since. Nevertheless, feedback from customer continues to be very positive

Table 1. Uptake of Taxicard Collection and Delivery Service by Borough

Borough	Number of Trips	% of Total Collection and Delivery Jobs
Camden	307	9%
Hackney	221	6%
Islington	192	6%
Haringey	179	5%
Westminster	164	5%
Hammersmith & Fulham	152	4%
Kensington & Chelsea	150	4%
Ealing	145	4%
Lambeth	131	4%
Wandsworth	122	4%
Brent	121	4%
Barnet	118	3%
Lewisham	111	3%
Tower Hamlets	109	3%
Croydon	107	3%
Greenwich	105	3%
Southwark	105	3%
Redbridge	96	3%
Merton	90	3%
Richmond	89	3%
Kingston	82	2%
Newham	78	2%

Sutton	78	2%
Waltham Forest	64	2%
Harrow	62	2%
Hounslow	60	2%
Bromley	53	2%
Enfield	43	1%
Barking & Dagenham	37	1%
Having	32	1%
Hillingdon	23	1%
Bexley	14	0%
Grand Total	3440	100%

Taxicard Performance

15. Table 2 below sets out the number of trips taken per month since January 2020 compared to the same period in 2019. Between January and August, the average number of trips per month was just over 38,000 compared to just over 76,000 in 2019. However, trip volumes began to fall away in March and by April only 10,000 trips were taken. This significant drop off was to be expected given the social distancing measures that were introduced in mid-March. There are signs that journey volumes are increasing, albeit with total journey numbers still significantly below average. With the introduction of new COVID-19 restrictions and potential for further lockdown measure to be implemented it is unknown at this stage what impact these will have on bookings.

Table 2. Taxicard Bookings

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
2020	56,919	79,784	42,385	10,094	16,602	20,930	30,733	50,062
2019	63,620	68,986	91,618	72,390	73,861	90,152	69,735	82,759
Variance	-6,701	+10,798	-49,233	-62,296	-57,259	-69,222	-39,002	-32,697

16. The decline in journey numbers has had a positive impact on performance with more drivers making themselves available to undertake Taxicard work, performance on the contract has improved. The contractual Service Level Agreements (SLAs) for vehicle performance are as follows:

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

17. Performance against these since January 2020 is presented in table 3 below.

Table 3. Taxicard Performance Against SLA

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Target	95%	95%	95%	95%	95%	95%	95%	95%
AB	92%	90%	93%	95%	95%	96%	96%	95%
ASAP	92%	90%	93%	94%	94%	95%	96%	95%
Total	92%	90%	93%	94%	94%	95%	96%	95%

18. London Councils officers are pleased that improvement in performance has been maintained, but note that low journey volumes, less competition from other customers using the contractor and a general downward trend in the Taxi industry will have contributed to some extent. Nevertheless, the improvements follow a general upwards trend. Officers have begun working with the provider to plan for how to maintain these levels of performance when social distancing measures are eased.
19. It should also be noted that London Council officers have received complaints from Taxicard members raising concerns about the low-traffic neighbourhood schemes. Complaints have focused on restrictions on taxis accessing roads for pick up/drop off of disabled people and increases in journey times and costs. Where London Councils has received such complaints, they have been referred to the relevant boroughs for response.

Taxicard Contact Centre Performance

20. At the beginning of the COVID-19 outbreak the contractor took measures to ensure enough resources are available to maintain service delivery. A number of staff have been placed on furlough, which includes staff in their contact centre.
21. The contact centre handles an average of 20,000 per week pre COVID-19, which has reduced to an average of 7000 since, although we are now seeing an upward trend in call volumes as shown in the table 4 below.

Table 4 – Call Volumes

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20
Calls	76,239	77,294	49,970	12,144	9,647	23,822	37'585	46'325

22. The contact centre performance indicators are detailed below:

Peak: (09:00 – 15:00)

- 30 seconds – 70% (percentage of call answered)
- 60 seconds – 85%
- 90 seconds – 90%

Off Peak: (15:00 – 09:00)

- 30 seconds – 70%
- 60 seconds – 85%
- 90 seconds – 90%

23. These are usually achieved however, we have seen some service failures in July and August as shown in the table below, which have been discussed with the contractor. London Council officers will be monitoring this closely and working with the contractor on their forecasting and resourcing to ensure performance is improved. Following analysis which shows the spread of call volumes across the operating hours, officers are also working with the contractor to move away from the above Peak/Off-Peak model to an overall service level across the operating hours.

Table 4: Taxicard Contact Centre Performance

Peak	Apr 20	May 20	Jun 20	Jul 20	Aug 20
% of calls answered in 30secs (SLA: 70%)	90	88	83	72	57
% of calls answered in 60 secs (SLA: 85%)	95	95	93	85	73
% of calls answered in 90 secs (SLA: 90%)	98	98	98	98	98
Off Peak					
% of calls answered in 30secs (SLA: 85%)	90	89	81	80	72
% of calls answered in 60 secs (SLA: 90%)	95	95	91	89	84
% of calls answered in 90 secs (SLA: 95%)	97	97	96	97	97

Predicted Taxicard Spend

24. The TfL budget currently covers the entire cost of the scheme subsidy for Taxicard members plus London Councils' and supplier overheads. Boroughs only "top up" where their TfL allocation is exceeded, and this is not forecast to happen this year. The current Covid-19 situation means far fewer journeys are being made and this will equate to significant savings, which will be refunded to TfL.
25. The budget for 2020/21 is £10,427,874 and the below table shows prediction of costs using various scenarios based on how long lockdown measures are in place. Officers are confident that the scheme will be delivered within budget in 2021/22, but note that there is a budget risk to the scheme should TfL not be able to agree a favourable deal with HM Government when its current deal expires in October 2020.

Scenarios	Trips	Trip Cost	Management Fee (This relates to contractor management fee)	Total cost
Worst Case	425,793	£2,932,714	£191,607	£4,375,140
Base case	573,953	£4,959,659	£258,279	£5,868,925
Better Case	661,870	£6,457,478	£297,841	£6,755,319
Pre-Covid-19	946,024	£8,174,814	£425,711	£8,612,612

Financial Implications for London Councils

The Director of Corporate Resources notes the continued improvement in performance by the contractor, although current performance is likely to have been influenced by the current COVID-19 crisis. The table in paragraph 25 above indicates that in all presented scenarios, the TfL contribution to the scheme is likely to be sufficient to fully fund the scheme in 2020/21, with the probability that boroughs will not be required to contribute to the scheme in the current financial year. Members should note that TfL has confirmed its continued commitment to funding at

current levels, but that this is subject to reaching agreement with government on the next round of emergency funding. This projection will be closely monitored in the coming months and reported to this Committee at regular intervals during the year.

Legal Implications for London Councils

None

Equalities Implications for London Councils

None

Recommendations

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

Background Papers

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

LONDON COUNCILS' TRANSPORT AND ENVIRONMENT EXECUTIVE SUB COMMITTEE (VIRTUAL)

Minutes of a virtual meeting of the London Councils' Transport and Environment Executive Sub Committee held on **10 September 2020** at 10:00am.

Present:

Councillor Claire Holland (Chair)	LB Lambeth
Councillor Krupa Sheth	LB Brent
Councillor William Huntington-Thresher	LB Bromley
Councillor Stuart King	LB Croydon
Councillor Julian Bell	LB Ealing
Councillor Wesley Harcourt	LB Hammersmith & Fulham
Councillor Sophie McGeevor	LB Lewisham
Councillor Richard Livingstone	LB Southwark
Councillor Manuel Abellan	LB Sutton
Councillor Guy Humphries	LB Wandsworth
Councillor Tim Mitchell	City of Westminster

(It was noted that Cllr Stuart King (LB Croydon) was unexpectedly delayed, but made it in time for some of the meeting).

1. Apologies for Absence & Announcement & Deputies

Apologies for absence were received from Councillor Richard Field (LB Wandsworth) and Alastair Moss (City of London Corporation). Councillor Guy Humphries (LB Wandsworth) attended as a deputy.

2. Declarations of Interest

London Waste & Recycling Board (LWARB)

Councillor Claire Holland (LB Lambeth – Chair)
Councillor Krupa Sheth (LB Brent)

Transport for London Board

Councillor Julian Bell (LB Ealing)

3. Future Mobility Agenda: Update Report

The Committee received a report that provided an update to TEC Executive on London Councils' work on future mobility and outlines information about three key workstreams: car clubs, mobility as a service platform and e-scooters.

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

- The report that went to the TEC Executive in November 2019 highlighted eleven recommendations from the Task & Finish Group on Car Clubs, and today's report updates members on two key recommendations – data sharing standard and new officer role.

- London Councils' officers had been working with the Imperial College London and the RAC Foundation to review existing car club data sharing schemes. A final report on this was expected to be published this Autumn.
- The second part of the update focussed around Smart Mobility and Mobility as a Service (MaaS). The recommendation agreed by the Committee earlier this year was that TfL would be recognised as the lead organisation in developing and managing a pan-London MaaS solution.
- TfL had launched a new "TfL Go app" on 4 August 2020.
- A number of TfL/borough officer weekly meetings were taking place to consider e-scooter trials. A lot of progress had been made on this, although more clarity was needed on the technical challenges.
- It was important to note that London was on a different timescale to the rest of the country when it came to e-scooters. Further details of the trials were mentioned at the TEC Executive on 16 July 2020.
- Officers were thanked for all their work on e-scooters. Around 30 officers had attended the meeting on 9 September 2020, and a high level of support was being given to the e-scooter trials.

Q and As

Councillor Julian Bell asked when the e-scooter trials would be launched. Councillor Sophie McGeevor also asked when the trials would be launched. She said that the TfL Go app was one of the best apps she had experienced. Councillor Abellan asked if more details could be given on the technical challenges experienced. He asked how many boroughs would be taking part in the trials at the beginning and when the trial documents would be made available.

Councillor Mitchell thanked Paulius Mackela for the update. He felt that the work on car sharing data was well overdue. Councillor Mitchell also said that the TfL Go app was a bit sparse. He said that the City of Westminster had decided to participate in the e-scooter trial. Residents, however, needed to be reassured about how safe the e-scooter mode of transport was. Councillor Mitchell said that a robust response was needed. He asked what safety features would be in place with regards to e-scooters.

Paulius Mackela said that the TfL Go app was a good first step forward. He informed members that in his view the app was not a final product, and there was room for improvement in the coming months. Paulius Mackela said that it was difficult to pin down an exact date for the commencement of the e-scooter trials. There was also uncertainty over when the operator licenses could be launched. With regards to the technical challenges, Paulius Mackela said there was different legislation when it came to e-scooters using cycle tracks and cycle lanes. E-scooters needed to use cycle tracks as this provided a safer infrastructure. Officers were currently waiting for the Department for Transport to provide legal advice on this issue. Paulius Mackela said that smaller towns might not even have cycle tracks therefore they can launch earlier than London.

Paulius Mackela said that the majority of boroughs were keen to join the e-scooter trial at some point during the trial. There may be delays in boroughs joining the trial on day 1 because some boroughs had to go to full counsel to seek permission to take part in the e-scooter trials. He said that it was difficult to give an exact number of boroughs that were signed-up to the e-scooter trials from day one. Paulius Mackela informed members that officers were turning the final trial proposal documents into a specification document.

Paulius Mackela reassured members that safety was the number one priority when it came to e-scooters, and operators would be required to adhere to strict safety features. He said that competition regarding safety features would be encouraged among operators, and safety issues would be monitored very closely throughout the trials. The Chair thanked Paulius Mackela for the update. She said that it would be beneficial to let TEC members know of the e-scooter trial dates as soon as they became available.

Decision: The TEC Executive Sub Committee:

- Agreed that officers to let TEC know as soon as the e-scooter trial dates were made available; and
- Noted that the safety of e-scooters was the number one priority, and this would be closely monitored throughout the trial.

4. Transport and Mobility Services Performance Information

The TEC Executive Sub Committee received a report that detailed the London Councils Transport and Mobility Services performance information for Q1 2020/21.

Spencer Palmer, Director of Transport and Mobility, London Councils, introduced the report, which went to every TEC Executive Sub Committee meeting. The following comments were made:

- *London Tribunals* – performance was very good, apart from the “average number of days to decide appeals”, which had a “red” rating for both tribunals. The targets were not met due to the outbreak of Covid-19 and the ensuing lockdown. Appeals were now being held over the telephone and the improvements would be forthcoming by the next quarter.
- *Freedom Pass* – there were three “red” ratings (“percentage of calls answered within 45 seconds” – BAU and 2020 renewal, and “percentage of calls abandoned”). This was due to delays with calls being answered from the customer call centre because staff had to be set-up to work from home, which had taken time. Customer satisfaction, however, remained high and there were no major problems.
- *Taxicard* – there had been a slight dip in performance, although significant improvements had been made on previous performance and this was now returning to good levels of service (there was less taxi trade competition at the moment so more jobs were being picked-up).
- *London Lorry Control Scheme* – there were two “red” ratings for “the number of vehicle observations made” and the “percentage of appeals allowed”. The number of observations had been affected by Covid-19 and the temporary suspension of the Scheme. The number of appeals allowed was higher than in the previous quarter.
- *London European Partnership for Transport (LEPT)* – the “amber” rating was due to the number of boroughs that participated in bid activity. The target was seven, but only five boroughs participated, hence the amber rating.

Decision: The TEC Executive Sub Committee noted the performance information and the explanation for “red” and “amber” ratings.

5. Under 18 Travel Update

The TEC Executive Sub Committee considered a report that provided an update on the proposed temporary removal of free travel for under 18s in London, as part of the financial bail-out deal between TfL and Government, and the potential implications for boroughs and their residents.

Spencer Palmer introduced the report, which gave a comprehensive update on the ongoing situation regarding the Government proposal to remove under 18 travel. This would have an impact on London's young people. Spencer Palmer said that local authorities had some statutory obligations when it came to providing school transport, and they currently relied on free under 18 travel provided by TfL. He said that working groups had been set-up to look into the removal of under 18 travel. This report set out the background and actions.

Spencer Palmer informed members that London Councils had managed to achieve a number of concessions regarding the removal of under 18 travel. He said that Government had agreed to continue to provide free travel, where there was a statutory obligation to do so. Spencer Palmer said that it had not been achievable to implement any changes before children returned to school in September. It was now proposed to implement the temporary arrangements immediately after half-term in October. The Department for Education had consulted on changes to their statutory guidance, which aimed to allow boroughs to carry out shorter consultations on necessary changes to their school travel policies. London Councils had responded to this consultation, pointing out that Boroughs were unable to change their school travel policies in such a short space of time.

Spencer Palmer said that the report also sets out a cost analysis, and the burden to local authorities and parents. The cost impact to the boroughs was estimated to be £27 million per annum and £83 million to parents. Spencer Palmer said that regular borough officer group meetings were taking place with TfL, the DfT and the Department for Education (DfE). London Councils was still waiting for a firm and final proposal to be agreed. Spencer Palmer said that there was a great deal of public opposition to the removal of free under 18 travel. He said that this was not just solely about travel to and from schools, but also travel to other activities that took place outside of school.

Councillor McGeever said that it was disappointing that there was no clarity on this. She asked whether there were any discussions taking place on how to implement this and the detail, particularly whether those remaining eligible for free travel would only retain it for school journeys. Spencer Palmer said that it was not possible for TfL to restrict the time of use of free travel, therefore free travel, if eligible, could take place at all times (school journeys could also take place at weekends as well).

Councillor Abellan said that it was disappointing that TfL had not been invited to attend this meeting. He said that information was needed on the legal definition of safe journeys to schools, and also from the DfT on assessments made. Councillor Abellan said that there would also be an impact on bus timetables owing to the extra time it would take to board buses.

Councillor Mitchell voiced concern at the lack of certainty with regards to under 18 travel. He said that this was very important for children and families. It was also important when it came to preparing council budgets. Councillor Mitchell said that TfL did have the capacity to have time limits for travel, as done for the Freedom Pass. He asked why this could not be used for Zip cards.

Councillor Huntington-Thresher said that a large number of residents used Network Rail, especially in areas where TfL buses did not operate. He asked whether the estimated costs to parents did or did not include current expenses. Councillor Huntington-Thresher said that he had not seen anything about children's fares being introduced, once the free travel to under 18s stopped. He said that many children on the edge of the borough of Bromley did not have a children's fare that they could use.

With regards to Councillor Abellan's question on safe walking routes, Spencer Palmer said that he had had no Government steer on this. He said that London Councils was carrying out some work on this (guidance) through the Association of London Directors of Children Services (ALDCS), if the role fell to the boroughs/TfL. More clarity would be needed when this was implemented.

Spencer Palmer said that new "flash" cards for boarding buses had been considered, although now TfL was now resorting back to Oyster technology (ie a "smart" card solution). He said that he appreciated the uncertainty that the removal of under 18 travel might have on boroughs' budget setting. However, discussions had taken place on how boroughs might be compensated for this. With reference to Zip cards, Spencer Palmer said that there was a difference in how Freedom passes and 60+ cards operated. Stephen Boon, Chief Contracts Officer, London Councils, said that the issue was to do with how the readers on the cards were programmed. The whole programme would have to be re-done and there was not enough time to do this for the new scheme.

Spencer Palmer said that the financial estimates did not take into account non-TfL travel. He said that not all young people would be eligible for free travel and would lose it. Spencer Palmer informed members that there would be a 75p new fare, and a smart card option would be implemented. He said that TfL was currently working on this, but London Councils did not have any further details at the moment.

The Chair asked whether there had been a formal response from the Government regarding the consultation, or were the current regulations being used at the moment. She said that Andrew Gilligan had informed members at the last TEC Executive meeting that there would be no costs borne by local authorities, and the boroughs would be compensated. The Chair said that travel was a key factor when it came to what schools parents would send their children to. She also asked whether there was any transport representation (transport leads) on the working group, as there were currently a great deal of technical issues arising.

Spencer Palmer confirmed that he had no formal response to the Government consultation or the points that London Councils raised. He informed members that the existing regulations remained the same and local authorities had to adhere to them until more was known about what the temporary arrangements would be. Spencer Palmer said that there had been an oral commitment to provide compensation to the boroughs and this had been raised with the Government. No firm commitment on this had been received from the Government. The temporary arrangements should be implemented with no additional costs to the boroughs.

Spencer Palmer said that intelligence had been gained from what was happening outside of London with regards to appeals and safe routes. He said that this was far from a straightforward process. Advice had also been sought on the impact the changes would have on school choices. Spencer Palmer confirmed that the working group did involve transport experts from the boroughs and LEDNet. TfL expertise was also brought in, along with other bodies when needed (engineer and school

transport expertise and Chief Executives). The working group was a very good active group, with a wide range of experience.

The Chair asked for a TfL representative to attend the TEC meeting on 15 October 2020. She thanked Spencer Palmer for the update report on under 18 travel

Decision: The TEC Executive Sub Committee:

- Agreed to ask a TfL representative to attend the TEC AGM on 15 October 2020, to discuss Under 18 Travel; and
- Noted the report.

6. Safer Speeds for London Update

The TEC Executive Sub Committee received a report that provided an update to members on activity and planned future actions following the oral update at the virtual TEC meeting on 11 June 2020. At this meeting it was agreed that London Councils would send a formal letter to Baroness Vere, the Parliamentary Under Secretary of State at the Department for Transport, outlining our concerns on how speed is currently enforced and how this could be improved with greater borough powers.

Spencer Palmer introduced the safer speeds for London report, which had been a priority for TEC for some time now. He informed members that back in June 2020, the Chair of TEC had written to the Department for Transport (DfT) setting out the case for boroughs to enforce some speed limits. Local authorities had the responsibility for setting speed limits, but did not have enforcement capabilities. Spencer Palmer said that the response received from the Minister was not the one that TEC had hoped for. The minister had declined our request for a meeting and suggested we respond to the ongoing call for evidence for the DfT's review of roads policing, which closes in early October 2020. The Chair and vice chairs of TEC would be consulted on this matter. The Chair said that members had felt passionately about this issue for quite a while now. She thanked Spencer Palmer for keeping the pressure up on this.

Councillor McGeever said that there was now an increase in aggressive drivers on the roads, now that the roads were not as empty as they were during lockdown. She said that there needed to be more visible enforcement on our roads, and more assurances coming from the Met Police. Councillor Mitchell said that the City of Westminster had a 20mph speed limit throughout the borough. Councillor Livingstone emphasised the importance of getting this right. He said that there appeared to be certain areas in the borough of Southwark where speeding was taking place on a regular basis. Councillor Livingstone felt that there was not enough being done to manage this owing to capacity issues.

Councillor Huntington-Thresher said that the borough of Bromley was working with the police and getting them to engage with the borough. He said that police support was needed to get information from the DVLA in order to send out warning letters to offenders. The police also needed to engage with boroughs regarding Auto Speed

Watch. Councillor Humphries said that speeding was a serious issue. He said that speeding began to get worse once the 20mph limit had been in place for a while, and action was needed. Councillor Humphries felt that “all of the tools in the box” needed to be used. He informed members that a fundraising campaign had taken place in the borough of Wandsworth in order to buy a speed camera. Councillor Humphries said that the most important issue was compliance. He said that there had also been a big increase in the use of e-scooters, especially since the outbreak of Covid-19.

The Chair said that during lockdown, the Met Police statistics had shown an extraordinarily high level of speeding on roads. She also asked whether there were any proposals to expand the Community Speed Watch, as there was a lack of funding at the moment and this could have an impact locally.

Spencer Palmer said that the issue of aggressive driving could be raised with the Government’s Roads Policing review consultation. He said that more visible enforcement was needed in the form of more speed cameras and police. Spencer Palmer said that he agreed that the police needed to do more, especially when it came to the enforcement of 20mph zones. He said that issue was not just about the lack of police and camera capacity, but also about back office administration. This was causing a low number of contraventions being progressed. Spencer Palmer said that there was a strong case to move the enforcement to the boroughs, as the police had to consider court time as well, which would not be an issue under a civil enforcement regime..

Spencer Palmer said that he would follow-up the issue of Auto Speed Watch with the police. The issue of access to DVLA data would also be raised with TfL, the police and the Government. Spencer Palmer said that compliance on 20mph roads was getting worse, and the right tools were needed to take action on this. With regards to fundraising, local authorities could take on some more speed enforcement, and funds raised through fines could be used to invest in this. Spencer Palmer said that the issues around safety and enforcement of e-scooters would be taken up with the Roads Policing Consultation. Spencer Palmer said that the Met Police had confirmed that speeding had reached terrible levels. He said that the expansion of the Community Speed Watch would be raised with the Met Police and reported back to TEC.

Decision: The TEC Executive Sub Committee:

- Agreed to raise the issue of the increase in aggressive driving in our response to the Government’s Roads Policing review consultation;
- Noted that more visible enforcement was needed in the form of cameras and more police;
- Agreed to follow-up the issues regarding Auto Speed Watch and having direct access to DVLA data with TfL, the police and Government;
- Agreed to raise the issues around safety and enforcement of e-scooters with the Roads Policing Consultation; and
- Agreed to raise the issue of expansion of the Community Speed Watch with the Met Police and reported back to TEC.

7. Month 3 Revenue Forecast 2020/21

The TEC Executive Sub Committee received a report that outlined actual income and expenditure against the approved budget to the end of June 2020 for TEC and provides a forecast of the outturn position for 2020/21. At this early stage, a surplus of £180,000 is forecast over the budget figure. In addition, total expenditure in respect of Taxicard trips taken by scheme members is forecast to underspend by a net figure of £3.327 million, due largely to the impact of the COVID-19 pandemic on the scheme. The net borough proportion of this underspend is projected to be their full budget of £1.588 million, with £1.739 million accruing to TfL.

Frank Smith, Director of Corporate Resources, London Councils, introduced the report. He informed members that there was a current surplus forecast of £180,000. Frank Smith said that there had been a reduction to TEC revenues caused primarily by the temporary suspension of enforcement by boroughs, along with a reduction in income for lost and stolen Freedom passes during the Covid-19 outbreak.

Frank Smith said that there was better news, in that during the lockdown period, London Councils had managed to negotiate a nil rent increase with the owners of the London Tribunals building at Chancery Exchange, which was effective from March 2020. This represented an annual saving of £100,000 over the next 5-years, which was very welcome news.

Frank Smith said that paragraph 8 (page 5) of the report showed that general reserves were forecasted to be £3.399 million at the year-end, which equated to 24% of budgeted operating and trading expenditure of £14.008 million. This was over the agreed 10 to 15% of annual operating expenditure that was agreed by the TEC Executive in November 2015. Options of how to use this money will be presented to the TEC Executive Sub Committee meeting on 19 November 2020. Frank Smith informed members that at the recent London Councils Executive meeting, members felt that it would be desirable to keep the reserves near to current levels, as they would act as a financial buffer. Although the TEC reserves were above the agreed benchmark, they should be considered as part of the overall London Councils financial position.

Councillor Huntington-Thresher asked how this year's Freedom Pass usage was going to impact on next year's figures. Stephen Boon said that London Councils was currently half-way through the negotiations and that there was an intention to bring the payment approach for the Rail Delivery Group (RDG) into line with that of TfL and use two year averaging of journeys. He informed members that he was about 80% certain that there would be a saving of around £40 million next year, using the current 2-year averaging model. Stephen Boon said that the difference in payments to the RDG was because a 2-year settlement was not carried out with the RDG last year, because they moved to a new settlement methodology and that only one year's worth of data was available last year.

Councillor Mitchell said that he had noted the underspend on Taxicard usage. He asked whether there were any figures on the costs of collection and delivery trips (e.g. other people taking trips on Taxicard users behalf). Stephen Boon confirmed

that these types of trips were not widely used. He said that out of approximately 11,000 trips taken in the last full week for which we have data, only 82 represented collection trips. The collection trips had now been extended to the end of the year. Councillor Mitchell suggested making the collection trips a permanent feature of Taxicard, because the number of trips were so small. Stephen Boon said that unanimous support of all boroughs would be needed to extend these trips permanently and that early indications were that some boroughs did not wish to make this a permanent feature of the scheme. Councillor Mitchell said that this could be discussed in the future.

Decision: The TEC Executive Sub Committee:

- Noted that a nil increase in rent for the London Tribunals building had been negotiated for 5 years;
- Noted that options for using the uncommitted reserves that exceeded the benchmark would be presented to the TEC Executive meeting on 19 November 2020;
- Noted that the issue of having Taxicard collection trips on a permanently basis could be discussed in the future (a permanent extension would require unanimity from all boroughs);
- Noted the projected surplus of £180,000 for the year, plus the forecast net underspend of £3.327 million for overall Taxicard trips, as detailed in this report; and
- Noted the projected level of Committee reserves, as detailed in paragraph 5 of this report and the commentary on the financial position of the Committee included in paragraphs 6-8.

8. Minutes of the TEC Executive Sub Committee held on 16 July 2020 (for agreeing)

The minutes of the TEC Executive Sub Committee held on 16 February 2020 were agreed as an accurate record.

The meeting finished at 11:30am

London Councils' Transport and Environment Committee (Virtual) – 11 June 2020

Minutes of a virtual meeting of London Councils' Transport and Environment Committee held on Thursday 11 June 2020 at 2:30pm in the Conference Suite, London Councils, 59½ Southwark Street, London SE1 0AL

Present:

Council	Councillor
Barking and Dagenham	Cllr Syed Ghani
Barnet	Cllr Peter Zinkin (Deputy)
Bexley	Cllr Peter Craske
Brent	Cllr Krupa Sheth
Bromley	Cllr William Huntington-Thresher
Camden	Cllr Adam Harrison
Croydon	Cllr Stuart King
Ealing	Cllr Julian Bell
Enfield	
Greenwich	Cllr Sizwe James
Hackney	Cllr Jon Burke
Hammersmith and Fulham	Cllr Wesley Harcourt
Haringey	Cllr Kirsten Hearn
Harrow	Cllr Varsha Parmar
Havering	
Hillingdon	
Hounslow	Cllr Hanif Khan
Islington	Cllr Rowena Champion
Kensington and Chelsea	Cllr Johnny Thalassites (tbc)
Kingston Upon Thames	Cllr Hilary Gander
Lambeth	Cllr Claire Holland (Chair)
Lewisham	Cllr Sophie McGeevor
Merton	Cllr Martin Whelton
Newham	Cllr James Asser
Redbridge	Cllr John Howard
Richmond Upon Thames	
Southwark	Cllr Richard Livingstone
Sutton	Cllr Manuel Abellan
Tower Hamlets	
Waltham Forest	Cllr Clyde Loakes
Wandsworth	Cllr Richard Field
City of Westminster	Cllr Tim Mitchell
City of London Corporation	Apologies
Transport for London	Alex Williams

1. Housekeeping & Rules of Meeting

Spencer Palmer, Director of Transport and Mobility, London Councils, apologised to members for the delay in starting the meeting. This was caused by the meeting instructions from a previous virtual meeting being copied over to this meeting, along with another Microsoft Teams link.

Spencer Palmer informed members that this was the first TEC meeting that was being live streamed. This meant that any members of the public could tune in to the meeting. He said that if any voting needed to take place during the virtual TEC meeting, this would be carried out by doing a roll call from the known list of attendees present at the meeting.

Spencer Palmer reminded members to mute their microphones and turn off their videos when they were not speaking. He said that any questions that members had should be raised in the chat section. He said that the chat section should only be used for asking a question.

2. Chair's Welcome

Councillor Bell announced he was standing down as Chair of TEC and as a member of the London Councils' Executive Committee. He said that he would still remain the TEC representative for the borough of Ealing. Councillor Bell thanked members for all their support on TEC over the past five years. He also thanked Katharina Winbeck and Spencer Palmer for all their work on TEC. Councillor Bell said that it had been an honour to serve on TEC during this period.

3. Apologies for Absence & Announcement of Deputies

Alan Edwards, Governance Manager, London Councils, confirmed that the TEC meeting was quorate, and announced the following apologies and deputy:

Apologies:

Cllr Dean Cohen (LB Barnet)

Alastair Moss (City of London Corporation)

Deputies:

Cllr Peter Zinkin (LB Barnet)

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

Freedom Pass

Councillor Peter Zinkin (LB Barnet)

North London Waste Authority

Councillor Peter Zinkin (LB Barnet)

Thames Regional Flood & Coastal Committee

Councillor Peter Zinkin (LB Barnet)

TfL Board Member
Councillor Julian Bell (LB Ealing)

Thames & London Waterways Forum
Councillor Richard Livingstone (LB Southwark)

London Road Safety Council
Councillor Krupa Sheth (LB Brent) and Councillor Sizwe James (RB Greenwich)

5. Election of New Chair of TEC

The Labour, Conservative & Liberal Democrat groups thanked Councillor Bell for all his dedicated work on TEC over the past five years. Councillor Loakes said that he appreciated that it was a difficult decision for Councillor Bell to make to stand down as Chair of TEC. He said that Councillor Bell would always have friends around the TEC table.

Councillor Loakes nominated Councillor Claire Holland as the new Chair of TEC. Councillor Mitchell seconded Councillor Holland's nomination, who he had enjoyed working with over the past two to three years. He said that Councillor Bell had championed issues for the boroughs and had been successful in securing a seat on the TfL Board.

Councillor Claire Holland was elected as Chair of TEC. She said that she was committed and would work hard on TEC. She also thanked Councillor Bell for all his work on TEC.

6. Safer Speeds Review – Oral Update from DS Andrew Cox, Met Police

DS Andrew Cox, from the Met Police, introduced the item and made the following comments:

- Noted that speeding had become much higher than usual since the lockdown due to there being less traffic on the roads since the Covid-19 outbreak (speeds of 163mph had been recorded in 70mph speed limits, and 134mph in 40mph speed limits).
- Traffic officers' number one priority was speeding enforcement and enforcement was taking place 24 hours a day, seven days a week.
- Roads that showed the highest risks of speeding had been identified. Average speeds were above the limits on 20, 40 and 60mph roads. There had been 1100 cases of extreme speeding in 20mph limits. 40% of extreme speeding cases went to court.
- There was good news in the fact that there had been a 40 to 50% reduction in fatal collisions since the lockdown (reductions were also taking place before the lockdown).
- Boroughs should let DS Cox know if they wanted to be part of the Independent Advisory Group
- A London Road Crime team had been set-up, consisting of 15 to 20 officers that were responsible for tackling the most dangerous drivers (up to 120 a day).
- There are also challenges with regards to dashcams and headcams for cyclists
- There was a new process from TfL and Vision Zero for boroughs to report scheme speeding and other road danger concerns to them. Each road safety and transport department in every local authority has been emailed

by TfL and asked to collate and email concerns via a submission form (borough referral process). This would be tracked over the next few months and police would provide an update on every referral.

- Stronger sentencing was available for dangerous drivers, but sentencing for speeding was not currently robust enough, and changes to legislation were being looked into..
- Repeat speeding offenders would be “named and shamed”, and more speed enforcement plans were being deployed. It was important to win public confidence on this. More police training would be on the agenda once Covid-19 reduced.

The Chair thanked DS Cox for his introduction and now invited members for comments.

Q and As

Councillor Loakes welcomed DS Cox to his new role. He voiced concern that in his borough of Waltham Forest, there was a need to focus on the A12 and A406, which did not have these speed limits. Councillor Loakes said that the work being carried out by DS Cox needed to be replicated in all the boroughs.

Councillor Field said that speeding since lockdown had become a problem, and boroughs were keen to address this issue. He felt that local authorities seemed to be devoid of a community speed watch. Councillor Field said that 20mph speed limits had been rolled-out and engagement had taken place with local community officers. However, more training was now required. Councillor Field asked whether there were plans to reinstate “speed watch” over the next six months, especially on rat run routes and around schools. He said that he hoped to see more activity on this. More activity was also needed to get mobile cameras.

Councillor McGeevor thanked DS Cox for his work, especially on Twitter. She said that her borough of Lewisham had started to engage on the new borough referral process, and the system looked like it would work well. Councillor McGeevor said that there was concern on the impact of speeding on new and young cyclists, and enforcement around schools.

DS Cox confirmed that more enforcement than ever was now being carried out on 20 and 30mph roads, and officers were being placed in these areas. He said that improvements were being made across the board, and more local borough officers were getting involved. DS Cox said that there was a problem with Community Road Watch due to social distancing and this had currently been paused. He said that once this changed, it would be a high priority again.

DS Cox said that a further update would be given to boroughs in due course with regards to the issue of mobile cameras. He confirmed that every referral received from the new borough referral process was being acted on, and an update provided. DS Cox said that there was currently a cycle safety team officer, along with a Special Constable to look at cycling, especially young cyclists. They used headcam information as well. DS Cox said that driver behaviour around cyclists was improving, although more education was needed. DS Cox said that enforcement around schools would continue once schools re-opened. Deployment would definitely be intensified to re-capture schools.

Councillor Huntington-Thresher commended the positive increases in enforcement. He said that the use of Twitter was not beneficial for a large number of residents in his borough of Bromley. Councillor Huntington-Thresher said that he would like to

see engagement rather than referral, and to take advantage of local borough officers' knowledge. He said that the borough was also struggling to tackle an increased fear of speeding. Councillor Huntington-Thresher also asked about engagement on "Auto Speed Watch".

DS Cox said that other sources of social media were also being used. TfL also helped with this. DS Cox said that there were different messages to say about enforcement and fear of speeding. He said that, although collisions were coming down, speeding was by far the biggest concern, and the challenge was to get culture change and to get public support. DS Cox said that he would look into Auto Speed Watch outside of the meeting and get an update on this.

The Chair said that some aspects of TEC's work on speeding had been delayed owing to the Covid-19 outbreak. She said that TEC had been lobbying for a legislative change in order for boroughs to take over the enforcement of speeding on 20mph roads. The Chair said that she would consult with the TEC vice chairs and send a letter to the DfT minister to lobby for this to happen.

The Chair thanked DS Cox for his update to boroughs and for answering members' questions. She asked whether a breakdown of speeding in boroughs, and any other statistics could be sent to members. DS Cox said that a borough breakdown on speeding was only available for May 2020

Decision: The Committee:

- Agreed that boroughs would let DS Cox know if they wanted to be part of the Independent Advisory Group;
- Noted that a further update would be forthcoming with regards to mobile cameras;
- Agreed to look at "Auto Speed Watch" offline and to provide an update on this;
- Agreed to consult with TEC vice chairs and send a letter to the DfT minister to lobby for boroughs to take over the enforcement of speeding in 20mph zones; and
- Agreed that DS Cox would send boroughs any breakdowns the Met Police had on speeding in individual boroughs, including the breakdown already available for May 2020.

7. Flooding Investment in London – Introduction by Robert Van de Noort, Chair of Thames Regional Flood & Coastal Committee (RFCC)

Robert Van de Noort, Chair, Thames RFCC congratulated Councillor Holland on her election to Chair of TEC and thanked Councillor Bell. He introduced the report on flooding investment and made the following comments:

- The number one risk before the Covid-19 outbreak was flooding.
- Claire Bell from the Environment Agency was also present at the virtual TEC meeting.
- This report was the first one since the update to the TEC meeting on 5 December 2019, and highlighted medium and long term projects.
- The Tidal Thames work was critical in keeping London safe and in preparing for a rise in sea levels due to climate change. It was also important to maintain control of the current system until a new Thames Barrier was built.
- London Strategic SUDS pilot – there would be wetter winters and drier summers in the future and this would cause more local floods in the winter. Local solutions

- were being created. Creating green/blue restart programmes
- Thames Water was increasing the funding available to support local authorities to help minimise flood risks.
- Work by Thames Flood advisers – continuing work with this group that supported local authorities to come up with creative solutions to reduce flooding.
- Flood risk to 31,000 properties had been reduced over the past 6 years.
- Boroughs could apply for a large number of schemes when they become available. London was in need of significant investment in order to prevent flooding.
- A new 6-year programme would be taking place from 2022. It was hoped to be able to continue with this programme and develop new schemes. The easier schemes had already been carried out at low cost. This left the more complicated schemes which required upfront investment.
- The Thames RFCC was working on a strategy at a local level, but the Committee had not met owing to the Covid-19 outbreak.
- At the last Thames RFCC meeting, a 1-year levy was being asked for. Once Covid-19 was over, a multi-plan could then be developed. A local levy of 1.99% was now being asked for, and a steer from TEC members was being invited.

Q and As

Councillor Zinkin informed members that he was a member of Thames RFCC and was very supportive of everything the Committee did. He said, however, that he was not supportive of the funding request as the local level had not been fully used. Councillor Zinkin felt that the RFCC did not need an increase to the levy at the moment. He said that a levy increase of 1.99% a year was agreed 6-years ago, and there now needed to be a reflection on how well the money had been spent. Councillor Zinkin said that the borough of Barnet was a big contributor to the RFCC and had paid approximately £2 million over the 6 years. He said that there were big variations in what individual boroughs paid in to the RFCC. Councillor Zinkin said that a new funding model was needed for next year.

Councillor Livingstone said that there had been big improvements in helping to reduce flood risks in the past year. He said that risk of flooding would continue to increase because of climate change and was a long-term threat. He said that, although more funding would continue to be needed, there needed to be careful consideration in future years. Councillor Livingstone proposed that there be a 1-year rolling forward levy of 1.99%. This could then be reviewed in 2022. He said that it would create uncertainty if there was not a steer for a 1.99% increase in the levy for a year. Councillor Livingstone said that London Councils would need to think about the long-term flood risk implications caused by tidal risk. Councillor McGeevor said that she also supported the recommendation of a steer of a 1.99% increase in the levy for 1-year, especially in light of the recent unexpected Covid-19 outbreak.

Robert Van de Noort said that the intention was to do a proper revision of the levy this year, but this was not able to take place because of the Covid-19 outbreak. He confirmed that there were still funds left in the levy, but these were committed to future schemes. Robert Van de Noort said that it was true that different boroughs paid varying amounts of money into the levy, and this was based on the number of council tax D-band properties in each borough. This was a statutory instrument (model 1) and could not be altered. Discussions had taken place with the RFCC and it was decided that this was the right decision regarding the levy owing to climate change and the need to build flood defences. He said that although there were funds still left in the levy after 6-years, there was not enough left to fulfill all the promises that were made.

Councillor Ghani said that he also sat on the RFCC and supported the steer of a 1.99% increase in the levy for a year. Councillor Khan felt that the flooding situation would only get worse, especially as the greener parts of boroughs were being removed and

residents continued to concrete over their driveways. He said that the boroughs needed to prepare for any emergency and said that he also supported the recommendation of a 1.99% levy increase steer. The Chair said that it was helpful to hear the views from RFCC members. Councillor Zinkin said that he had no issues with the amount of work that needed to be carried out. He said it was the funding model that needed to be thought about going forward and achieving value for money.

The Chair said that the steer from members was to have a 1.99% increase to the flood levy for 1-year, but to expect a review of the funding model in due course. She thanked Robert Van de Noort for attending the Committee.

Decision: The Committee provided a steer to members who sat on the Thames RFCC to recommend a levy increase of 1.99 per cent for one year in 2021/22.

8. Climate Change Action Update

The Committee received a report that updated TEC on the work that has been taking place on climate change programme and projects, and the development of approaches that could secure a green recovery from Covid-19.

Kate Hand, Head of Climate Change, London Councils, introduced the report. She said that the report set out the proposals for a green recovery from Covid-19, and why this is a sound strategy. She said that Covid-19 had transformed work and travel in London, which had led to reductions in air pollution and carbon emissions, and more active travel. Kate Hand said a green recovery from the outbreak also had support from businesses and economists, and also from residents. She reported that recent LGA research indicated significant potential for green jobs, including 80,000 in London by 2030. Kate Hand said that the seven shared climate change priorities in the TEC-LEDNet Joint Statement on Climate Change aligned operationally with a green recovery. She said that officers were working at pace to develop proposals and that there was a need to mainstream this work through the London Recovery Board. Climate change needed to be at the heart of this.

Councillor Mitchell thanked Kate Hand and colleagues for this very important work. He said that the City of Westminster was looking forward to working on the seven priorities. However, the Conservative Group view was that it was keen to respect the sovereignty of individual boroughs, and to identify individual solutions as opposed to "one size fits all". Councillor Bell said that a climate emergency green recovery strand was very important, and noted London Councils' previous call for a Climate Emergency Board for London. Kate Hand said that the sovereignty of boroughs was recognised, and London Councils was still developing the green recovery proposals.

Councillor Abellan said that the Liberal Democrat Group supported the recommendations in the report. He said that the report made reference to boroughs hosting some of the priorities. Councillor Abellan said that there needed to be a good spread of boroughs, including inner and outer boroughs. He asked whether there was a need for a green recovery task force, to sit alongside the social and economic task forces that will sit under the Recovery Board, and whether Leaders had been asked to lobby for this

Councillor Khan said that he welcomed the report. He said that the borough of Hounslow had put together a green recovery plan, which looked at the economy, social impact (upskilling of training) and the environmental impact of Covid-19. Councillor Khan said that a whole team had been put together to take this forward.

Councillor Huntington-Thresher said that the borough of Bromley would not be in favour

of a Londonwide road pricing scheme. He said that it was important to move forward with a green recovery as soon as possible, even in the absence of funding from the Government. Councillor Huntington-Thresher said that some residents had already carried out work on their homes to improve efficiency. He felt that it would be counter productive to upgrade other properties by Government grants (taxpayers' money), as this would be unfair to residents that had already paid for improvements with their own money.

Councillor Hearn said that, with regards to proposal 3 in the report (page 8), she would like to see more emphasis on stimulating the high streets. She said that electric vehicles (EV) were currently expensive, and that they do emit some pollution (proposal 4 – sustainable transport). Councillor Hearn said that her borough of Haringey currently had a £70 million deficit in its budget because of Covid-19, and Government investment would be needed, especially around refits for homes in rental properties. More narrative on this was required. She felt that people who had already invested in having good energy in their homes would have already saved money on their heating.

Kate Hand said that efforts would be made to ensure that there would be a varied mix of boroughs that hosted the programmes for the seven climate priorities. She apologized for the wording around having a Londonwide road pricing scheme, which was only a proposal at present and had not been agreed by TEC. Kate Hand emphasised the need to move forward with a green recovery and to look at quick “wins” that could be started straight away.

Kate Hand said that London had historically lost out when it came to support for retrofitting from Government, and the focus would be on social housing and those most in need in the first instance. She noted proposal 7 looks at strategic support for financing green measures. She said that officers would look at integrating support for high streets into proposal 3 on neighbourhoods, together with social distancing measures. Kate Hand said that EVs were not ‘the answer’ as they still emit pollution from their tyres and brakes. She said that active travel was the most important. Councillor Hearn said that there were issues around money for a green recovery going forward.

The Chair said that TEC would seek support for a green recovery or environment strand under the Recovery Board, and to include environment within the social and economic recovery. Members that had any further comments on this paper could forward them to Kate Hand. The Chair asked members to also discuss these issues with their Leaders. The Chair thanked Kate and colleagues for the discussions on this and for answering the questions.

Decision: The Committee:

- Agreed to lobby hard for green recovery to be a priority at the London Recovery Board;
- Agreed that the boroughs who host the climate priorities going forward would include a good spread of boroughs (inner and outer, and across political groups);
- Agreed that members could forward any comments they had on the green recovery proposals in the Climate Change Action report to Kate Hand;
- Discussed support for a green recovery from Covid-19, and support for an environment workstream under the London Recovery Board with their Leaders; and
- Agreed to advocate for London's Transition and Recovery Boards to have climate action at their heart.

9. Future Mobility Update

The Committee received a report that updated TEC on some of London Councils' activities on the future mobility agenda.

Katharina Winbeck, Strategic Lead, Transport and Environment, London Councils, introduced the report, which covered the following strands: response to the future of transport regulatory review, Government's announcement to bring forward e-scooter trials, and Pan-London byelaw for dockless vehicles. She said that task and finish work groups had been set-up to look at these issues and were discussed in detail in the TEC Executive Sub-Group meetings.

Katharina Winbeck said that DfT had published a document on e-scooters, and London Councils had been looking into having e-scooter trials. She said that there had been significant interest by the boroughs in having these trials (five boroughs had confirmed that they were not interested). Co-ordination would be taking place between London Councils and TfL to see whether e-scooters were workable on London roads. Katharina Winbeck informed members that work was still continuing on dockless bikes. Also, the wording of the byelaw would be going to counsel for advice.

Councillor Loakes confirmed that the borough of Waltham Forest was not interested in trialing e-scooters. He said that it was important to make walking and cycling (active travel) safe first. Councillor Loakes said that there was a legislative change to have cameras when cycling on mandatory lanes. He said that this did not impact on segregated cycle parks and London needed to have an influence on this.

Councillor Bell said that the borough of Ealing had put in a bid (sub-regional) for a trial of e-scooters. He said that there were safety concerns though like the wearing of helmets on the scooters. Councillor Bell said that e-scooters were not a better solution than walking or cycling, because active travel was needed. He said that he welcomed the opportunity to trial them. Councillor Bell said that it was important to get the byelaw in as soon as possible.

Councillor Ehmann felt that a combination of scooters and dockless bikes would be beneficial. He said that the pan-London byelaw was not happening quickly enough, and not having a byelaw in place was causing problems in getting bikes into London. He said that there was a need to expediate movement on this.

Katharina Winbeck said that London Councils had lobbied for cameras in all bicycle lanes. She said that there were big conditions regarding safety on e-scooters. Regarding the byelaw, Katharina Winbeck said that there was a strict process that needed to be followed to get the byelaw in place. She said that the absence of a byelaw should not prevent boroughs from getting dockless bike schemes. Katharina Winbeck said that boroughs should start to design where they wanted these schemes around the byelaw.

Councillor Ehmann felt that the lack of a byelaw was impeding business. The Chair said that this was a strict process. However, as the Government had been passing emergency laws during the Covid-19 outbreak, she asked whether the byelaw could be passed under an emergency law.

Councillor McGeevor said that she had safety concerns with regards to e-scooters. She voiced concern that the trials of e-scooters in boroughs would give residents the impression that they were already legal. Councillor McGeevor confirmed that the borough of Lewisham had not agreed to take part in trial. Councillor Gander said that

the Royal Borough of Kingston had requested to take part in the trial. Councillor Khan asked about under 18 licenses for the trials. He asked if there were any thoughts on restricting speed limits. Councillor Khan said that the trials were not binding. Councillor Hearn said that there were safety concerns regarding having scooters on pavements, which would be an impediment for older people.

The Chair said that she recognised that there was a lot of anxiety around e-scooters. She asked why there was not camera enforcement for all cycle lanes. Katharina Winbeck said that she would find out the reason for this. She said that working groups were discussing the trials of e-scooters, and the e-scooters that took part in the trials would be labelled. Katharina Winbeck confirmed that there was no commitment for boroughs that took part in the trials to take on e-scooters permanently. Details of the trials would be reported back to TEC. Katharina Winbeck said that the DfT had included driving licenses at 18 years old. Katharina Winbeck said that it would be up to local authorities to set speed limits. She confirmed that it would not be permitted to drive or park scooters on the pavement.

Decision: The Committee:

- Noted that London Councils was lobbying to have camera enforcement in all bicycle lanes;
- Noted that the absence of a byelaw being in place should not prevent boroughs from adopting dockless bike schemes. Boroughs are encouraged to design parking standards around the current proposed byelaw;
- Agreed to find out why parking enforcement was rejected with all cycle lanes
- Noted that it was up to local authorities to set speed limits for e-scooters; and
- Noted the safety and parking concerns from members regarding e-scooters (eg not being driven or parked on the pavement)

10. TEC Nominations to Outside Bodies

The Committee considered a report that sought TEC nominations to various outside bodies which related to the work of the Committee for 2020/21. It was agreed that the political advisers would let Alan Edwards know who would fill any outstanding vacancies in due course.

The nominations to TEC outstanding bodies were as follows:

Heathrow Airport Consultative Committee (HACC)

Cllr Steve Curran (LB Hounslow)

1 x Conservative deputy

Thames Regional Flood & Coastal Committee (RFCC)

North West: Cllr Peter Zinkin – LB Barnet (Conservative)

South West: Cllr Julia Neaden-Watts – LB Richmond (Liberal Democrat)

South East: Cllr Sizwe James (RB Greenwich) (Labour)

North East: Cllr Syed Ghani – LB Barking & Dagenham (Labour) (tbc)

Central North: Cllr Johnny Thalassites (RB Kensington & Chelsea)

Central South: Cllr Richard Livingstone - LB Southwark (Labour), and

North: Cllr Jon Burke – LB Hackney (Labour)

London Sustainable Development Commission (LSDC)

Cllr Rowena Champion – LB Islington (Labour)

Urban Design London (UDL)

Daniel Moylan & Cllr Nigel Haselden (LB Lambeth) nominated as the UDL representatives again for 2020/21

London City Airport Consultative Committee (LCACC)

It is LB Havering turn to represent TEC on the LCACC

London Waste & Recycling Board

Cllr Nesil Caliskan (LB Enfield, Lab)
Cllr Claire Holland (LB Lambeth, Lab)
Cllr Krupa Sheth (LB Brent, Lab)
Cllr Guy Senior (LB Wandsworth, Con)
Chantelle Nicolson (Independent)
Joe Murphy (Independent)

Thames & London Waterways Forum

Cllr Sizwe James – RB Greenwich (Labour)
Cllr Richard Livingstone – LB Southwark (Labour)
Cllr Peter Craske – LB Bexley (Conservative)

London Cycling Campaign (LCC) Policy Forum

Cllr Clyde Loakes – Waltham Forest (Labour)

London Fuel Poverty Partnership

1 x Conservative vacancy

TfL/Government Active Travel Board

Cllr Clyde Loakes – LB Waltham Forest (Labour)

Decision: The Committee:

- Noted and agreed the TEC nominations to outside bodies for 2020/21;
- Agreed that the London Councils' political advisers would let Alan Edwards know who would fill any outstanding vacancies in due course;
- Agreed that Alan Edwards would write to the TEC outside bodies (and the members nominated to these bodies) informing them of the nominations; and
- Agreed that the list of approved nominations will then go before London Councils Executive Officers sitting as the Appointments Panel for ratification.

11. Freedom Pass Update

The Committee received a report that provided members with the following information on the following: (i) restrictions on the use of Freedom Passes at busy times, (ii) the cost of the Freedom Pass Scheme in 2020/21, (iii) flexibilities granted to non-TfL buses during in response to Covid-19, and (iv) the wider implications of social distancing on Freedom Pass arrangements.

Stephen Boon, Chief Contracts Officer, London Councils, introduced the report. He informed members that the statutory hours of operation (09:30 am – 23:00 pm) of the London Concessionary Bus Scheme (non-TfL buses) from 15 June 2020 for older persons pass holders would be re-instated. Stephen Boon said that the 24-hour a day acceptance for disabled persons pass holders would be retained, in line with proposed TfL restrictions as an on-going variation.

The Chair said that London Councils would also honour the existing agreement with Transport for London (TfL) in respect of the 2020/21 financial year. Councillor Field said that boroughs were putting money into this, but were receiving less of a service than they were getting previously.

Decision: The Committee

- Confirmed that they would honour the existing agreement with Transport for London (TfL) in respect of the 2020/21 financial year having regard to the temporary revised arrangements for TfL's discretionary services following TfL's revised funding agreement with HM Government;
- Agreed to re-instate the statutory hours of operation (09:30 am – 23:00 pm) of the London Concessionary Bus Scheme (non-TfL buses) from 15 June 2020 for older persons pass holders, but retain the 24-hour a day acceptance for disabled persons pass holders in line with proposed TfL restrictions as an on-going variation, and further to note that the special reimbursement arrangements with non-TfL bus operators shall remain in place whilst HM Government's social distancing measures remain in place, all of which shall remain under review; and
- Noted the possible impact of social distancing on on-going operations including income and expenditure.

12. Taxicard Update

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

Decision: The Committee noted the Taxicard update report.

Alex Williams gave a brief update. He congratulated Councillor Holland on her recent election to Chair of TEC. Alex Williams said that the London Streetscape programme had a circa of £30 million. Twelve bids had been allocated straight away (£9 million of the funds). He said that full and final bids were required by 19 June 2020.

Alex Williams said that boroughs should be very careful with the design of cycle routes, as some of these had been put in too quickly and had to be taken out because they were not safe. He said that officers needed to be mindful of this. The Chair said that members could forward any points they had on this to Katharina Winbeck.

13. TEC & TEC Executive Sub Committee Meeting Dates for 2020/21

The Committee considered a report that notified members of the proposed TEC and TEC Executive Sub Committee dates for the year 2020/21.

Decision: The Committee noted and agreed the Tec and TEC Executive Sub Committee dates for 2020/21.

14. Items Considered by the TEC Elected Officers Under the Urgency Procedure.

The Committee received a report that provided members with the details of the reports that were sent to TEC Elected Officers under the London Councils' Urgency Procedure. They were as follows: Dockless Bicycles and Climate Change Action, Freedom Pass Update Report, HGV Safety Permit Scheme, Additional Parking Charges for Ealing and Hounslow, Freedom Pass & Covid-19 and Taxicard and Covid-19. The items were required to be sent out under the TEC Urgency Procedure owing to the cancellation of the TEC Main meeting on 19 March 2020 because of the Covid-19 outbreak.

Decision: The Committee noted the reports that were sent to TEC Elected Officers under the Urgency Procedure in March and April 2020.

15. Minutes of the TEC Main Meeting held on 5 December 2019

The minutes of the TEC Main meeting held on 5 December 2019 were agreed as being an accurate record.

The meeting finished at 16:38pm