

London Councils' Transport & Environment Committee

TEC Annual Report 2006/07

Item 17
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| Report by: | Nick Lester | Job title: | Director, London Councils TEP |
| Date: | 17 October 2007 | | |
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Summary: Attached is the TEC Annual Report for 2006/07, incorporating the report to the Secretary of State on the work of the Parking and Traffic Adjudicators, which the Committee has a statutory obligation to report. .

Recommendations: That Members agree the TEC Annual Report for 2006/07, as appended, subject to any amendments they may wish to make, including the Committee's report to the Secretary of State on the work of the Parking and Traffic Adjudicators for 2006-2007.

FOREWORD

Borough elections in May 2006 have resulted in several changes to our work on transport and the environment. Cllr Daniel Moylan, from RB Kensington & Chelsea was elected to chair the Transport and Environment Committee. Cllr Moylan has considerable familiarity with the work of the Committee having led the Conservative group on the Committee for several years.

Although Cllr Moylan has had some experience of the Committee's work, changes in control of some councils, retirements and other electoral changes meant that we welcomed 27 new members to the Committee in June 2006. Changes of this magnitude have resulted in different priorities for work and different approaches which will last much longer than a single year.

New arrangements for power sharing amongst the London boroughs overall have resulted in a change of name from the Association of London Government to London Councils, a name which more closely reflects the activities of the organisation. This change of name has followed through to the Transport and Environment Committee. This demonstrates, too a very clear commitment to ensuring a strong collective view amongst all the boroughs.

Dominating much of our work during the year has been the review of the GLA's powers and the very significant potential changes in waste. While the consultation period ended at the start of the year, the Government's announcement of change in July 2006 foreshadowed a Bill which entered Parliament in November. This Bill is to be enacted during 2007/08. The Government's decision not to create a single waste disposal authority for London, and its commitment to that decision during a protracted period while the Bill was in Parliament, represent a considerable achievement by London Councils on behalf of the boroughs.

The second major achievement of the Committee during the year was the review of additional parking charges and the introduction of a new, two tier differential penalty system. This approach responded to concerns by the public and recommendations of the House of Commons Transport Committee and the London Assembly.

Subsequent sections of this report show the other major achievements of the Committee and London Councils during the year which, again, show a very wide range of activity.

INTRODUCTION

London Councils is committed to fighting for more resources for London and getting the best possible deal for London's 33 councils. Part think-tank and part lobbying organisation, London Councils also runs a range of services all designed to make life better for Londoners.

Many of those services are transport-related and are run London Councils' Transport and Environment Committee (London Councils' TEC) which includes Transport for London (TfL) as well as the 33 London boroughs. They include two concessionary fares schemes that provide benefits to more than a million Londoners, a lorry control scheme designed to keep heavy lorries away from residential roads at night and at weekends, various parking enforcement services and an adjudication service for appeals against parking and other penalty notices.

The Policy unit is based at London Councils main offices at 59 ½ Southwark Street, close to London Bridge. It provides a policy framework for the range of activities carried out by TEC.

The work includes:

- Lobbying for more money for boroughs to spend on transport and environmental initiatives
- Seeking new or improved powers for London councils to tackle common problems
- Running a comprehensive seminar and events programme on transport, planning, public protection and environment issues
- Representing borough view and concerns on government policies and the Mayor's strategies
- Developing new approaches – including new Londonwide initiatives – on specific issues

London Councils' TEC Operations is based at New Zealand House in Haymarket, close to Trafalgar Square and is responsible for a number of transport functions, including:

Freedom Pass The Freedom Pass is the UK's most generous concessionary fares scheme and entitles a million Londoners over the age of 60 or with disabilities to travel free on the capital's buses, tubes and trains. London's 33 councils pay a total of £198 million a year to fund the scheme.

Taxicard A door-to-door transport service offering subsidised travel in licensed taxicabs for people with serious mobility impairment, who have difficulty in using buses, trains and tubes. It is available 24 hours a day, seven days a week and is paid for by the 32 participating London councils, and the Mayor.

London Lorry Control Scheme This is designed to protect the peace of Londoners by restricting the number of lorries using residential roads at night and at weekends.

Health Emergency Badge Scheme A vehicle badging scheme to make it easier for doctors and health works to park while attending medical emergencies.

Parking and traffic enforcement services London Councils' TEC is the approving authority for new parking and traffic enforcement services in London. This includes managing a number of services on behalf of the London boroughs, including TRACE

– a 24-hour, seven-day a week telephone service giving information about cars that have been towed away.

The Parking & Traffic Appeals Service (PATAS) –also based in New Zealand House - uses a team of independent adjudicators to determine appeals against parking and other penalty charge notices (PCNs) issued by boroughs and TfL. PATAS also handles appeals against congestion charge penalties, on behalf of the Greater London Authority.

As well as running services directly, London Councils' TEC works in **partnership with other agencies** on a variety of services including Capital Standards (improving the cleanliness of London's streets) and the London Safety Camera Partnership (providing and operating speed cameras at London's accident black spots). It also has the contract to provide the Consumer Direct service in London on behalf of the Government which provides trading standards advice and information to the public.

POLICY UNIT

The Policy Unit provides a policy framework for the range of activities carried out by London Councils TEC. This includes working with government, the Mayor and the London Assembly, Transport for London (TfL) as well as other stakeholders to implement initiatives to improve the quality of life for London's residents, business and visitors.

Our work includes:

- Lobbying for more money from boroughs to spend on transport and environment initiatives
- Seeking new or improved powers for London councils to tackle common problems
- Running seminars and events on transport, planning, public protection and environment issues
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during 2006/07 ...

We represented boroughs' views and concerns on central government policies and strategies. We worked and lobbied on several items of proposed legislation including the Greater London Authority Bill (in relation to planning and waste issues) and the Concessionary Bus Travel Bill. We also continued to promote the 9th London Local Authorities Bill.

Transport Policy

In 2006/07, we:

- Agreed the Freedom Pass settlement for 2007/08 before the statutory 31 December 2006 deadline as well as a new three year framework deal for the TfL element to cover 2007/08 – 2009/10
- Carried out a public consultation on the level of parking charges in London and a public opinion survey on differential parking penalties. TEC agreed to implementing differential parking penalties in London from 1 July 2007 - the first time this will be done on a city wide basis.
- Increased the number of slots available for borough sponsored traffic signal schemes
- Undertook research to identify London borough rail priorities and the extent to which these are reflected in regional and national rail priorities
- Continued the management and development of the TRAVL database
- Held an event for Borough officers to discuss TfL's Business Plan and future planning
- Collated responses from boroughs to develop a London Councils' response to TfL's draft T2025 strategy document
- Developed a more regular schedule of high level meetings for TEC Elected Officers to discuss matters of transport strategy with TfL's Commissioner, Peter Hendy

- Participated in, and hosted working group meetings for, a TfL project to write new guidance for boroughs to submit LIPs claims for Area Based Schemes, Station Access schemes and Local Accessibility schemes
- Responded to consultations on
 - London Freight Plan
 - TMA 2004 regulations relating to Intervention Criteria, notices, FPNs, s74, Permit schemes and Parking
 - Olympic Transport Plan
 - Proposals for the Mayor of London's rail powers beyond the London boundary

Planning Policy

In 2006/07, we:

- Submitted evidence to and appeared at the Examination in Public (EiP) for the South East of England Regional Spatial Strategy
- Consulted with boroughs on proposed changes to the GLA London Development Database
- Undertook research on the value of Section 106 contributions to London to inform the debate on Planning Gain Supplement
- Submitted responses to the Further Alterations to the London Plan and the minor waste alteration to the London Plan

Public Protection Policy

In 2006/07, we:

- Continued to work alongside other local government representatives to lobby Government on the implementation arrangements for the new Licensing Act with particular regard to the Statutory Guidance and the fees regime.
- Commissioned independent research and submitted detailed proposals to the Independent Panel set up to review fees set under the Licensing Act 2003, proposing an alternative fees structure for London which better achieves cost recovery for London's authorities and ensures that the 'polluter pays' principle is better applied in the fees structure.
- Updated the joint London Councils/LFEPA protocol on the implementation of the Licensing Act 2003 to reflect changes to Fire Safety legislation.
- Set up a Licensing and Trade Forum to facilitate more effective dialogue between licensing authorities and the licensing trade representative bodies as well as a senior officer consultative forum, the Licensing sub-group.
- Held a gambling workshop for borough officers bringing together DCMS, the Gambling Commission and the Trade to help officers better understand the implications of the Gambling Act 2005 ahead of the commencement of the transition period.
- Continued to engage with DCMS, Gambling Commission, trade and other local government representative bodies to develop the transitional arrangements for the implementation of the Gambling Act 2005 and submitted responses to a number of Government consultation documents on the Gambling Act 2005
- Continued to manage on behalf of the Office of Fair Trading, Consumer Direct London, the regional contact centre for consumer advice and information. The contact centre is provided under contract to London Councils by bss

Environment Policy

In 2006/07 we:

- Concluded and signed off the Waste Cost Modelling for London Project and disseminated the finding at an event that brought together all the key borough, GLA, industry and government stakeholders to make the case for the levels of funding required for waste management and disposal in London over the next 15 years.
- Provided a detailed response to the Government's consultation on the review of England's waste strategy and on implementation of the Waste Electrical and Electronic Equipment (WEEE) Directive in the UK. On the latter carried out sustained engagement with government officials on implementation particularly in relation to the timetabling
- Made written and verbal representations to the EiP Panel reviewing the GLA's Early Alterations to the London Plan (Waste and Minerals) culminating in Panel report recommendations requiring a rethink of borough waste apportionment and the deletion of the unreasonable references to numbers of facilities required and the associated land take projections.
- Secured pan-London agreement for approach to the use of new fixed penalty powers under the Clean Neighbourhoods and Environment Act 2005 in order to facilitate effective enforcement and consistency of approach across London.
- Agreed fixed penalty levels under the London Local Authorities Act 2004 to give borough officers new powers to tackle low level noise nuisance, illegal advertisements and street trading offences.
- Contributed to the work of the London Climate Change Partnership to raise the issue of climate change and its impacts and initiated a London wide borough officers' group to help shape borough approaches to climate change and energy policy
- Made representations to Government about the potential impacts of restrictions on commercial and community water use in response to Thames Water Utility's application for a Drought Order culminating in the withdrawal of the application.
- Worked through partnerships involving regional bodies and other local government representatives to develop a pan-London response to an emergency drought situation.
- Contributed to the early work of the Thames River Basin District Liaison Panel working on implementing the EU Water Framework Directive in the Thames area.
- Responded to the Mayor's consultation on revisions to his air quality and transport strategies in readiness for a proposed low emission zone for London.
- Worked with borough officers and the GLA, in consultation with industry to produce a Best Practice Guidance on the control of dust and emissions from construction and demolition.
- Responded on behalf of boroughs to Defra's review of the UK Air Quality Strategy.
- Updated the London Councils Air Quality and Planning Guidance for boroughs.

For more information contact Stephen Benton, Head of Policy, Transport Environment and Planning, on 020 7934 9908 or stephen.benton@londoncouncils.gov.uk

OPERATIONAL UNIT

The Operational Unit is based at New Zealand House in the Haymarket, from where it manages the London concessionary fares scheme and a number of other transport/traffic-related services.

Freedom Pass

The concessionary fares scheme for London is funded by all the London boroughs and is badged as the Freedom Pass. It continues to be UK's largest and most generous concessionary fares scheme and is a model for similar schemes provided nationally in Scotland and Wales.

The scheme enables more than a million Londoners over 60 or over, and people with eligible disabilities, to travel free of charge on buses, tubes, trams and trains throughout the capital. The statutory requirement set out in legislation changed on 1 April 2006 to offer free travel on buses instead of a 50% minimum discount.

In 2006-07 London's 33 Councils paid the two main transport operators (ATOC and TfL) £214 million to allow freedom pass holders to use their transport networks. How much each borough pays is based on the number of Freedom Pass holders living in that borough.

ALG TEP (Transport, Environment and Planning) negotiates and manages the delivery of the Freedom Pass scheme; being responsible for ticket issue and publicity. There is a variety of published information about the scheme and a dedicated website www.freedom.pass.org.

During 2006/07:-

- Freedom Pass, is a smart ticket using Oyster technology. It has proved to be highly popular with customers who find accessing the transport system much easier than with the old paper tickets.
- Hot-listing, the process that enables London Councils to stop usage of lost or stolen passes, has proven extremely effective in reducing the number of fraudulent passes in circulation. This has substantially reduced the potential level of fraud.
- The 2006 Reissue and Apportionment period ran from February 2006 to September 2006. The majority of passes were issued at the Post Office using their Horizon computerised counter system. For the first time data was transferred overnight to London Councils' freedom pass Oracle database for processing instead of being sent monthly.
- The Reissue involved placing stickers dated 31 March 2008 over the current expiry date rather than issuing new passes as the current passes are encoded to work until 2010. All non-renewed passes were then hotlisted.
- Around 930,000 older and 120,000 disabled passes were issued during the 2006 apportionment period.

- Discussions began between London Councils, the DfT and other local authorities in England on how to plan for the introduction of a national concessionary fares scheme for local buses due to start in April 2008.

Taxicard

The Taxicard scheme provides subsidised door-to-door transport in licensed taxis and private hire vehicles (PHVs) to nearly 77,000 London residents with serious mobility problems. The scheme ensures that people who find it difficult to use public transport can still get out and about, travelling when and where they want, thereby offering them an improved degree of independence.

Taxicard is available 24 hours a day, seven days a week and is paid for by 32 of the 33 London authorities (Westminster, the only borough not in Taxicard, has its own scheme). The scheme is jointly funded by the London boroughs and the Mayor of London, bringing the total spending on Taxicard to more than £14 million a year.

Taxicard used in excess of 6,000 licensed vehicles to make 1.29 million trips. London Councils has a dedicated Taxicard team that processes membership applications, issues Taxicards to members, and runs a weekday helpdesk. There is also a website www.taxicard.org.uk.

During 2006/07:-

- 2006-7 saw yet further year-on-year growth of around 14% increase in trips and 12% in membership. London Councils continued working closely with Transport for London (TfL) to ensure that their funding contribution offered real benefits to users. Building on this momentum the contractor continued to introduce increase the number of taxis and PHVs to improve punctuality in areas where licensed taxis are scarce. 97% of bookings result in a trip being made, but efforts continued to reduce member waiting times.
- Work began on retendering the for the Taxicard contract which runs out on 30 September 2007. By the end of 2006/07 pre qualification questionnaires had been evaluated and tender documents issued to prospective tenderers.
- TfL announced that they wish to introduce an integrated Dial a Ride and Taxicard door to door service. London Councils and boroughs expressed concern about TfL's ability to provide an efficient combined service given current problems with the Dial a ride service. London Councils recommends that future integration should include other statutory door to door services such as local borough transport, Patient Transport Services and Community Transport.

Lorry Control Scheme

The Lorry Control Scheme aims to ease traffic noise in residential areas by controlling the movement of lorries over 18 tonnes during the night (9pm to 7 am) and at weekends (1 pm Saturdays through to 7 am Mondays). During the restricted

times, hauliers need special permits to be allowed to use their lorries on all but a very limited number of roads on a regulated basis.

The ALG's Lorry Control Unit manages the scheme, publishing the London Lorry Map (which shows the roads affected by the scheme), advising hauliers on appropriate routes and issuing permits for essential journeys. The Lorry Control Unit is also responsible for ensuring compliance with the scheme through the work of a team of enforcement officers who monitor vehicle movements at strategic locations across London, by the roadside and through mobile patrols and the use of cameras. Each year these officers observe and record sightings of over 7,263 lorries on restricted roads and drivers and operators of vehicles who do not have a permit, or who are not complying with the permit conditions, may be issued with a Penalty Charge Notice (PCN).

During 2006/07:-

The Lorry Control Unit processed 277 new applications, which resulted in 175 new operators joining the scheme. The number of operators with vehicles with current permits is nearly 3,000, and during the year the unit issued a total of just over 49,097 permits. The Lorry Control enforcement team issued over 2,979 PCNs to operators and drivers who were either using lorries with no permit at all or not complying with the permit conditions.

A Notice of Proposals was published to implement TEC's approved amendments to the Traffic Management Order that governs the London Lorry Control Scheme.

The tender process to contract bailiff services for the London Lorry Control Scheme was completed and bailiffs were appointed to collect outstanding debts.

Health Emergency Badge Scheme

The ALG runs the Health Emergency Badge (HEB) scheme which provides badges for doctors and other health workers to display in their vehicles when attending emergency situations. Badges, which are valid for two years, are issued on a limited basis to qualifying practices in order to help eligible health workers perform their duties. Whilst it has no legal status, parking authorities will generally not issue tickets to a vehicle which is displaying the HEB badge.

During 2006/07:-

Applications for 1,868 HEBs were received, which resulted in 1,735 badges being issued.

Parking Services

ALG TEC is the approving authority for new parking and traffic enforcement services in London. It also manages a number of services on behalf of the London boroughs. These include:-

- TRACE, which provides a single point of contact to locate cars that have been towed away.
- Computer links to the Traffic Enforcement Centre, which provides a system for parking authorities to initiate debt recovery proceedings in the County Court against people who have not paid their penalty charges.
- Computer links to the DVLA (Driver Vehicle Licensing Authority), which provides a gateway for boroughs wishing to obtain or check a vehicle's registered keeper.
- PIE (Payment Information Exchange), which offers motorists the opportunity to pay fines at locations other than in the borough where the offence took place.

In addition, we publish a parking code of practice and the Parking Attendant's Handbook, both of which provide detailed advice and guidance on traffic enforcement issues to the boroughs and other interested parties. We also provide large amounts of information to the public on parking, including leaflets in different languages aimed at tourists.

During 2006/07:-

- TEC approved the revised versions of the Code of Practice on Civil Parking and Traffic Enforcement and the Code of Practice for Operation of CCTV Enforcement Cameras. The Codes were subsequently issued to boroughs and the Department for Transport, who have used them substantially as a basis for the statutory guidance to be issued under the Traffic Management Act 2004.
- Work commenced to investigate the requirement of a central communications and processing hub for mobile phone parking providers across London.
- Development of a database for reporting lost, stolen and fraudulent blue badges continued.
- The process of updating and reissuing the ALG's guidance leaflets relating to parking continued. The current version of all leaflets is available on ALG's website.
- Advice and guidance to the boroughs continued particularly with regard to the wording on penalty charge and other parking notices.

For more information contact Ron Beckett, Head of Operations, Transport Environment and Planning, on 020 7747 4780 or ron.beckett@londoncouncils.gov.uk

PARKING & TRAFFIC APPEALS SERVICE

London Councils Transport and Environment Committee, as a committee of London local authorities enforcing decriminalised parking and traffic restrictions, has a statutory duty to provide an administrative and hearing centre service for the Parking Adjudicators. The Parking Adjudicators constitute an independent tribunal established by the 1991 Road Traffic Act to consider appeals against liability for penalty charge notices issued by the enforcing authorities. London Councils TEC fulfils its statutory function via the Parking and Traffic Appeals Service (PATAS)

London Councils TEC also provides, via PATAS and on behalf of the Greater London Authority, an Adjudication service for motorists appealing to the Road User Charging Adjudicators against congestion charge penalties issued in central London. Parking and Road User Charging Adjudicators form separate tribunals with separate jurisdictions. Whilst PATAS endeavours to provide a seamless service to all tribunal users, due regard is paid to their separate entities and their separate sitting and case management requirements.

Report for the year 1 April 2006 – 31 March 2007.

This year, PATAS staff have continued to provide a high quality administrative service to both the Parking and the Road User Charging Adjudicators. This has been done in the context of an increased workload: the Parking Adjudicators' caseload rose from 52,714 to 57,040. Although the Road User Charging Adjudicators' caseload decreased over the whole year, the implementation of the Western extension of the Congestion Charging zone in February 2007 brought an upturn in numbers received towards the end of the reporting year.

The continuing priority for PATAS has been to deliver an efficient, responsive service. However, work has also been carried out to refine systems and procedures in order to improve the service offered and PATAS staff have contributed extensively to the process of re-letting the London Councils Contract for IT and managed services.

Service delivery

As described in the Parking Adjudicators' annual report, which is also presented to this committee, the number of appeals submitted to the Adjudicators increased by 4326 (8.2%) over the previous reporting year. The number of cases dealt with by the Adjudicators also increased significantly: by 8,057 (14.7%) over the previous reporting year.

One of the ways in which PATAS has handled this increase efficiently is by re-organising and streamlining the workload of the small PATAS team of service administration and case management staff, in order to make the best use of resources and skills.

Regular PATAS newsletters, containing statistics and topical items have been posted on the web site, and a new PATAS e-mail address has been established for the local authority staff and the public to communicate directly with the case management team (patasteam@patas.gov.uk). PATAS also held a very well-attended seminar for local authority staff in November 2006 at which last year's annual reports were presented and a number of procedures and possible enhancements to the adjudication systems were discussed.

The Head of PATAS accompanied the Chief Adjudicators to the annual conference of the Council on Tribunals: the theme of the conference, as described in the Parking Adjudicators' annual report was the importance of feedback from the tribunal and how this can improve first line decision making. The feedback mechanisms and methods utilised by PATAS on behalf of the Adjudicators (newsletters, seminars, website) measured up well to the standards set by the Council and will be maintained and developed in the coming year.

Enhancements to the computerised adjudication system

Although, in the final year of operation of the outsourcing contract, it would not have been prudent to embark on large scale system enhancements, a number of minor changes were made to refine the system and enhance the service offered to Adjudicators. One of these was to streamline and automate more fully the way in which Adjudicators direct administrative staff to carry out specific administrative functions on particular cases, including the enhancement of the facility to 'bring forward' for action on a specific future date or after a specific period of time.

At the same time, a re-ordering of the way cases ready for adjudication are presented to the Adjudicators was implemented to reflect their current procedures without the necessity of intervention by the administrative staff.

Adjudicators' statutory registers

The regulations governing the work of both the Parking and the Road User Charging Adjudicators require them to keep a statutory register of all appeals received. These registers are to be kept at the office of the Adjudicators and be available for inspection. The regulations specify that the register need not be kept in legible format. In accordance with these regulations, both registers have been kept in electronic format since the establishment of the tribunals and fulfilment of the requirement to allow inspection has been achieved by producing a copy of the relevant register entry requested. However, in March 2007, this aspect of the service was enhanced by enabling the full register for each tribunal to be displayed on a computer terminal in the main hearing centre. It is possible for users to search the electronic register by a number of categories, or to browse the register by date. This facility has been well regarded by all the members of the public and local authority staff who have used it. In the coming year, it is intended to develop the initiative further to make the full registers available for inspection via the PATAS web site.

In addition to these developments, the work on the project to re-let the service contract has included detailed specification of a number of major developments to be delivered as part of the new contract which came in to force on 4 July 2007. These projected developments include the ability to inspect the statutory register on line as described above; the ability to submit appeals and evidence on line; the ability for Adjudicators to consider postal appeals remotely (i.e. away from the central London hearing centre); and the ability for Adjudicators to conduct remote oral appeal hearings from the hearing centre using video technology.

In the coming year, a number of developments will be required to manage the changes to the Adjudication service required by the introduction of Low Emission Zone enforcement by TfL and by the implementation of the Traffic Management Act 2004. The service developments carried out this year and the plans made for further service developments in the coming months should enable us to respond efficiently and cost effectively to these changes.

Adjudicators' Annual Reports

The Parking Adjudicators' report for the year 2006-2007 is presented separately to this committee. The Road User Charging Adjudicators' report will be submitted to the Secretary of State shortly. Both reports will be published on the PATAS web site in the near future.

The Road User Charging Adjudicators have made two recommendations to Transport for London regarding their statutory duties under the Scheme Order and the law on 'service' of notices – however, these have no bearing on the work of PATAS.

The Parking Adjudicators have made no recommendations this year.