



To: All London Borough Chief Executives

20 March 2014

Dear Colleague

**London Safer Lorry Scheme Proposal – Action Required by 14 April 2014**

At its meeting on 13 March 2014, London Councils' Transport and Environment Committee (TEC) considered the attached report proposing a Safer Lorry Scheme for London. The proposal is that a new London-wide traffic order(s) be made which will require all vehicles over 3.5 tonnes to have side guards and safety mirrors when driving in London to help reduce the tragic number deaths and injuries resulting from collisions between vulnerable road users and Heavy Goods Vehicles (HGVs).

As you know, prior to this matter being referred to TEC on the 13 March, and since then, London Councils' officers have been liaising with the London local authorities and TfL regarding this proposal. Following detailed discussion and legal advice, London Councils and TfL officers agree the best way to promote the required London-wide traffic order(s) is through TEC, similar to the way TEC is responsible for the existing London Lorry Control Scheme. However, there is some uncertainty as to whether TEC's existing delegated authority is sufficient to promote the required new order(s), so the recommendation to the Joint Committee on 13 March was to seek an express delegation to TEC from each individual authority and this recommendation was agreed by TEC. We have been advised by Leading Counsel that this delegation can be made, in writing, by the relevant lead Member or officer, from individual authorities, depending on your local scheme of delegation without having to prepare a formal Deed of Variation to the TEC Governing Agreement (refer Part 3(D) of Schedule 2 to that Agreement).

The report explains that at this early stage we are unsure of how exactly the orders are to be drafted and enforced. Thorough further consultation with each authority and other stakeholders is planned and is essential to get the detail right (e.g. potential exemptions, signage etc). The aim is, of course, to implement a robust and easily understood restriction as quickly as possible and in the most efficient way. We want good levels of compliance to realise the desired safety benefits and this will only come from a consistent and joined-up approach. The proposed delegation being sought from each authority is, therefore, intended to allow sufficient flexibility for TEC to develop the best approach with TfL and boroughs through the planned consultations. The proposed TEC powers to promote pan-London traffic orders of this nature will be exercised very rarely and will only be used following proper consultation with boroughs and subsequent TEC authority.

I would therefore be grateful if you could arrange for the attached delegation form to be completed, signed and returned by 14<sup>th</sup> April 2014. I appreciate this is a tight deadline but it is important to get the required delegation signed before the local elections to avoid unnecessary delays in progressing this important safety proposal.

Yours faithfully,

A handwritten signature in green ink, appearing to read 'Nick Lester', written over a faint blue line.

Nick Lester

Corporate Director of Services

To: London Councils  
59 1/2 Southwark Street  
London  
SE1 0AL

FAO: Andrew Luck

I .....[name and position of authorised person]  
on behalf of .....[name of authority]

hereby confirm that my authority has resolved to delegate authority to London Councils' Transport and Environment Committee to exercise the following functions, in the following terms:

*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.*

Signed

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Date

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