

Appendix A

Borough TEC representative
All London Boroughs

cc: Borough Chief Executive

29 July 2014

Dear Sir/Madam,

London Safer Lorry Scheme Proposal – Revised Delegation and Further Action Required by the end of September 2014

I wrote to every borough on 20th March seeking agreement to delegate authority to London Councils' Transport and Environment Committee (TEC) to allow the making of a new London-wide traffic order, 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). I am very grateful to all those who returned the signed delegations in time for the recent TEC meeting on 17 July 2014.

Although the proposed delegation wording was specifically intended to facilitate the making of orders for the London Safer Lorry Scheme, the delegation was worded in more general terms to allow flexibility in the development of the scheme, for example any changes the scheme title or scope following consultations and detailed design. However, concerns were raised that the delegated powers might be used for other purposes. Despite written assurances that this would not happen and any use of the delegated powers would require consultation with all boroughs and subsequent TEC approval, one borough, maintained that whilst they support the principle of the scheme, they would not sign the proposed delegation unless the wording was changed.

To give TEC the required powers to create the order(s), we must have signed delegated authority on the same terms and using the same wording from all 33 London boroughs. On 17 July, TEC therefore agreed to revise the wording of the delegation so that all authorities would be in a position to sign. The revised wording does now refer explicitly to the Safer Lorry Scheme.

For information, I attach the 17 July TEC report, which gives further information about the proposal, including plans to consult with boroughs shortly on enforcement options.

I apologise to all the authorities who have already signed the original delegation in asking you to provide your signed delegated authority once again. Please complete, sign and return the attached revised delegation form by the end of September 2014. It is important to get the delegation signed by all authorities before the next TEC meeting in October 2014 to avoid delays in progressing this important safety proposal.

Yours faithfully,



Nick Lester

Corporate Director of Services

To: London Councils
59 ½ 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:

To make one or more traffic regulation orders for the purposes of the implementation across Greater London of the London Safer Lorry Scheme (as that Scheme is approved and/ or amended from time to time by the Committee), 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, and a decision to make such an order(s) is to be taken only after consultation with each of them.

To provide for the implementation and enforcement of any traffic regulation 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 general or individual consents, permissions or permits (if any) including the consideration of appeals arising from the refusal or conditioning of any such consents, permissions or permits, the erection of adequate signs (however the Scheme is described on the signs), liaison with the police, the prosecution of any criminal offences or civil contraventions arising under such order(s) and any amendments to the order(s) 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 order(s) 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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