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## Police Committee

**Date:** MONDAY, 8 DECEMBER 2014  
**Time:** 11.00 am  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:** Deputy Henry Pollard (Chairman)  
Deputy Douglas Barrow (Deputy Chairman)  
Mark Boleat  
Simon Duckworth  
Lucy Frew  
Alderman Alison Gowman  
Deputy Keith Knowles, MBE  
Alderman Ian Luder  
Vivienne Littlechild  
Helen Marshall  
Deputy Joyce Nash  
Don Randall, OBE  
Deputy Richard Regan OBE

**Enquiries:** Katie Odling  
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katie.odling@cityoflondon.gov.uk

Lunch will be served in the Guildhall Club at 1pm

**N.B:** Part of this meeting could be subject to audio videoing recording.

**John Barradell**  
Town Clerk and Chief Executive

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**  
To agree the public minutes and summary of the meeting held on 31 October 2014.  
**For Decision**  
(Pages 1 - 6)
4. **OUTSTANDING REFERENCES**  
Report of the Town Clerk.  
**For Information**  
(Pages 7 - 8)
5. **POLICE PROPERTY ACT FUND**  
Report of the Town Clerk.  
**For Decision**  
(Pages 9 - 16)
6. **CRIMINAL JUSTICE AND COURTS BILL REPORT**  
Report of the Remembrancer.  
**For Information**  
(Pages 17 - 18)
7. **NEW ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 - DELEGATED POWERS**  
Report of the Director of the Built Environment, considered and approved by the Port Health and Environmental Services Committee on 18 November 2014. This report is being submitted to the Policy and Resources Committee on 10 December 2014, the Community and Children's Services Committee on 12 December 2014, the Safer City Partnership meeting on 12 January 2015 and the Court of Common Council on 16 January 2015.  
**For Information**  
(Pages 19 - 50)
8. **STANDARD ITEM ON THE SPECIAL INTEREST AREA SCHEME**  
To receive any Special Interest Area Updates.
9. **ROAD SAFETY- CASUALTIES AND COLLISIONS- UPDATE APRIL -SEPT 2014**  
Report of the Commissioner of Police.  
**For Information**  
(Pages 51 - 70)
10. **YTD BUDGET MONITORING**  
Report of the Commissioner of Police.  
**For Information**  
(To Follow)

11. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
12. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
13. **EXCLUSION OF THE PUBLIC**  
MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

## **Part 2 - Non-Public Agenda**

14. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held 31 October 2014.  

**For Decision**  
(Pages 71 - 74)
15. **QUARTERLY ECONOMIC CRIME UPDATE**  
Report of the Commissioner of Police.  

**For Information**  
(Pages 75 - 80)
16. **REINSTATEMENT OF CHILD'S PENSION**  
Report of the Commissioner of Police.  

**For Decision**  
(Pages 81 - 86)
17. **COMPLIANCE AND STABILISATION PROJECT GATEWAY 3/4 OPTIONS APPRAISAL**  
Report of the Commissioner of Police.  

**For Decision**  
(Pages 87 - 116)
18. **POLICE DESKTOP UPGRADE PROJECT - STATUS (GATEWAY 6 ) REPORT**  
Report of the Director of Corporate Services.  

**For Decision**  
(Pages 117 - 122)
19. **COMMISSIONER'S UPDATES**  
Commissioner to be heard.
20. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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## POLICE COMMITTEE

Friday, 31 October 2014

Minutes of the meeting of the Police Committee held at the Guildhall EC2 at 11.30 am

### Present

#### Members:

Deputy Henry Pollard (Chairman)	Deputy Keith Knowles, MBE
Deputy Douglas Barrow (Deputy Chairman)	Alderman Ian Luder
Mark Boleat	Vivienne Littlechild
Simon Duckworth	Deputy Joyce Nash
Lucy Frew	Deputy Richard Regan OBE
Alderman Alison Gowman	

#### Officers:

Christopher Braithwaite	Town Clerk's Department
James Goodsell	Town Clerk's Department
Alex Orme	Town Clerk's Department
Steve Telling	Chamberlain
Doug Wilkinson	Department of the Built Environment

#### City of London Police:

Adrian Leppard	Commissioner of the City of London Police
Ian Dyson	Assistant Commissioner
Eric Nisbett	Director of Corporate Services
Hayley Williams	Chief of Staff

#### 1. APOLOGIES

Apologies for absence were received from Helen Marshall, Don Randall, Commander Head and Suzanne Jones.

#### 2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations of interest.

#### 3. MINUTES

3.1 **RESOLVED - That the Minutes of the meeting held on 16 September 2014 be approved.**

## **Matters arising**

### Item 6 – Equality, Diversity and Human Rights (EDHR) – Verbal Update

It was explained that written reports would be provided on a quarterly basis, with oral updates to the other meetings. The first quarterly report would be submitted to the January 2015 meeting of the Committee.

- 3.2 **RESOLVED - That the minutes of the Economic Crime Board of the Police Committee held on 5 September 2014 be received.**
- 3.3 **RESOLVED - That the minutes of the Professional Standards and Integrity Sub Committee held on 22 September 2014 be received.**
- 3.4 **RESOLVED - That the minutes of the Performance and Resource Management Sub Committee held on 26 September 2014 be received.**

## **Matters arising**

### Item 5 - HMIC Inspection Update 2014-15

A Member of the Sub-Committee noted that the deadline for submitting many of the items for the HMIC Inspection was 31<sup>st</sup> October 2014 and asked whether there had been any issues with submitting this information. The Assistant Commissioner explained that there had been no issues with the submission and a briefing paper would be circulated to Members on the outcome of the inspection in due course.

A Member explained that she had not yet received an invitation to accompany officers on patrol to experience how Stop and Search was implemented. The Assistant Commissioner explained that it was still intended to invite Committee Members to these opportunities, but this had not yet happened.

### Membership of Sub-Committee

The Chairman explained that there remained one vacancy on the Membership of the Sub-Committee and asked any Members interested in serving on the Sub-Committee to contact the Policy Officer.

## **4. OUTSTANDING REFERENCES**

The list of outstanding references was noted.

### Barbican Highwalk CCTV

The Committee conducted a detailed discussion of the issue of provision of CCTV on the Barbican Highwalk. It was noted that this Committee needed to consider this issue from a public safety perspective. There were significant public safety concerns regarding the Highwalk in the wake of a number of recent incidents, and the Highwalk was a public highway and therefore the responsibility of the City as a whole to ensure that it was made safe for the

public, rather than being solely the responsibility of the Barbican Centre. It was also noted that the Highwalk was the largest area of the City without significant CCTV coverage. However, it was also noted that it was vital that the City took a consistent approach to public safety at all residential estates across the City and should not be seen to be providing preferential treatment to the Barbican Estate.

Members discussed proposals to ensure that there was CCTV coverage at all entrances and exits to the Highwalk. It was also noted that there was currently a development application for the property at 21 Moorfields, which was ideally placed to provide CCTV coverage of an entrance to the Highwalk. The Committee therefore discussed and resolved that a resolution should be put to the Planning and Transportation Committee that:

“The Police Committee requests that the Planning and Transportation Committee, during their consideration of the development application in relation to 21 Moorfields, gives consideration to including a planning condition such that any planning consent which may be granted is contingent upon the development providing sufficient CCTV coverage of the nearby entrances to the Barbican Highwalk on the grounds that this would have a significant benefit to public safety.”

The Assistant Director of Street Scene and Strategy explained that this issue had evolved into a significant area of work and it was intended that a full investigation of the issues would be undertaken, including consultation with residents, with the intention to present a proposed solution to the Committee at its meeting in March 2015.

#### Equality, Diversity and Human Rights – Eid event

Members discussed the recent event to celebrate Eid and asked how the guest list had been compiled as it did not appear that the invitation list was exactly as would have been desired. The Commissioner explained that this had been arranged in cooperation with the Remembrancer’s Department, but in future the process for arranging this event would be brought in line with that used by Remembrancer’s for all other City events to ensure an appropriate guest list.

**RESOLVED** – That the Committee:

- a) notes the report;
- b) requests that the Planning and Transportation Committee, during their consideration of the development application in relation to 21 Moorfield’s, gives consideration to including a planning condition such that any planning consent which may be granted is contingent upon the development providing sufficient CCTV coverage of the nearby entrances to the Barbican Highwalk on the grounds that this would have a significant benefit to public safety;
- c) requests that a proposed solution for the issue of CCTV coverage of the Barbican Highwalk to guarantee public safety is submitted to the March 2015 meeting of the Committee;

## 5.1 **Community Engagement Update**

The Committee received a report of the Commissioner of Police concerning details of issues raised at Ward level and the Forces response since the last Community Engagement report.

### 20mph Speed Limit

The Committee noted the number of drivers that had been stopped for travelling in excess of the 20mph speed limit and a Member queried whether any buses had been stopped. The Commissioner explained that he was not aware of the number of buses that had been stopped but would work with Transport for London to ensure that buses complied with the speed limit.

The Committee asked whether there was any indication of the impact of the reduction in the speed limit. The Commissioner explained that it was too soon to assess the impact of the speed limit reduction in terms of changes to the number and type of incident and it would be difficult to assess this impact until the medium-term due to the relatively small number of incidents in the City. He also cautioned that it may not be possible to attribute any change in the number of incidents solely to the change in the speed limit as there would be a large number of contributing factors.

**RESOLVED** – That the report be noted.

## 5.2 **Any Other Special Interest Area Updates**

There were no updates from Special Interest Areas.

## 6. **ACCOMMODATION PROGRAMME UPDATE**

The Committee received a report of the Chamberlain which provided an update on the progress of the accommodation programme.

The Director of Corporate Services explained that the accommodation programme had developed since the initial agreement by the Committee as the accommodation programme had been used as a driver for wider transformation within the Police to ensure that it was fully equipped as a 21<sup>st</sup> century police force.

**RESOLVED** – That the report be noted.

## 7. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

A Member asked whether there were any issues which the Committee should be aware of in relation to the Lord Mayor's Show. The Commissioner explained that there were no significant issues and he would supply Members with a briefing note regarding the Police's float at the Show.

## 8. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no items of urgent business.



**9. EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

**10. NON-PUBLIC MINUTES**

10.1 **RESOLVED - That the non-public minutes of the Police Committee meeting held 16 September 2014 be approved.**

10.2 **RESOLVED - That the non-public minutes of the Economic Crime Board meeting held on 5 September 2014 be received.**

10.3 **RESOLVED - That the non-public minutes of the Professional Standards and Integrity Sub Committee meeting held on 22 September 2014 be received.**

**11. 65 BASSINGHALL STREET**

The Committee considered and approved a report of the Commissioner of Police which provided information regarding the proposed use of 65a Bassinghall Street, which was currently vacant.

**12. MOBILE WORKING SERVICES- UPDATE**

The Committee received a report of the Commissioner of Police which provided an update in relation to the Mobile Working Services Project.

**13. REQUEST FOR PRIVATE MEDICAL FUNDING**

This item was withdrawn.

**14. WAIVER REPORT - MEDIA PLANNING AND BUYING FOR PROJECT SERVATOR**

The Committee considered and noted a report of the Commissioner of Police in relation to media planning and buying for Project Servator.

**15. COMMISSIONER'S UPDATES**

The Commissioner of Police was heard concerning on-going and successful operations undertaken by the City of London Police.

**16. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There was one question in relation to European Arrest Warrants.

**17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no items of urgent business.

**The meeting closed at 1.00 pm**

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Chairman

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**POLICE COMMITTEE**  
**8 December 2014**  
**OUTSTANDING REFERENCES**

Meeting Date & Reference	Action	Owner	Status
23/05/14	Delivery of Police Uniform	Commissioner of Police	<b><i>In progress</i></b> <i>Initial delivery expected January 2015</i>
3/04/2014 Item 5. 2a EDHR Update Disability Equality Standard	Report to the Committee outlining a full evaluation of the Disability Equality Standard	Commissioner of Police	<b><i>In progress</i></b> <i>Report on Disability Equality Standard will be submitted to the 26th February 2015 Committee.</i>
3/04/14 Item 3.a) Barbican Highwalk CCTV	Progress update - CCTV upgrade	Safer City Partnership	<b><i>In progress</i></b>
31/10/14 Resolution	The Planning and Transportation Committee considers a resolution concerning the development application for 21 Moorfields.	Director of the Built Environment / Town Clerk	<i>Being presented to the Planning and Transportation Committee on 1 December 2014</i>

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<b>Committee:</b>	<b>Date:</b>
Police Committee	8 December 2014
<b>Subject:</b> Police Property Act Fund	<b>Public</b>
<b>Report of:</b> Town Clerk	<b>For Decision</b>
<b><u>Summary</u></b>	
<p>This report informs Members of applications and awards from the Police Property Act Fund during 2014 and asks the Committee to consider seven further grants suggested by individual Members.</p>	
<b>Recommendations</b>	
Members are asked to:-	
<ul style="list-style-type: none"> <li>(a) note the contents of the report;</li> <li>(b) consider a one-off grant of £2,500 to the following charities:- <ul style="list-style-type: none"> <li>i. PC Dave Rathband's Blue Lamp Foundation (CC Reg. No.1138319);</li> <li>ii. The Police Rehabilitation Trust (CC Reg. No.1077265/1)</li> <li>iii. Housing the Homeless Central Fund (CC. Reg. 294362)</li> <li>iv. Care of Police Survivors (CC Reg. No. 207994)</li> <li>v. St John's Ambulance – City of London Branch (CC Reg. 1077265)</li> <li>vi. City of London Police – Charity for Children (CC Reg. 294362)</li> <li>vii. The Most Venerable Order of St John of Jerusalem (CC Reg. 235979)</li> <li>viii. The Sheriffs and Recordors Fund (CC Reg. 221927)</li> </ul> </li> </ul>	

### **Main Report**

1. The Police (Property) Regulations 1997 enable the surplus from the Property Act Fund to be used for charitable purposes. In 2008, the Committee reviewed the criteria for making grants in view of new requirements under the Charities Act 2006, including the duty to demonstrate public benefit. One of the changes agreed was that only registered charities will be eligible for a grant. The Constitution and Purpose of the Fund and the Criteria for Disbursements, as agreed by your Committee in November 2008 (with an amendment agreed in December 2011), are attached at Appendices A and B respectively.

2. The criteria for disbursements was reviewed in July 2014 and a number of changes were implemented including setting the maximum level of funding to any charity at £2,500 and allowing Members to fund the same charity in consecutive years.
3. The balance of the Fund now stands at £48,530 (as at 31<sup>st</sup> March 2013 – see appendix C).

### **Requests from the Force**

3. The Commissioner has requested that donations be made to the following charity:-
  - (a) **PC Dave Rathband's Blue Lamp Foundation** (CC Reg. No. 1138319):  
Provides support to relieve financial hardship amongst ambulance, police or fire service personnel injured in the course of duty.

### **Requests from Members of the Police Committee**

4. The following charities have been put forward by Members for consideration:-
  - (a) **The Police Rehabilitation Centre** (CC. Reg. No. 1146913):  
Provides short intensive rehabilitation, including physiotherapy, nursing care and counselling to sick and injured serving and retired police officers in south England and Wales.
  - (b) **Housing the Homeless Central Fund** (CC. Reg. No. 233254):  
Supports the very disadvantaged including the homeless and those in danger of losing their homes, victims of domestic violence and relationship breakdown, ex-offenders and those suffering from drug and alcohol abuse.
  - (c) **Care of Police Survivors (COPS)** (CC Reg. No. 1101478)  
Provides peer support to the families of police officers who have lost their lives in the line of duty.
  - (d) **St John's Ambulance (City of London branch)** (CC Reg. 1077265):  
Provides first aid training, first aid services, ambulance services and youth services.
  - (e) **City of London Police – Charity for Children** (CC Reg. 294362):  
This charity is run for the benefit of children and young person principally with a link to the City of London. Its mission is to provide support in cases of sickness, crisis, disability and disadvantage.
  - (f) **The Most Venerable Order of St John of Jerusalem** (CC Reg. 235979):  
The order is a major international charity whose organisations provide first aid, healthcare and support services. The intention is for funds to be donated to Ophthalmic Hospital based in Jerusalem/Gaza but run by the

order in London. This charity delivers services that meet section 2 (viii) of the Committee's disbursement criteria.

(g) **The Sheriffs and Records Fund** (CC Reg. 221927):

The fund makes grants to ex-offenders for clothing, household furnishings, training courses and tools.

**Consultees**

5. The Chamberlain and Chief Grants Officer have been consulted in the preparation of this report.

**Background Papers:** *[Reports of the Town Clerk, November 2008, November 2009, December 2010, December 2011, December 2012, December 2013]*

**Contact:**

*James Goodsell*

*Policy Officer*

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## APPENDIX A

### **POLICE PROPERTY ACT FUND – CONSTITUTION AND PURPOSE**

1. The Police Property Regulations 1997 apply to property which is:
  - (a) in the possession of the police by virtue of an order of a court of summary jurisdiction in connection with police investigations of a suspected offence where the owner of the property cannot be ascertained; or
  - (b) in the possession of the police by virtue of a court order in connection with the seizure of property where the court was satisfied that the property had been used for the purposes of committing or facilitating the commission of any offence, or was intended to be used for that purpose.
2. The Regulations provide that where property has been held for a year, in relation to an order under paragraph 1(a) above and for six months, in respect of an order under paragraph 1(b) above (provided, in the latter case there has been no successful application by a claimant of the property or no successful appeal by the offender) then the property may be sold and the proceeds of sale shall be kept in a separate account called the Police Property Act Fund (“the Fund”).
3. The Regulations provide that monies accrued in the Fund may be invested and the income so derived shall become part of the Fund. The monies accrued in the Fund may be used to:
  - defray expenses incurred in the conveyance, storage and safe custody of the property and in connection with its sale;
  - pay reasonable compensation, the amount of which shall be fixed by the Police Authority, to persons by whom property has been delivered to the police;
  - make payments of such amounts as the Police Authority may determine for such charitable purposes as they may select.
4. The Chief Officer of Police may, at the request of the Police Authority, administer the Fund in accordance with the Regulations.



**POLICE PROPERTY ACT FUND – CRITERIA FOR DISBURSEMENTS**

1. The organisations to which disbursements may be made should be registered charities.
2. Such organisations, which may be local or national, should be involved in work directly relating to at least one of the following:
  - (i) victim support
  - (ii) discharged prisoners
  - (iii) prisoners' families/dependants
  - (iv) crime prevention
  - (v) welfare of disadvantaged/disabled young people
  - (vi) improvement of community relations
  - (vii) welfare of present or former police officers and/or their families/dependants
  - (viii) such other charitable purposes as may from time to time be agreed by the Committee.
3. Preference may be given to organisations which are local in nature with close City connections.
4. Prior to any disbursements being made, account will be taken of any assistance which may have been given by the City of London Corporation from other sources within the previous three years.
7. Requests for assistance from the Fund will normally be considered in December each year; and disbursements will be made when the balance available in the Fund permits (this may be annually or at longer intervals).
8. The Finance Committee and the City Bridge Trust Grants Officer will be informed of any disbursements made from the Fund.
9. Up to 75% of the total fund balance is to be donated on an annual basis
10. The figure of £2,500 is set as the standardised donation amount to individual charities. Police Committee Members may choose to request that a lower amount be donated. However, only in exceptional circumstances and with the agreement of the Police Committee will this amount be exceeded.
11. Police Committee Members may request that selected charities receive donation over consecutive years, or on consecutive occasions when disbursements are made at intervals longer than one year.

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**Police Property Act Fund**

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
<b>Opening Balance 01/04</b>	<b>(87,892)</b>	<b>(68,383)</b>	<b>(81,484)</b>	<b>(72,879)</b>	<b>(64,105)</b>	<b>(57,707)</b>	<b>(47,617)</b>	<b>(52,702)</b>	<b>(62,494)</b>
Expenditure	23,082	0	17,500	14,000	9,500	12,000	8,000	9,000	16,500
Income	0	(9,489)	(4,494)	(1,735)	(1,539)	(888)	(12,092)	(17,697)	(1,896)
Interest	(3,573)	(3,612)	(4,401)	(3,491)	(1,563)	(1,022)	(993)	(1,095)	(640)
<b>Closing Balance 31/03</b>	<b>(68,383)</b>	<b>(81,484)</b>	<b>(72,879)</b>	<b>(64,105)</b>	<b>(57,707)</b>	<b>(47,617)</b>	<b>(52,702)</b>	<b>(62,494)</b>	<b>(48,530)</b>
Deficit/(surplus) for year	19,509	(13,101)	8,605	8,774	6,398	10,090	(5,085)	(9,792)	13,964

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<b>Committee:</b>	<b>Date:</b>	<b>Item no.</b>
Police	8 <sup>th</sup> December 2014	
<b>Subject:</b> Criminal Justice and Courts Bill	<b>Public</b>	
<b>Report of:</b> Remembrancer	<b>For Information</b>	
<p><b><u>Summary</u></b></p> <p>This Report outlines the provisions of the Criminal Justice and Courts Bill likely to be of most interest to the Committee. These include restrictions on the use of police cautions, a new offence of improper conduct by police officers, and the introduction of a new, paper-based procedure for dealing with uncontested cases in the magistrates’ courts.</p> <p><b>Recommendation:</b></p> <p>The Committee is invited to receive this Report.</p>		

## **Report**

1. The soon-to-be-enacted Criminal Justice and Courts Bill covers a wide range of subject-matter. Most of the provisions are operational and have no notable effect on the City Corporation as police authority. These include increased sentences for a number of crimes (such as repeat weapons offences, terrorist training and sending malicious communications), the introduction of new “secure colleges” for young offenders, codifying the duties of those serving on juries (while raising the age limit to 75), and various reforms to civil procedure, including restrictions on judicial review and stronger sanctions against fraudulent claimants. The most contentious topic during the passage of the legislation proved to be judicial review, on which the Government suffered defeats in the House of Lords instigated by prominent lawyers.
  
2. The Bill includes measures to restrict the use of police cautions. These arise from long-running political concern that cautions are being used to deal with inappropriately serious matters. The restrictions will operate on three levels. For indictable-only offences, a caution will not be given unless there are exceptional circumstances and the Director of Public Prosecutions consents. For certain “either-way” offences to be specified by the Secretary of State, a caution will not be given unless there are exceptional circumstances. For all remaining offences a caution will still be available as at present, unless the

offender has committed a similar offence within the past two years, in which case a caution will again only be given in exceptional circumstances. The presence or otherwise of exceptional circumstances is to be determined by a senior police officer (of a rank to be specified).

3. A further police-related measure will see the creation of a new statutory offence of “exercising the powers and privileges of a constable in a way which is corrupt or otherwise improper.” This measure, which stems from the latest inquiry into the Stephen Lawrence investigation, is described as “supplementing” the existing common-law offence of misconduct in public office. The maximum sentence will be 14 years’ imprisonment.
4. Sentences for those found guilty of murdering a police officer or prison officer in the course of duty will be toughened. The starting point will now be a “whole life” tariff rather than the current 30 years.
5. Also of interest, particularly for those Members who serve as justices of the peace, will be the introduction of a new, paper-based procedure for dealing with uncontested low-level cases. This is intended to reduce the number of unnecessary court hearings. The new procedure will apply to summary offences for which no imprisonment can be imposed, and where the defendant has not indicated a wish to plead not guilty. The procedure will only be used in cases where the magistrate thinks it appropriate and the defendant has not objected to it. Where it is used, the case will be dealt with by a single magistrate in the absence of the parties and on the basis of written evidence alone.
6. Mention should be made of one further measure, which will see unsuccessful defendants in criminal cases made to pay a “criminal courts charge” as a contribution to the costs of running the criminal courts system. Officials have indicated that only those costs directly incurred by the Government will be considered for the purposes of the charge. Discussions are, however, taking place in order to clarify how (if at all) the charge might have the effect of reducing the City Corporation’s contribution to the running costs of the Central Criminal Court.

**Recommendation:**

7. The Committee is invited to receive this Report.

**Contact:**

Sam Cook,  
Pupil Barrister (Parliamentary Affairs), Remembrancer’s Office,  
020 7332 3045,  
[sam.cook@cityoflondon.gov.uk](mailto:sam.cook@cityoflondon.gov.uk).

<b>Committee(s):</b>	<b>Date(s):</b>
Port Health and Environmental Services - For decision	18 November 2014
Police Committee - For information	08 December 2014
Policy and Resources - For information	10 December 2014
Community And Children Services - For decision	12 December 2014
Safer City Partnership - For information	12 January 2015
Court of Common Council - For decision	16 January 2015
<b>Subject:</b> New Anti-social Behaviour, Crime and Policing Act 2014 – Delegated Powers	<b>Public</b>
<b>Report of:</b> Director of Built Environment	<b>For Decision</b>
<p><b>Summary</b></p> <p>This report informs the Committee of the relevant provisions of the Anti-social Behaviour, Crime and Policing Act 2014.</p> <p>The Act replaces the various measures previously available to tackle anti-social behaviour within the Anti-social Behaviour Act 2003 with a new set of powers, intended to provide a simpler and more streamlined framework. It introduces new mechanisms with the aim of giving victims and local communities a greater say in the treatment of anti-social behaviour and low-level crime, and it strengthens the ability of landlords to terminate tenancies on grounds relating to anti-social behaviour.</p> <p>The reforms set out in Parts 1-6 of the Act are intended to ensure that professionals from a number of agencies dealing with a variety of anti-social behaviours have effective powers that are quick, practical and easy to use to provide better protection to victims and communities whilst acting as a deterrent to perpetrators. 19 powers in the previous act are replaced with 6 simpler and more flexible ones but their implementation will require effective and coordinated consideration by all the agencies involved. (Appendix 1). In setting out the new powers, the City Corporation will always to seek restorative solutions to issues and only use these powers as a last resort.</p> <p>In adopting the Anti-social Behaviour, Crime and Policing Act 2014, it will be necessary to amend the City’s Scheme of Delegation and also require close and coordinated working with partner organisations.</p> <p>The long-standing position under the City Corporation’s Constitution and Terms of Reference is that the promotion of byelaws is authorised by the Court of Common Council. Given that Public Space Protection Orders (PSPO’s) are intended to be of a similar nature, and may concern issues which fall under the remit of several committees and therefore, it is not currently proposed that Court of Common Council delegate authority to make PSPO’s. However, this can be kept under review.</p> <p>Members are asked to note the contents of this report and approve amendments to the Scheme of Delegation to enable authorised Officers, as detailed in recommendations and the amended Scheme, appendices 2 and 3, to fulfil the requirements of the Anti-social Behaviour, Crime and</p>	

Policing Act 2014. Members are advised that the responsibilities pertaining to the Open Spaces have been addressed in a separate report.

**Recommendations: That -**

**(i) the Court of Common Council delegate authority, for the certain areas of responsibility relating to the Anti-social Behaviour, Crime and Policing Act 2014, to the**

1. Port Health and Environmental Services Committee and the Community and Children Services Committee, with responsibility for Housing Services, and that the Scheme of Delegation be amended accordingly.

**(ii) That the Port Health and Environmental Services Committee and Community and Children Services Committee, for their respective areas of responsibility, delegate authority as follows:**

1. the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services or their authorised Deputy be granted delegated authority to seek an Injunction to Prevent Nuisance and Annoyance in accordance with Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014.
2. the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services, or their authorised Deputy, be granted delegated authority to apply for Closure Orders and to authorise their officers to issue Closure Notices and in accordance with Part 3 of the Anti-social Behaviour, Crime and Policing Act 2014.
3. the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services be granted delegated authority to authorise Officers to serve Community Protection Notices, and Fixed Penalty Notices in the event of a breach, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.
4. that approval be granted to enable the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services to be able to designate Registered Social Landlords to issue Community Protection Notices , in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014; and
5. that approval also be granted to the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services to be able to authorise Police Community Support Officers and other Police staff to serve Community Protection Notices and Fixed Penalty Notices, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.
6. that the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services or their authorised Deputy be granted delegated authority to



seek Criminal Behaviour Orders, in accordance with Part 2 of the Anti Social Behaviour, Crime and Policing Act 2014.

**It is also recommended that:**

7. That the Community Safety Team, within the Town Clerks Department be the 'Single Point of contact for the Community Trigger as required under the Act and the Safer City Partnership oversee/scrutinise any community triggers and appeals.
8. That the Police Committee, in partnership with the City Of London Police, be responsible for the production of a Community Remedies document.

## **Main Report**

### Background

1. The Anti Social Behaviour, Crime and Policing Act 2014 received Royal Assent on 13 March 2014 and came into effect on the 20<sup>th</sup> October 2014 (some parts being delayed until January 2015). The Act proposed a number of reforms to existing legislation and to put the victim at the heart of the response to anti social behaviour by providing professionals and organisations with greater flexibility to deal with any given situation. The implications of the Act, as they impact upon the remit of the Policy & Resources, Police, Housing Management and Almshouses, and the various Open Spaces Committees and Sub-committees have already been reported to those bodies.
2. The reforms set out in Parts 1-6 of the Act are intended to ensure that professionals have effective powers that are quick, practical and easy to use to provide better protection to victims and communities and act as a deterrent to perpetrators. 19 existing powers are replaced with 6 simpler and more flexible ones.
3. In setting out the new powers, this City of London Corporation will always to seek restorative solutions to issues and only use these powers as a last resort. This will mean that appropriate Service Units across the City Corporation and partners working with the people and communities affected by these powers must be engaged and involved in the decision making.
4. Attached to this report at Appendix 1 is a schematic which shows the old ASB powers (19) which will be replaced by the new powers (6). The new powers are:

### Civil Injunctions to Prevent Nuisance and Annoyance.

5. The Injunction to Prevent Nuisance and Annoyance (IPNA) is a civil power which can be applied for to deal with anti social behaviour. It replaces six orders formerly available to local authorities/ the City and Police. An injunction can offer fast and effective protection for victims and communities and set a clear standard of behaviour for perpetrators, stopping the person's behaviour from escalating.

6. A number of agencies can apply for Civil Injunction. These include:
  - i. Local Authority/ The City Corporation
  - ii. Housing provider
  - iii. The Chief of Police for the local area
  - iv. The Chief Constable of the British Transport Police
  - v. Transport for London
  - vi. The Environment Agency
  - vii. NHS Protect
7. Anyone seeking to apply for an Injunction must have evidence (to the civil standard of proof – on the balance of probabilities) that the respondent is engaged in or threatened to engage in those activities set out below:
  - i. conduct that has caused, or is likely to cause harassment, alarm or distress to any person;
  - ii. conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
  - iii. conduct capable of causing housing related nuisance or annoyance to any person.

Note: (ii) only applies where the injunction is applied for by a housing provider, local authority or Chief Officer of Police (iii) only applies where the injunction is applied for by a housing provider or local authority.
8. Unlike other proposals in the Act this process is applied through the County Court for persons over 18 and in the Youth Court for under 18's. Evidence and statements from witnesses will be required to support the application but will also vary depending upon the type of conduct which it is sought to restrict such as harassment or causing annoyance to the occupation of premises. It is clear that the latter would be of use to the authorities and to social housing providers. The procedure is indicated to be swift but a good deal of preparation will be required before going before the Court as well as ensuring an urgent date can be obtained.
9. Where any action is to be taken against a person under 18 years old in a Youth Court then the Youth Offending Team should be part of the decision making process.

**Recommendation:**

10. That the Director of Built Environment, Director of Markets and Consumer Protection and Director of Community and Children Services or their authorised Deputy be given delegated authority to seek an Injunction to Prevent Nuisance and Annoyance in accordance with Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014.

Public Spaces Protection Order

11. Public Spaces Protection Orders (PSPO's) may be made in relation to activities carried on (or likely to be carried on) in a public place, which are reasonably considered to have a detrimental effect on the quality of life in the locality. This effect must be persistent or continuing in nature,

and must be such as to make the activity unreasonable. The PSPO may restrict the activity through prohibition or the imposition of requirements, although these restrictions may not go beyond what is reasonable and justified in relation to the detrimental effect sought to be tackled.

12. Consultation with the police and community representatives must be undertaken before a PSPO is made. A PSPO will have effect for periods of up to three years, but may be renewed indefinitely for so long as it is considered necessary.
13. Breaching a PSPO is a criminal offence punishable on conviction by a level 3 fine (currently £1000). Alternatively a fixed penalty notice of up to £100 may be issued by a Constable or by an authorised officer of the authority which made the Order. While the Order is in force any local byelaws which apply to the same activity cease to have effect.
14. The long-standing position under the City Corporation's Constitution and Terms of Reference is that the promotion of byelaws is authorised by the Court of Common Council. Given that PSPO's are intended to be of a similar nature, and may concern issues which fall under the remit of several committees it is not currently proposed that Court of Common Council delegate authority to make PSPO's. However, this can be kept under review.

#### Closure Power

15. The Closure Power allows the Police or the City of London Corporation to quickly close premises which are being used, or likely to be used to commit nuisance or disorder. A Closure Notice is issued out of Court in the first instance. Flowing from this the Closure Order can be applied for through the Magistrates Court.
16. Both the City Corporation and City of London Police can issue a Closure Notice (CN) and guidance requires that it must be approved at an Inspector or above level for the Police or a suitably qualified and experienced Officer within local authority for those issuing CN's of 24 hours. Following the issue of a CN the legislation requires that a series of notifications must be undertaken once a CN has been served particularly if the intention is to seek a Closure Order (CO). The Magistrates Court is required to hear the application within 48 hours and this will require close working with the Court Service
17. In addition before serving a CN or seeking a CO the City Corporation and/or police must ensure that they consult widely including with the victim, community representatives other organisations and users of the premises under investigation. Record keeping and evidential matters will be a key consideration and an agreed procedure will need to be established with partner bodies.
18. A notice can close premises for up to 48 hours but cannot stop the owner or those who live there accessing the premises. An order can close premises up to 6 months and can restrict all access. Both the Notice and the Order can cover any land or any other place, whether enclosed or not including residential, business and licensed premises.
19. Breaching a Closure Order will be a criminal offence. Breaching a Notice can carry a custodial sentence of up to 3 months and breaching an

Order can result in 6 months in prison. Both carry an unlimited fine for residential and non-residential premises.

20. Prior to seeking a Closure Order, it will be important that appropriate service units in the City Corporation (e.g. Community and Children's Services who are responsible for Housing, where this relates to residential premises) are consulted.

**Recommendation:**

21. That the Director of the Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services, or their authorised Deputy, be granted delegated authority to apply for Closure Orders and to authorise their officers to issue Closure Notices and in accordance with Part 3 of the Anti-social Behaviour, Crime and Policing Act 2014

Community Protection Notice

22. A Community Protection Notice (CPN) is intended to deal with particular, on-going problems or nuisances which negatively affect the community's quality of life by targeting those responsible. These include graffiti, rubbish and noise. A CPN does not discharge the City from its duty to issue an Abatement Notice where the behaviour constitutes a statutory nuisance for the purposes of Part 3 of the Environmental Protection Act 1990.
23. The test to be applied in issuing a Community Protection Notice is broad and focuses on the impact anti-social behaviour is having on victims and communities. A CPN can be issued by the Police, City of London Corporation authorised officers or Registered Social Landlords if they are satisfied on reasonable grounds that the conduct of the individual, business or organisation:
  - (i) is having a detrimental effect on the quality of life of those in the community;
  - (ii) is persistent or continuing in nature; and
  - (iii) is unreasonable.
24. Under the procedure outlined in the Guidance which accompanies the Act, a written warning has to be served followed by the CPN then at a later stage a Fixed Penalty Notice (FPN) may be issued for non-compliance. In addition, the CPN can be appealed within 21 days of service. All these processes need to be recorded and evidenced and the City and its partners will need to ensure that there is an effective monitoring arrangement in place because of the appeal process and potential for prosecution. Some form of 'gate keeping' arrangement may be required in order to avoid duplicate actions by partner organisations. Coordination may fall to the responsibility of the Community Safety Team within the Town Clerks department who have the remit of the Safer City Partnership.
25. Failure to comply with a CPN can result in one of the following sanctions:
  - i. Fixed Penalty Notice
  - ii. Remedial Action
  - iii. Remedial Orders

iv. Forfeiture Orders

v. Seizure

**Recommendation:**

26. That the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services be given delegated authority to authorise officers to serve Community Protection Notices and, Fixed Penalty Notices in the event of a breach, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.

**Recommendation:**

27. That approval be granted to enable the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services to be able to designate Registered Social Landlords to issue Community Protection Notices , in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014

**Recommendation:**

28. That approval also be granted to the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services to be able to authorise Police Community Support Officers and other Police staff to serve Community Protection Notices and Fixed Penalty Notices, in accordance with Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.

Criminal Behaviour Orders

29. Criminal Behaviour Orders may be issued following a conviction by the Criminal Courts. They are intended to rehabilitate offenders by tackling the underlying cause of the anti-social behaviour, such as misuse of drugs, and alcohol etc. For example, offenders may be obliged to attend alcohol/anger management courses etc. These are normally sought by Crown Prosecution Service but a Local Authority can also apply for these in cases of serious and persistent anti social behaviour and may occasionally be a useful adjunct to prosecution for criminal offences (e.g. persistent noise nuisance).

**Recommendation:**

30. that the Director of Built Environment, the Director of Markets and Consumer Protection and the Director of Community and Children Services or their authorised Deputy be granted delegated authority to seek Criminal Behaviour Orders, in accordance with Part 2 of the Anti Social Behaviour, Crime and Policing Act 2014.

Dispersal Powers

31. Police Dispersal Powers require a person committing, or likely to commit antisocial behaviour or crime or disorder, to leave an area for up to 48 hours.

Community Trigger

32. Anti-social behaviour must be persistent, be harmful or potentially harmful to an individual or a community, and a victim, not satisfied with authorities' responses to complaints, may request a review of any action taken. If three complaints about anti-social behaviour are received within

a 6 month period, upon request, the City is obliged to formally review the actions taken/planned with relevant Partners (Police, Housing Associations etc.) and inform the victim of the outcome.

33. This part of the law could impact on many Departments across the City Corporation and any partners. For example, the response to noise complaints, irresponsible dog owners, planning enforcement, open spaces management and housing matters, could all come under scrutiny.
34. If a 'Trigger' request is made, a formal review would have to be held and the case scrutinised. A multi-agency panel would ultimately review the case and make recommendations for action, for the City, the Community Safety Team within the Town Clerks Department will act as the single point of contact for the Community Trigger where they will coordinate any processes with other departments.
35. The Safer City Partnership and the Police Committee will provide oversight/scrutiny of the City Corporation's arrangements and the outcomes. All Community Trigger cases will be reported to the Safer City Partnership and the Police Committee who will confirm that the responses from the relevant agencies are appropriate and may make recommendations.
36. If an Appeal is made, a review will be carried out on behalf of the the decision making bodies and a senior officer/manager will be appointed to undertake the review on their behalf. Information on how to access the Community Trigger is already available on the City's website.

<http://www.cityoflondon.gov.uk/services/community-and-living/Pages/community-trigger.aspx>

### **Recommendation:**

37. That the Community Safety Team, within the Town Clerks Department be the 'Single Point of contact for the Community Trigger as required under the Act and the Safer City Partnership and the Police Committee oversee/scrutinise any community triggers and appeals.

### Community Remedy

38. This new power allows the Police to choose an alternative punitive/rehabilitation action against offenders, other than proceeding through the courts. The victim and perpetrator of the crime would be involved in deciding the reparation action required.
39. The Chairman of Police Committee and Community Safety Partnership in partnership with the City Of London Police will produce a Community Remedies document. This will contain a list of:
  - Restorative actions – achieving restitution/reparation for the victim
  - Punitive actions – reflecting the effect on the victim or the community
  - Rehabilitative actions – addressing the causes of the behaviour
  - All or any part of the above in combination

40. These are considered appropriate for those who have engaged in ASB, but whose actions do not merit proceedings through the criminal justice systems. Examples of actions that may be included in the community remedy document are as follows:
- A requirement to make a formal apology (oral or written)
  - A requirement to make good criminal damage
  - A requirement to sign an Acceptable Behaviour Contract
  - A requirement to take part in structured activities that are either educational or restorative
  - To take part in unpaid work for the benefit of the community
41. Corporation partners, appropriate Agencies and the Public will be consulted about these proposed remedies before the document is published.
42. The use of the Community Remedy will be restricted to Police Officers, PCSO's (if authorised by the Police Commissioner) and Investigating Officers (who are persons employed by a police force or by the Office of the PCC) who are authorised to offer and give conditional cautions or youth conditional cautions.

### **Conclusion**

43. The provisions of the 2014 Act will give the City of London Corporation and its partner organisations a more effective means of tackling anti-social behaviour in certain areas if/ where it is prevalent. However there will be a need for an effectively coordinated monitoring process to be established with partner bodies and the requirement for a single point of contact within the City Corporation. It will be essential that all officers involved in these new process are effectively trained and that the additional workload is monitored in the first year of operation.

### **Corporate & Strategic Implications**

44. The proposed changes to the Scheme of Delegations are intended to support the effective governance of the City of London Corporation and ensure that decision making is effective and transparent. The proposed amendments are set out in Appendices 2 and 3.

### **H.R. Implications**

45. There are no envisaged HR implications as officers already have similar powers and this updates their powers.

### **Legal Implication**

46. The Comptrollers and City Solicitor Department have been consulted on this report.

### **Financial Implications**

47. No direct financial impact is envisaged at this stage.

### **Background Papers**

The Anti-social Behaviour, Crime and Policing Act 2014 and Statutory Guidance Notes

Reports of the Remembrancer:

Anti-social Behaviour, Crime and Policing Bill 2014. Police Committee, 5 July 2013

Anti-social Behaviour, Crime and Policing Bill 2014. Policy and Resources, 25 July 2013

Anti-social Behaviour, Crime and Policing Act 2014. Epping Forest and Commons, 12 May 2014. Hampstead Heath, Highgate Wood and Queen's Park, 19 May 2014, Open Spaces and City Gardens, 2 June 2014, West Ham Park, 2 June 2014.

Anti-social Behaviour, Crime and Policing Act 2014. Housing Management and Almshouses Sub Committee, 25 September 2014.

### **Appendices**

1. Appendix 1 - Diagram showing old and new powers
2. Appendix 2 - Scheme of Delegations (Ammended November 2014) PHES
3. Appendix 3 - Scheme of Delegations (Ammended November 2014) CCS

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**Appendix 1**

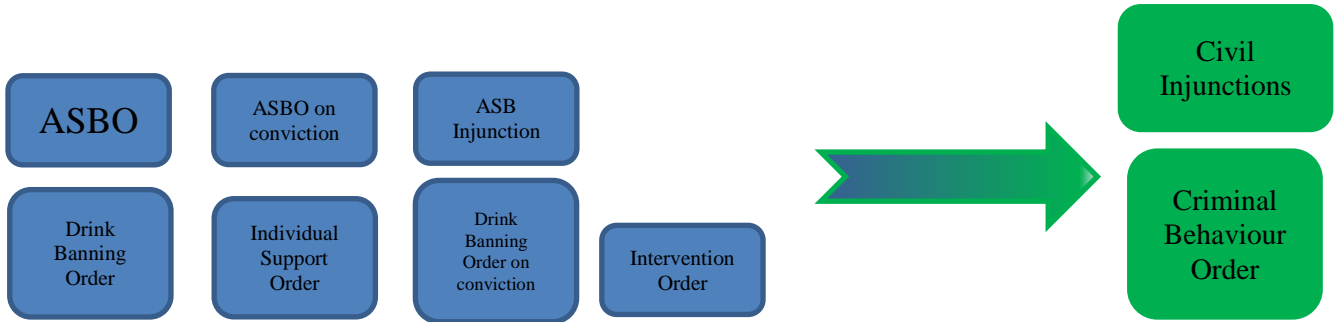


Changes in powers – 19 down to 6

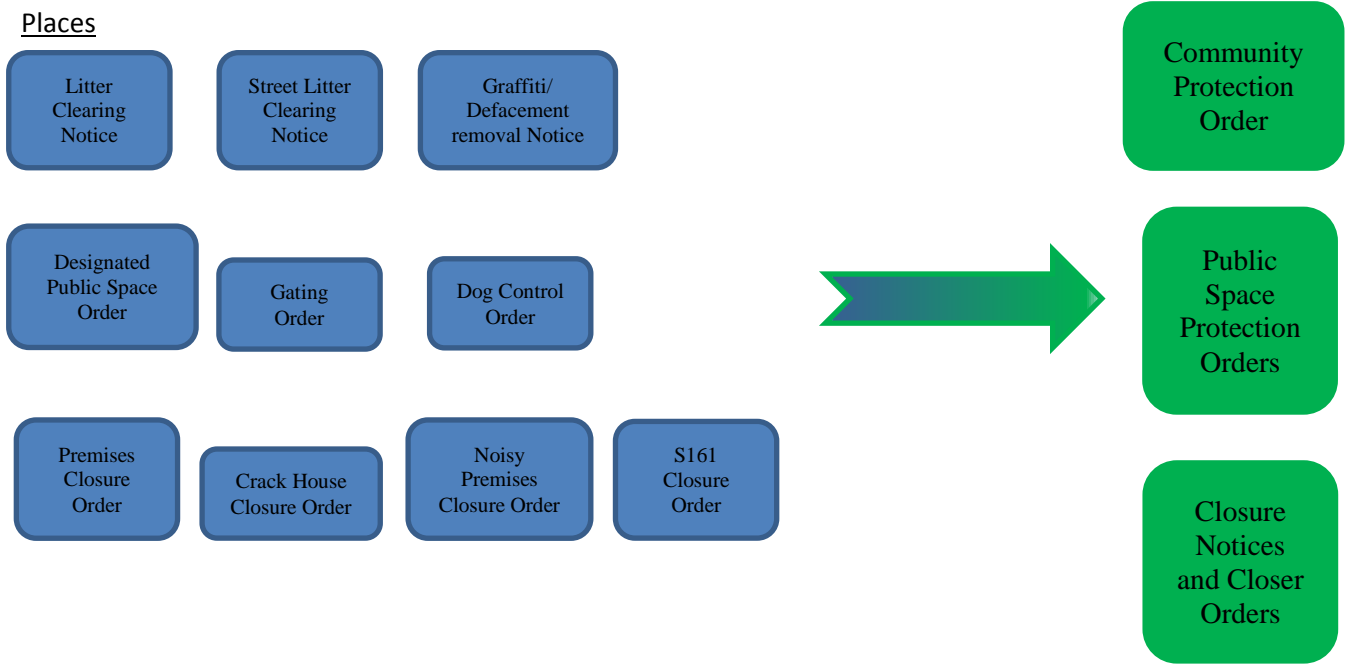
Old Powers

New Powers

People



Places



Police Powers



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**CITY OF LONDON CORPORATION**

**SCHEME OF DELEGATIONS TO OFFICERS**

**(Amended November 2014)**

## **DIRECTOR OF THE BUILT ENVIRONMENT**

The following general powers are delegated to the Director of the Built Environment.

### **Authorisations**

1. To authorise duly appointed officers to act under any enactments, regulations or orders relating to the functions within the purview of the Committee and of Department.
2. To sign the necessary warrants of authorisation for the above officers.

### **Charges**

3. Setting miscellaneous hourly-based charges subject to agreement with the Chamberlain.

### **Transportation & Public Realm**

4. To implement, waive or vary charges relating to traffic management and /or the Public Highway and/or pipe subways such as parking dispensations, private apparatus in the highway, temporary road closures and traffic orders, scaffolding hoarding and fencing licenses, and charges for pipe subways (including under S.73 of the London Local Authorities Act 2007).
5. To grant permission or consent with or without conditions or refusing to grant permission or consent as the case may be with respect to applications made to the City of London Corporation:
  - a. under Part II of the Road Traffic Act 1991, relating to dispensations from, or, the temporary suspension of, waiting and loading regulations or parking places regulations made in accordance with the Road Traffic Regulation Act 1984;
  - b. under Section 7 of the City of London (Various Powers) Act 1973, relating to new buildings;
6. To sign appropriate notices indicating that consent or refusal has been given, as the case may be under (a) above.
7. To sign and serve notices or granting of consents under the Highways Act 1980, City of London Various Powers Act 1900 and the City of London Sewers Act 1848 relating to the management and maintenance of streets within the City.
8. To exercise powers under the Road Traffic Regulation Act 1984 in respect of temporary traffic orders
9. To issue notices and, as necessary discharge the City of London Corporation's obligations under Part III of the New Roads and Street Works Act 1991, relating to the co-ordination and execution of street works by public utility companies and other licensed operators.
10. To enter into agreement with companies and statutory companies to allow the placement of plant within the pipe subways inherited from the Greater London Council in accordance with the London County Council (General Powers) Act 1958 and to determine applications for consent to place electricity substations in the street pursuant to the Electricity Act 1989
11. To enter into agreements with other traffic authorities to jointly exercise the City's traffic order making functions or to delegate those functions to them in accordance with S.101 Local Government Act 1972

12. To enter into agreements with other highway authorities under section 8 of the Highways Act 1980

### **Water and Sewers**

13. The requisition of sewers under Sections 98 to 101 inclusive of the Water Industry Act 1991 (relating to the powers to exercise and discharge the functions of the Undertaker within the City to adopt sewers).
14. The adoption of sewers under Sections 102 to 105 inclusive of the Water Industry Act 1991 (relating to the powers to exercise and discharge the functions of the Undertaken within the City to adopt sewers).
15. To authorise and/or approve works under Section 112 of the Water Industry Act 1991 (relating to the power to exercise and discharge the requirements of the Undertaker within the City).
16. The closure or restriction of sewers under Section 116 of the Water Industry Act 1991, relating to the powers to exercise and discharge the functions of the Undertaker within the City to close or restrict the use of a public sewer.
17. The alteration or removal of pipes or apparatus of the Undertaker under Section 185 of the Water Industry Act 1991, relating to the power to exercise and discharge the functions of the Undertaker within the City to alter or remove any relevant pipe or apparatus.

### **Highways and Transport**

18. To make all Traffic Orders under sections 6, 9, 10, 23 and 45 of the Road Traffic Regulation Act 1984, and to make modifications to or to revoke any experimental Traffic Regulation Order (following consultation with the Commissioner of Police for the City of London) where deemed necessary in the interests of safety, convenience or the expeditious movement of traffic.
19. To exercise powers under Part V of the Highways Act 1980 dealing with highway improvements.
20. To make representation or lodge objection, as appropriate, to applications for a Public Service Vehicle Operator's Licence, under Section 14A of the Public Passenger Vehicles Act 1981 or for a London Local Service Licence, under section 186 of the Greater London Authority Act 1999 and authorising in writing the appropriate officers in his Department to put forward objection or recommendation on behalf of the City of London Corporation at any Inquiry or Appeal arising out of an application for either of the recited licences.
21. To agree details of railway works in the City of London under the Transport and Works Act 1992.
22. To issue projection licences on, over or under streets pursuant to schemes where planning permission has already been agreed or renewing existing licences.
23. To be responsible for all functions under the Traffic Management Act 2004 and Regulations made thereunder that relate to the City of London as a local highway and local traffic authority.
24. To agree consents for temporary highway activities pursuant to the Crossrail Act 2009

25. To exercise through Civil Enforcement amongst other things, parking management and parking enforcement functions, under the Road Traffic Regulations Act 1984, the Road Traffic Act 1991, the London Local Authorities Acts 1996 – 2008 (LLAA), and the Traffic Management Act 2004 (TMA)

### **City Walkway**

26. 25. Power to licence the temporary hoarding or enclosure of City Walkway pursuant to Section 162 of the City of London Sewers Act 1848 and Section 21 and Schedule 2 Part II to the City of London (various Powers) Act 1967.

### **Cleansing**

27. The institution of proceedings and other enforcement remedies in respect of offences under the Environmental Protection Act 1990, Part II, Part III and Part IV.
28. To institute proceedings and other enforcement remedies in respect of the Health Act 2006, section 6, 7, 8, 9 and 10.
29. To institute proceedings and other enforcement remedies in respect of offences under the Refuse Disposal (Amenity) Act. 1978.
30. To institute proceedings and other enforcement remedies in respect of offences under the City of London (Various Powers) Act 1987.
31. To institute proceedings and enforcement remedies in relation to part VI of the Anti-Social Behaviours Act 2003.
32. To institute proceedings in relation to Town and Country Planning Act 1990 section 224 and 225.
33. To institute proceedings in relation to Regulatory Investigator Powers Act 2000
34. To institute proceedings in relation to Control of Pollution Act 1974
35. To issue notices under section 6 London Local Authorities Act 2004 (abandoned vehicles).
36. To institute proceedings and enforcement remedies in relation to part 1 -6 of the Anti-Social Behaviour, Crime and Policing Act 2014 (Added November 2014)

### **Delegations to other Officers**

The following authorities are also delegated to the specified Deputies or Assistants:

Transportation and Public Realm Director – Items 4-36

Assistant Director (Highways) –5 -17 and Items 23 – 26

## DIRECTOR OF MARKETS & CONSUMER PROTECTION

The following matters are delegated to the Director of Markets & Consumer Protection.

### Markets

1. To agree the assignment of tenancies where, in their opinion, there are no complications.
2. To grant tenancies at will to suitably qualified applicants in a standard form previously approved by the Comptroller & City Solicitor.
3. To authorise the Comptroller & City Solicitor to institute proceedings under the City of London Corporation's Byelaws.

### Delegations to other Officers

4. The above matters are also delegated to the Superintendents of Billingsgate Market, Smithfield Market and Spitalfields Market to be exercised either at the direction of or in the absence of the Director of Markets & Consumer Protection.

### Port Health and Public Protection Division

#### a) Administrative

5. To increase current charge rates for products of animal origin annually in line with inflation.
6. To enter into a Service Level Agreement with the Health Protection Agency and agree minor amendments from time to time if required.
7. Setting miscellaneous hourly-based charges subject to agreement with the Chamberlain.

#### b) Legislative

8. To authorise duly appointed officers to act under any enactments, regulations or orders relating to the functions within the purview of the Committee and Department.

*The Director of Markets and Consumer Protection and any staff authorised by him are indemnified against all claims made against them including awards of damages and costs arising out of acts done by them in the bona fide discharge or purported discharge of such functions.*

	<b>Legislation</b>	<b>Delegated Function</b>
1.	Accommodations Agencies Act 1953	Institution of Proceedings and other enforcement methods
2.	Administration of Justice Act 1970	Institution of Proceedings and other enforcement methods
3.	Agriculture Act 1970 (as amended)	(i) Institution of Proceedings and other enforcement methods (ii) Section 67 – to enforce this part of the Act within the respective area; and the

		health authority of the Port of London shall have the like duty as respects the district of the Port of London
4.	Agricultural Produce (Grading & Marking) Act 1928 Agricultural Produce (Grading & Marking) Amendment Act 1931	Institution of Proceedings and other enforcement methods
5.	Animal Boarding Establishment Act 1963	(i) Institution of Proceedings and other enforcement methods (ii) Authorising of Officers to carry out inspections (iii) Granting of Licences
6.	Animal Health Act 1981 including all Orders and Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Section 52(1) – Appointment of Inspectors and other Officers as required for the execution and enforcement of the Act
7.	Animal Health & Welfare Act 1984	Institution of Proceedings and other enforcement methods.
8.	Animal Welfare Act 2006	(i) Institution of Proceedings and other enforcement methods (ii) Section 51 – Appointment of Inspectors and other Officers as required (iii) Service of Notices under Section 10
9.	Anti-Social Behaviour Act 2003	(i) Institution of Proceedings and other enforcement methods (ii) Section 48 – Issue of Notices (iii) Section 43 – Issue of FPN's (iv) Authorisation of Officers
10.	Breeding of Dogs Acts 1973 (as amended) & 1991 Including any regulations made there under  and Breeding and Sale of Dogs (Welfare) Act 1999 (amendment	(i) Institution of Proceedings and other enforcement methods (ii) Section 2 – Authorisation of officers



	to the 1973 Act)	(iii) the Granting of Licences iv) Setting of Fees
11.	Building Act 1984 including all Orders & Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Section 126 – Authorisation of Officers (iii) Part I and Schedule 3 - Granting all authorisations and consents and issuing of notices
12.	Cancer Act 1939	Institution of Proceedings and other enforcement methods
13.	Children & Young Persons Act 1933 (as amended by Protection of Children (Tobacco) Act 1986	Institution of Proceedings and other enforcement methods
14.	Children & Young Persons (Protection from Tobacco) Act 1991 Including all Orders and Regulations made thereunder	Institution of Proceedings and other enforcement methods
15.	Christmas Day (Trading) Act 2004	(i) Institution of Proceedings and other enforcement methods. (ii) Section 3(2) – Appointment of Inspectors. (iii) Section 2(1) – Granting of Consents.
16.	City of London Sewers Act 1848 (as amended in 1851 and 1897)	(i) Powers of Inspection under Sections 70 and 71 (ii) Issuing of notices Sections 61 and 75
17.	City of London (Various Powers) Act 1954 – Section 4	Institution of Proceedings and other enforcement methods
18.	City of London (Various Powers) Act 1971 – Section 3	Institution of Proceedings and other enforcement methods
19.	City of London (Various Powers) Act 1973	To exercise the power to dispense with or relax any requirement of a sanitation byelaw
20.	City of London (Various Powers) Act 1977	Authorisation of Officers under Section 22
21.	City of London (Various Powers) Act 1987 – Part III	(i) Grant and renewal of annual licences (ii) Institution of Proceedings and other enforcement methods

		(iii) Section 26 – Designation of areas
22.	Clean Air Act 1993 Including any Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Section 56 – Authorisation of Officers (iii) Sections 24, 36 & 58 – Serving of notices (iv) Section 15 – Granting of approvals (v) Section 35 – Powers of entry
23.	Clean Neighbourhoods and Environment Act 2005	(i) Power to make dog control orders (ii) Issue Fixed Penalty Notices (iii) Setting the level of fees (iv) Authorising Officers
24.	Companies Act 2006 Including any regulations made thereunder	Institution of Proceedings and other enforcement methods
25.	Consumer Credit Act 1974 Including any regulations made thereunder	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of officers under Sections 162 & 164
26.	Consumer Protection Act 1987 Including any regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers under Sections 28 & 29 (iii) Part II – Serving of notices
27.	Control of Pollution Act 1974	(i) Institution of Proceedings and other enforcement methods. (ii) Part III and Section 93 – serving of notices.
28.	Copyright Designs & Patents Act 1988	Institution of Proceedings and other enforcement methods
29.	Courts & Legal Services Act 1990	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of officers under Section 106(6)

30.	Criminal Justice Act 1988	Institution of Proceedings and other enforcement methods
31.	Criminal Justice & Public Order Act 1994	Institution of Proceedings and other enforcement methods
32.	Dangerous Wild Animals Act 1976	(i) Institution of Proceedings and other enforcement methods (ii) Section 3 – Authorisation to carry out inspections (iii) Section 1 – Granting of licences
33.	Education Reform Act 1988	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of officers under Section 215
34.	Enterprise Act 2002	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Serving of Notices (iv) Applying for Orders
35.	Environment Act 1995	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
36.	Environmental Protection Act 1990 (Part III)	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issuing Notices
37.	Estate Agents Act 1979	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issuing Notices
38.	European Communities Act 1972	Institution of legal proceedings, granting of authorisations/permissions, issuing of notices and authorisation of officers in respect of regulations made under the provisions of S.2(2) European

		Communities Act 1972 insofar as they apply to the Common Council of the City of London in its capacity as a local authority, weights and measures authority, food authority or port health authority.
39.	Explosives Act 1875 – Section 69	Discharge of duties
40.	Fair Trading Act 1973	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
41.	Farm & Garden Chemicals Act 1967	Institution of Proceedings and other enforcement methods
42.	Fireworks Act 2003	Institution of Proceedings and other enforcement methods
43.	Food and Environmental Protection Act 1985	Institution of Proceedings and other enforcement methods
44.	Food Safety Act 1990	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices (iv) Appointment of Public Analysts for the City of London Corporation acting as a Food Authority and/or a Port Health Authority
45.	Forgery & Counterfeiting Act 1981	Institution of Proceedings and other enforcement methods
46.	Fraud Act 2006	Institution of Proceedings and other enforcement methods
47.	Gambling Act 2005	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting applications, variations and transfers of premises licences (iv) Granting provisional statements (v) Endorsement of temporary use notices

		(vi) Issuing club gaming permits (vii) Issuing of club machine permits (viii) Granting and renewing family entertainment centre permits; Licensed Premises Gaming Machine permits; Prize Gaming permits
48.	Greater London Council (General Powers) Act 1967	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Certificates of Registration
49.	Greater London Council (General Powers) Act 1981	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
50.	Greater London Council (General Powers) Act 1984, Part VI	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting of refusing registration
51.	Hallmarking Act 1973	Institution of Proceedings and other enforcement methods
52.	Health Act 2006	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
53.	Health and Safety at Work Act 1974 Including any Regulations made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Appointment of inspectors (iii) Issue of notices
54.	House to House Collections Act 1939 (Regulations 1947)	(i) Institution of Proceedings and other enforcement methods (ii) Granting of Licences.
55.	Housing Act 1985	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices (iii) Granting of Licences

56.	Housing Act 2004	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices (iii) Authorisation of Officers (iv) Power to make Orders (v) Exercising the licensing functions
57.	Insolvency Act 1986	Institution of Proceedings and other enforcement methods
58.	Intoxicating Substances (Supply) Act 1985	Institution of Proceedings and other enforcement methods
59.	Knives Act 1997	Institution of Proceedings and other enforcement methods
60.	Legal Services Act 2007	Institution of Proceedings and other enforcement methods
61.	Licensing Act 2003 Various provisions relating to granting or refusal or enforcement.	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting premises licences, variations to premises licences and transferring premises licences (iv) Issuing provisional statements (v) Granting club premises certificates, and variations to club premises certificates (vi) Issue of Notices (vii) Renewal of personal licences (viii) Determining representations
62.	Local Government (Miscellaneous Provisions) Act 1976	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices
63.	Local Government (Miscellaneous Provisions) Act 1982	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting of registrations
64.	London County Council (General Powers) Act 1920 - Part IV	(i) Institution of Proceedings

		and other enforcement methods (ii) Authorisation of Officers
65.	London Local Authorities Act 1990	(i) Institution of Proceedings and other enforcement methods under Section 34 (ii) Granting, renewing, revoking or varying of licences under Part III
66.	London Local Authorities Act 2007	Institution of Proceedings and other enforcement methods under Section 75
67.	Malicious Communications Act 1988	Institution of Proceedings and other enforcement methods
68.	Medicines Act 1968 Including any Regulations and Orders made thereunder	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
69.	Motorcycle Noise Act 1987	Institution of Proceedings and other enforcement methods
70.	National Lottery ETC Act 1993	Institution of Proceedings and other enforcement methods
71.	Noise Act 1996	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
72.	Olympic Symbol etc. (Protection) Act 1995	Institution of Proceedings and other enforcement methods
73.	Performing Animals (Regulation) Act 1925	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers
74.	Pet Animal Act 1951	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers (iii) Granting of Licences
75.	Poisons Act 1972	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers

76.	Pollution Prevention & Control Act 1999 and the Environmental Permitting (England and Wales) Regulations 2010	(i) Institution of Proceedings and other enforcement methods. (ii) Undertaking of functions relating to permits (iii) Carrying out of Enforcement Actions (iv) Authorisation of Officers under Regulation 32 of the 2010 Regulations.
77.	Prevention of Damage by Pests Act 1949	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices
78.	Prices Acts 1974	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
79.	Property Misdescriptions Act 1991	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of Officers
80.	Protection against Cruel Tethering Act 1988	Institution of Proceedings and other enforcement methods
81.	Protection from Harassment Act 1997	Institution of Proceedings and other enforcement methods.
82.	Public Health (Control of Disease) Act 1984	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Power to make Orders (iv) Applying to Courts for Closure Orders
83.	Public Health (Aircraft) Regulations 1979	Authorisation of Officers
84.	Public Health (Ships) Regulations 1979	Authorisation of Officers
85.	Public Health Act 1936	(i) Institution of Proceedings and other enforcement methods (ii) Issue of Notices
86.	Public Health Act 1961	Issue of Notices



87.	Riding Establishments Acts 1964 and 1970	(i) Institution of Proceedings and other enforcement methods (ii) Granting of Licences and provisional Licences
88.	Road Traffic Act 1988 Including any Regulations made thereunder	Institution of Proceedings and other enforcement methods
89.	Scrap Metal Dealers Act 1964	(i) Institution of Proceedings and other enforcement methods. (ii) Authorisation of suitable officers.
90.	Site Waste Management Plan Regulations 2008	i) Institution of Proceedings ii) Issue of Notices Authorisation of Officers
91.	Solicitors Act 1974	(i) Institution of Proceedings and other enforcement methods (ii) Powers of Entry
92.	Sunbeds (Regulation) Act 2010	i) Institution of Proceedings and other enforcement methods ii) Powers of Entry
93.	Sunday Trading Act 1994	(i) Institution of Proceedings and other enforcement methods (ii) Appointment of Inspectors (iii) Consents
94.	Tobacco Advertising & Promotion Act 2002	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
95.	Trade Descriptions Act 1968	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers
96.	Trade Marks Act 1994	Institution of Proceedings and other enforcement methods
97.	Unsolicited Goods & Services Act 1971	Institution of Proceedings and other enforcement methods
98.	Video Recordings Act 1984	Institution of Proceedings and other enforcement methods

99.	Water Industry Act 1991	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Issue of Notices and Notifications (iv) Granting of Consents
100.	Weights and Measures Act 1985	(i) Institution of Proceedings and other enforcement methods (ii) Power to appoint Inspectors
101.	Zoo Licensing Act 1981	(i) Institution of Proceedings and other enforcement methods (ii) Authorisation of Officers (iii) Granting, renewing, revoking, alteration and transferring of licenses (iv) Making zoo closure directions
102.	Anti-Social Behaviour, Crime and Policing Act 2014 (Added November 2014)	To institute proceedings and enforcement remedies in relation to parts 1 -6

**Amended in line with the delegations approved by an Urgency report to PHES Committee on 13 May as follows:-**

City of London (Various Powers) Act 1987 (as amended by the City of London (Various Powers) Act 2013))

1. To issue temporary street trading licences under the provisions of S.11A of the Act;
2. To authorise officers of the Department of Markets and Public Protection and the Department of the Built Environment to exercise the power of seizure under S.16A of the Act;
3. To authorise disposal order applications under the provisions of S.16G of the Act

Scrap Metal Dealers Act 2013

1. To authorise proceedings under S.1 of the Act;
2. To issue and renew licences under S.3 of the Act;
3. To issue notices and apply for closure orders under the provisions of S.9 and Schedule 2 of the Act;
4. To authorise officers to exercise the powers of entry and inspection contained in S.16 of the Act and to apply for warrants of entry where necessary;

## **DIRECTOR OF OPEN SPACES**

The following matters are delegated to the Director of Open Spaces.

### **Strategic**

1. To submit responses on behalf of the Open Spaces Committee to initiatives and consultative documents issued by the Government and its agencies.

### **Operational**

#### **Burnham Beeches and City Commons**

2. To deal with the sale of agricultural and forestry produce by private treaty.
3. To issue all necessary licences, franchises and consents relating to the Beeches/Commons where a precedent has already been set and where the Epping Forest & Commons Committee have not indicated that they wish to consider any further applications.
4. To seek and obtain all requisite licences and consents required in connection with Beeches/Commons lands, activities or entertainments.
5. To take any action to protect or preserve the Beeches/Commons and to report to the Epping Forest & Commons Committee, as appropriate.
6. To enforce the Byelaws relating to the Beeches/Commons subject to any decision relating to the institution of legal proceedings being made in consultation with the Comptroller & City Solicitor and to the result of any such prosecution being reported to the Epping Forest & Commons Committee.
7. To authorise individual officers to enforce the Byelaws appertaining to the Beeches/Commons subject to any decision to institute proceedings being taken in accordance with paragraph (8) above.
8. To grant licences for:
  - a. sale of refreshments
  - b. filming and commercial photography
  - c. events and entertainments
  - d. driving and parking vehicles
9. To grant minor wayleaves and licences in consultation with the City Surveyor.

### **Epping Forest**

10. To take any action to protect or preserve the Forest, and to report to the Epping Forest & Commons Committee, as appropriate.
11. To authorise individual officers to enforce the Byelaws relating to the Forest, subject to any decision to institute legal proceedings for any offence being made in consultation with the Comptroller & City Solicitor, if appropriate, and to the result of any such prosecution being reported to the Epping Forest & Commons Committee.
12. To institute proceedings in Magistrates' courts under the Epping Forest Act 1878 (as amended) Section 87 of the Environmental Protection Act 1990, Section 9 of the City of

London (Various Powers) Act 1971 and Section 7(6) of the City of London (Various Powers) Act 1977>

13. To close, re-open and vary designated ways pursuant to Section 9(4) of the City of London (Various Powers) Act 1961.
14. To deal with the sale of Forest produce by private treaty.
15. To grant licences for –
  - e. sale of refreshments;
  - f. filming and commercial photography;
  - g. circus and fairs;
  - h. flying model aircraft;
  - i. driving and parking vehicles;
  - j. camping;
  - k. events and entertainments.
16. To let out recreational facilities in accordance with the current approved scale of charges.
17. To grant minor way-leaves and licences.
18. To fix fees for the sale of Forest produce and to fix licence fees for ice cream vans and other small scale refreshment facilities in the Forest.

**Hampstead Heath, Highgate Wood and Queen's Park**

19. To liaise with English Heritage pursuant to the provision of any agreement in this regard between the City of London Corporation and English Heritage.
20. To issue all necessary licences, franchises and consents relating to Hampstead Heath, Highgate Wood and Queen's Park where a precedent has already been set and where the Hampstead Heath, Highgate Wood & Queen's Park have not indicated that they wish to consider any further applications.
21. To seek and obtain all requisite licences and consents required in connection with Hampstead Heath lands, Highgate Wood and Queen's Park, activities or entertainments.
22. To act to protect or preserve Hampstead Heath, Highgate Wood and Queen's Park and to report to the Hampstead Heath, Highgate Wood & Queen's Park Committee, as appropriate.
23. To enforce the Byelaws relating to Hampstead Heath, Highgate Wood and Queen's Park subject to any decision relating to the institution of legal proceedings being made in consultation with the Comptroller & City Solicitor and to the result of any such prosecution being reported to the Hampstead Heath, Highgate Wood & Queen's Park Committee.
24. To authorise individual officers to enforce the Byelaws appertaining to the Hampstead Heath Grounds, Highgate Wood and Queen's Park subject to any decision to institute proceedings being taken in accordance with paragraph 25 above.

25. To let out recreational facilities in accordance with the current approved scale of charges.

26. To grant licences for:

- l. sale of refreshments
- m. filming and commercial photography
- n. circus and fairs
- o. driving and parking vehicles
- p. events and entertainments
- q. minor wayleaves and licences

### **City Gardens and West Ham Park**

27. To take any action to protect or preserve West Ham Park and the City Gardens, and to report to the Open Spaces, City Gardens & West Ham Park Committee, as appropriate.

28. To enforce the Byelaws relating to West Ham Park and the City Gardens subject to any decision relating to the institution of legal proceedings being made in consultation with the Comptroller & City Solicitor, and to the result of any such prosecution being reported to the Open Spaces, City Gardens & West Ham Park Committee, as appropriate.

29. To authorise individual officers to enforce the Byelaws appertaining to West Ham Park and the City Gardens, subject to any decision to institute proceedings being taken in accordance with paragraph 28 above.

30. To grant licences for:

- r. sale of refreshments
- s. filming and commercial photography
- t. events and entertainments
- u. driving and parking vehicles

31. To grant minor wayleaves and licences.

32. To seek and obtain all requisite licences and consents required in connection with West Ham Park and City Gardens lands, activities or entertainments.

33. To let out recreational facilities in accordance with the current approved scale of charges.

### **Cemetery and Crematorium**

34. To re-purchase the Rights of Burial in unused graves.

35. To refund fees paid by City of London Corporation employees or their close relatives in respect of the purchase of the Rights of Burial in a grave or alternatively the crematorium fees.

36. Setting of contract conditions and burial and cremation fees, in conjunction with the Comptroller & City Solicitor.

**Delegations to other Officers**

37. The following authorities are also delegated to the Officers identified to be exercised either,

- v. at the direction of the Director of Open Spaces; or,
- w. in the absence of the Director of Open Spaces.

Superintendent of Burnham Beeches	-	Items 2 - 9
Superintendent of the City Commons	-	Items 2 - 9
Superintendent of Epping Forest	-	Items 10 – 18
Superintendent of Hampstead Heath, Highgate Wood and Queen’s Park	-	Items 19 – 26
Superintendent of Parks & Gardens	-	Items 27 – 33
Cemetery & Crematorium Manager	-	Items 34 – 36

# Agenda Item 9

<b>Committee(s):</b> Police	<b>Date(s):</b> 8 <sup>th</sup> December 2014
<b>Subject:</b> Road Safety- Casualties and Collisions- Update April –Sept 2014	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 79/14	<b>For Information</b>

## Summary

At your Committee in June 2012, the Commissioner undertook to bring a report on Casualties and Collisions to your Committee twice yearly. The first of these reports was submitted to your committee in December 2012 (Pol 76/12 refers) with further updates in July 2013 (Pol 31/13 refers) and July 2014. A further more crosscutting joint report by the Commissioner of Police and Director of the Built Environment - Road Danger Reduction Update- was submitted to your Committee in February 2014. This joint report was submitted at the request of the Chairman.

The objective of this report is to provide Members with an update in relation to road traffic casualties and collisions along with measures in place to mitigate the risks of these. The report also includes updates around the Force's partnership working and outcomes.

Statistics indicate that road traffic collisions and casualties within the City of London have increased in the last 6 months (April to September 2014) when compared to the same period in 2013 and 2011, but less than in the 2012/13 Financial Year. The number of personal injury collisions reported to the City of London Police in the reporting period is 185, with 208 people being injured as a result of those collisions. That compares to 175 reported collisions and 190 casualties in 2013, and 210 reported collisions and 232 casualties in 2012, and 164 collisions and 188 casualties in 2011.

Vulnerable road users are involved in the majority of collisions that occur within the City of London and also form the vast majority of casualties (83%). There are strict definitions applied by the Department for Transport regarding severity of injuries which are detailed in the report.

Police education and enforcement activities continue to work towards impacting on a reduction in collisions and casualties. Current activity includes a continuing speed enforcement campaign and Operation Roadsense that was held in May.

The Force continues to develop a structured working partnership with the City of London and Transport for London to help reduce the number of casualties and collisions.

## **Recommendation**

It is recommended that this report be received and its contents noted.

## **Main Report**

### **Background**

1. At your Committee in June 2012, the Commissioner undertook to bring a report on casualties and collisions to your Committee twice yearly to update Members in respect of road traffic collisions and casualties, along with measures in place to mitigate the risks of these. This report provides that information and includes updates around the Force's partnership working and outcomes.
2. Collisions and casualties have risen steadily over the last decade. Those classed as vulnerable road users (pedestrians, cyclists and motor-cyclists) are involved in the most collisions, and make up 83% of the reported casualties. This figure has stubbornly remained at around 80% for a number of years.
3. Pedestrian movement is not monitored accurately but their numbers are believed to have remained relatively constant throughout the last decade, whilst a recent report published by TfL shows that the number of cyclists on the TLRN (Transport for London's Road Network) has risen 173% since 2001 and continues to increase year on year.

### **Current Position**

4. On the 6<sup>th</sup> November 2014 the Dept, for Transport released its Quarterly Provisional report for reported casualties in Great Britain, which provides a national picture, for the period April – June 2014. The headlines in this report are that to the year ending June 2014:
  - a. Road deaths have increased by 3%
  - b. KSI's have increased by 4%
  - c. Road casualties of all severities have increased by 4%
  - d. Traffic levels have risen by 1.7%
  - e. Cyclist collisions increased by 10%
  - f. Motor cyclist collisions increased by 7%

Between April and June 2014:

- g. Road deaths are unchanged from the same quarter in 2013
- h. KSIs and slightly injured casualties increased by 7% and 9%



5. The Force Policing Plan target (2013 – 16) states that the City of London Police will support the City of London’s casualty reduction target.
6. A collision is categorised as follows: damage only (where there is no injury but there is damage to vehicles), slight injury, serious injury or fatal. In addition, it should be noted that more than one person could be injured in one collision, for example, if a bus full of passengers is involved in a collision.
7. The collision and casualty figures quoted in this report are derived from the number of reports received by this Force relating to collisions that happened within the City of London categorised into severity class according to Department for Transport guidance. A summary of that guidance is at Appendix A.
8. The table below shows the number of collisions and casualties for the first 6 months of this Financial Year, the same data for 2013, and the percentage changes between those figures. There is a 6% overall increase in collisions, and a 9% increase in casualties, with significant 16% increase in Pedestrian casualties, 34% increase in Powered 2 Wheeler casualties, and 67% increase in bus passenger casualties. Cyclist KSI casualties are down 8% (but this includes two Fatal collisions this year compared to one last year) with overall Cycle casualties reduced by 9%.

CLASSIFICATION	April to September 2014				April to September 2013				April to September 2014 % change over April to September 2013.			
	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL
PEDESTRIANS	1	12	46	59		8	43	51	100	50	7	16
PEDAL CYCLES	2	10	59	71	1	12	65	78	200	-17	-9	-9
POWERED 2 WHEEL		2	41	43		4	28	32		-50	46	34
CAR OR TAXI		2	16	18		2	16	18				
P.S.V.			15	15		2	7	9			114	67
GOODS		1	1	2			2	2		100	-50	
OTHER				0				0				
Total Casualties	3	27	178	208	1	28	161	190	300	-4	11	9
PI Collisions	3	26	156	185	1	27	147	175	300	-4	6	6

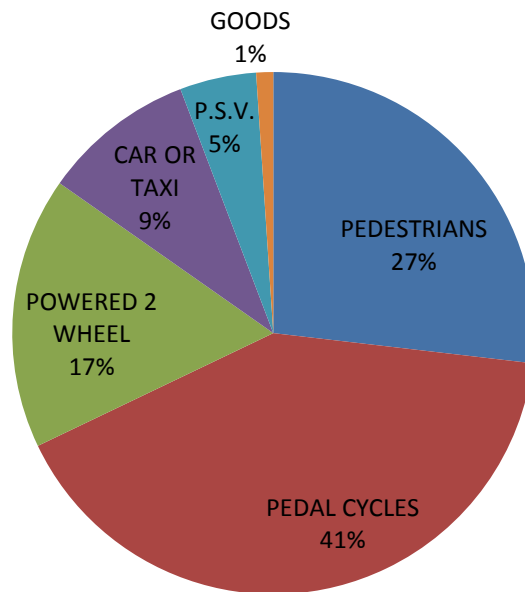
9. For the period April to September 2013 the number of collisions resulting in a person being injured, and the overall number of collisions and casualties compared to the 2011/12 base line are up 13 and 11 percent respectively.

CLASSIFICATION	April to September 2014				April to September 2011				April to September 2014 % change over April to September 2012.			
	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL
PEDESTRIANS	1	12	46	59	0	6	31	37	100	100	48	59
PEDAL CYCLES	2	10	59	71	0	12	66	78	200	-17	-11	-9
POWERED 2 WHEEL		2	41	43	0	5	25	30		-60	64	43
CAR OR TAXI		2	16	18	0	1	30	31		100	-47	-42
P.S.V.			15	15	0	0	9	9			67	67
GOODS		1	1	2	0	0	3	3			-67	-33
OTHER				0	0	0	0	0				
<b>Total Casualties</b>	<b>3</b>	<b>27</b>	<b>178</b>	<b>208</b>	<b>0</b>	<b>24</b>	<b>164</b>	<b>188</b>	<b>300</b>	<b>13</b>	<b>9</b>	<b>11</b>
<b>PI Collisions</b>	<b>3</b>	<b>26</b>	<b>156</b>	<b>185</b>	<b>0</b>	<b>24</b>	<b>140</b>	<b>164</b>	<b>300</b>	<b>8</b>	<b>11</b>	<b>13</b>

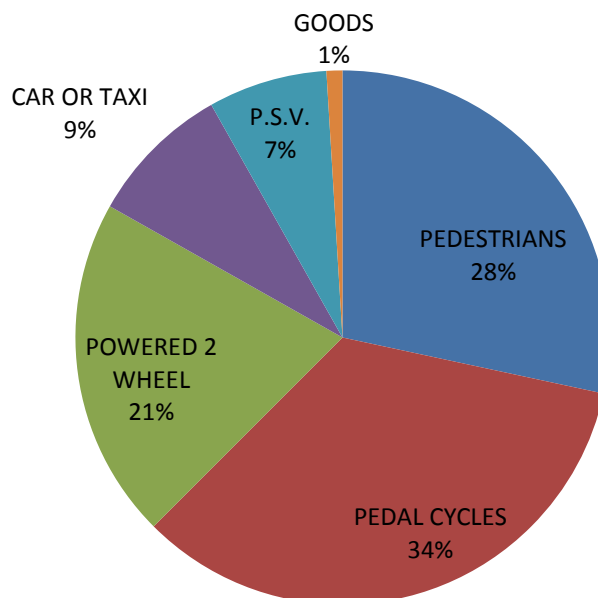
- Slight collisions and casualties show an increase of 11 and 9 percent respectively.
- Cyclists continue to be the road user group most often injured in collisions, followed by Pedestrians.
- Pedestrian Serious casualties are up 100%, Cyclist Serious casualties are down 17%, but with 2 Cycle fatalities this year the KSI figure is the same as for 2011.
- The number of cyclists in London has risen greatly in the past few years. The Local Implementation Plan (LIP) states that in 1999 the count of daily cycle journeys was 7664, yet in 2010 it had increased to 24,888. The City of London Corporation's longer-term target (2020) is to increase cyclist journeys to 62,800.

10. The charts below show a comparison between equivalent periods from 2013 and 2014

**All casualties by mode April to September**  
**2013.**



**All casualties by mode April to September**  
**2014.**



## **Recent Activity**

### **Cyclists**

#### **Operation Atrium**

11. Operation Atrium remains as an educational initiative aimed at cyclists and seeks to raise their awareness of the dangers of travelling close to large Goods Vehicles and helping them identify driver's blind spots. In the reporting period 142 cyclists have attended the road show. This is a reduction on last year as there have only been three campaigns due resources undertaking alternative tasks focussing on the dangers caused by other road users such as speeding and mobile phone misuse.

#### **Capital City Cycle Safe**

12. Issued to cyclists, this supports the national strategy of diverting offenders away from the criminal justice system and into education and awareness. It is recognised that this has a more beneficial long term effect on offending, as opposed to a fine. Once the individual is seen committing an offence they are offered the opportunity to elect for the online training and pay £16 rather than £30 penalty notice. 170 notices were issued to cyclists in 2013 – 14 and year to date there have been 487 issued.

### **Commercial Vehicles**

13. Commercial Vehicles continue to play a significant part in a number of serious collisions, as can be seen by two recent cycling fatalities at Ludgate Circus and continue to pose a threat to all road users.

As a result, the Force undertakes routine enforcement that specifically target drivers and owners of this mode of transport. It is the enforcement of legislation such as un-roadworthy vehicles and 'driver hours' offences that contribute to the casualty reduction aim of the CoL and CoLP.

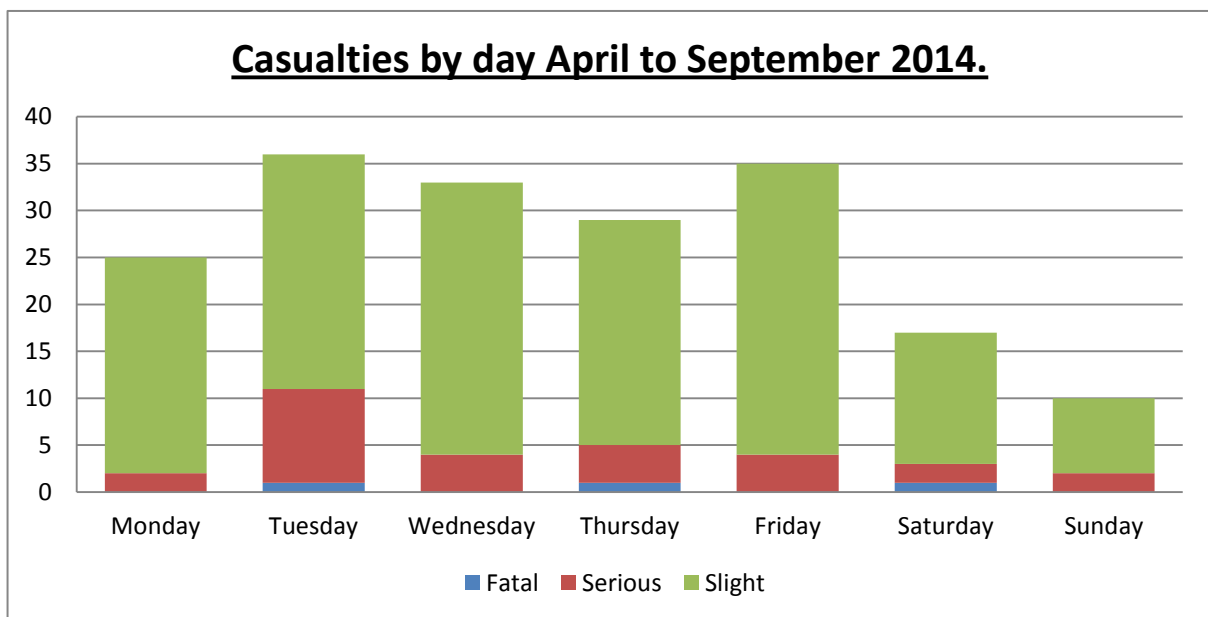
14. The Force continues to second an officer to the TfL funded joint task force (with full cost recovery) which is a partnership between TfL, the City of London Police, the MPS and Driver and Vehicle Standards Agency. It's remit is to target vehicles (and Operators) within the Construction sector to ensure they comply with legislation.
15. In addition to core roads policing activity we conducted 22 Operations focussing on the use of Large Goods Vehicles with the following results:
  - 95 vehicles stopped
  - 96 offences detected
  - 50% of vehicles stopped had offences identified

The main offences were drivers' hours offences / driver rest periods as per the tachograph. This is followed by vehicle defects.

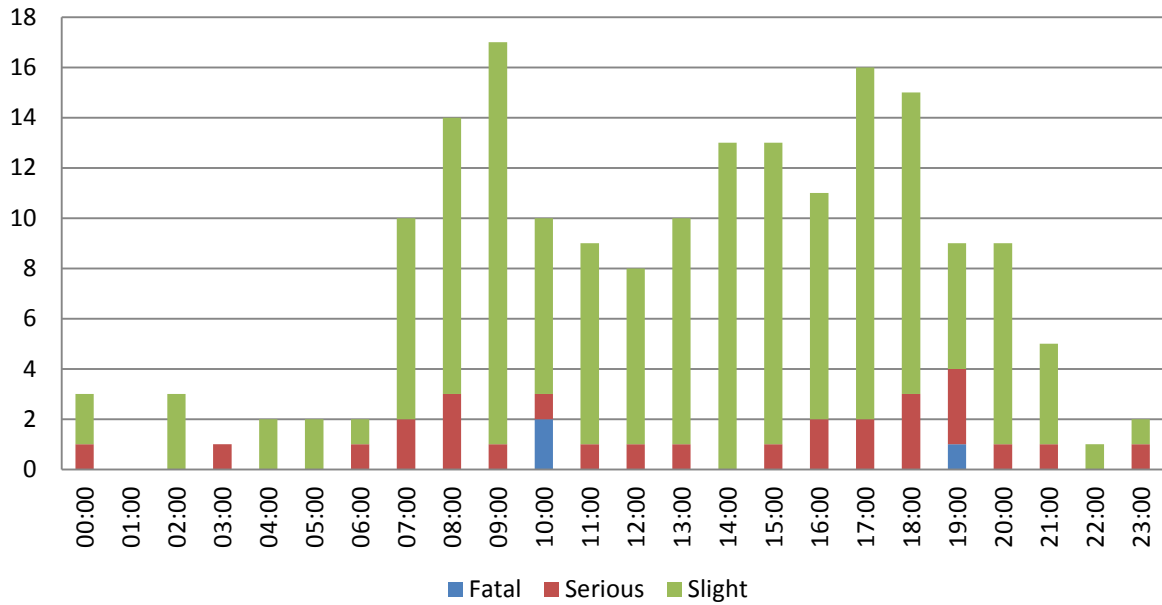
### **Pedestrians**

- 16. The overall number of Pedestrian casualties has increased by 16% over last year, and the number of Pedestrians Killed or Seriously injured has increased by 63%. This continues to be a problematic group to target as there is no enforcement element, and the difficulty is getting the message to 350,000 people within the City that road safety is an issue for them.
- 17. One of the main reasons for pedestrian casualties is lack of attention to the environment. Quite simply, pedestrians do not pay enough attention to what they are doing.

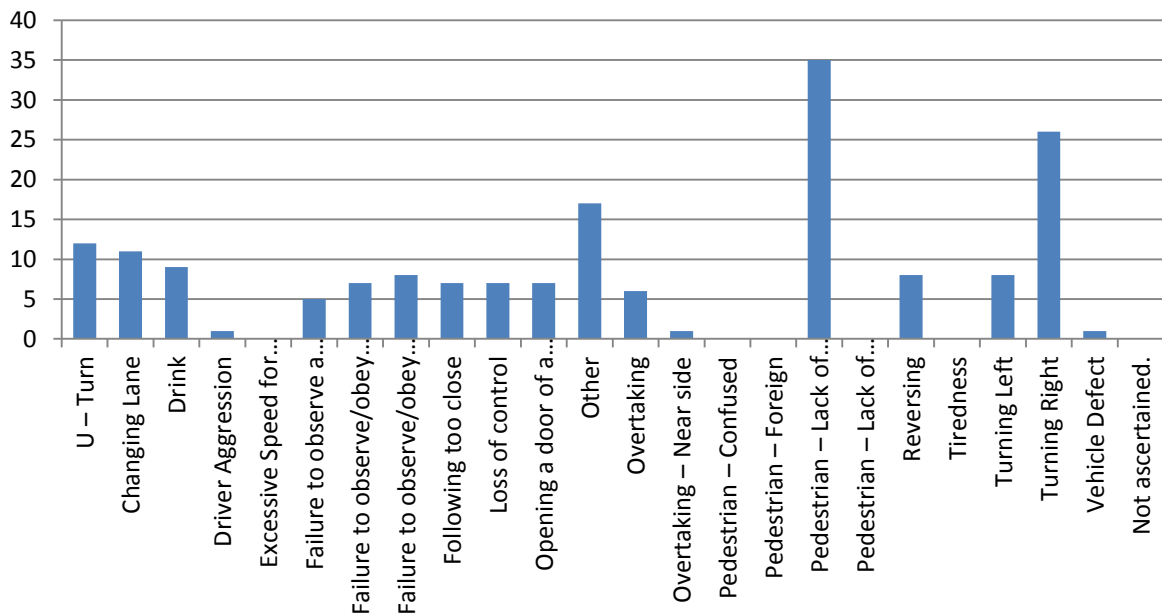
### **Analysis and causation factors**



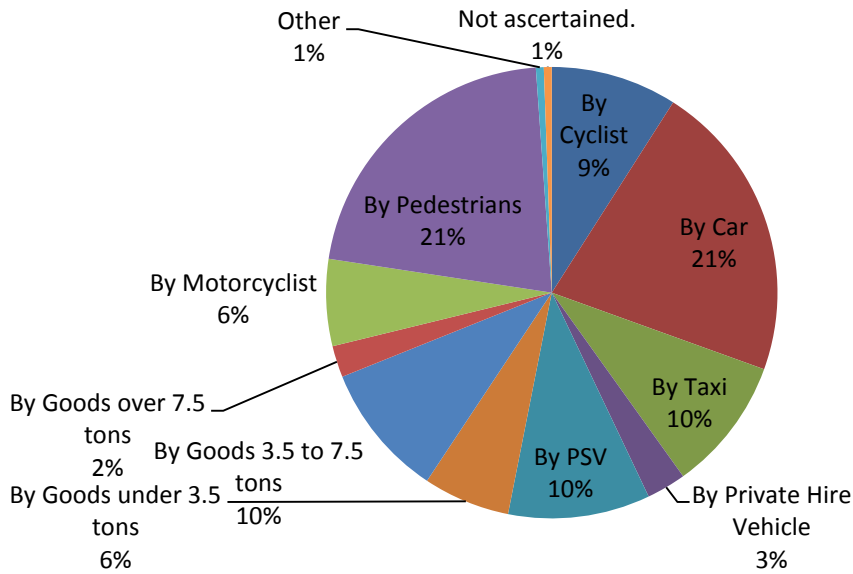
## All Personal Injury collision by time of day April to September 2014.



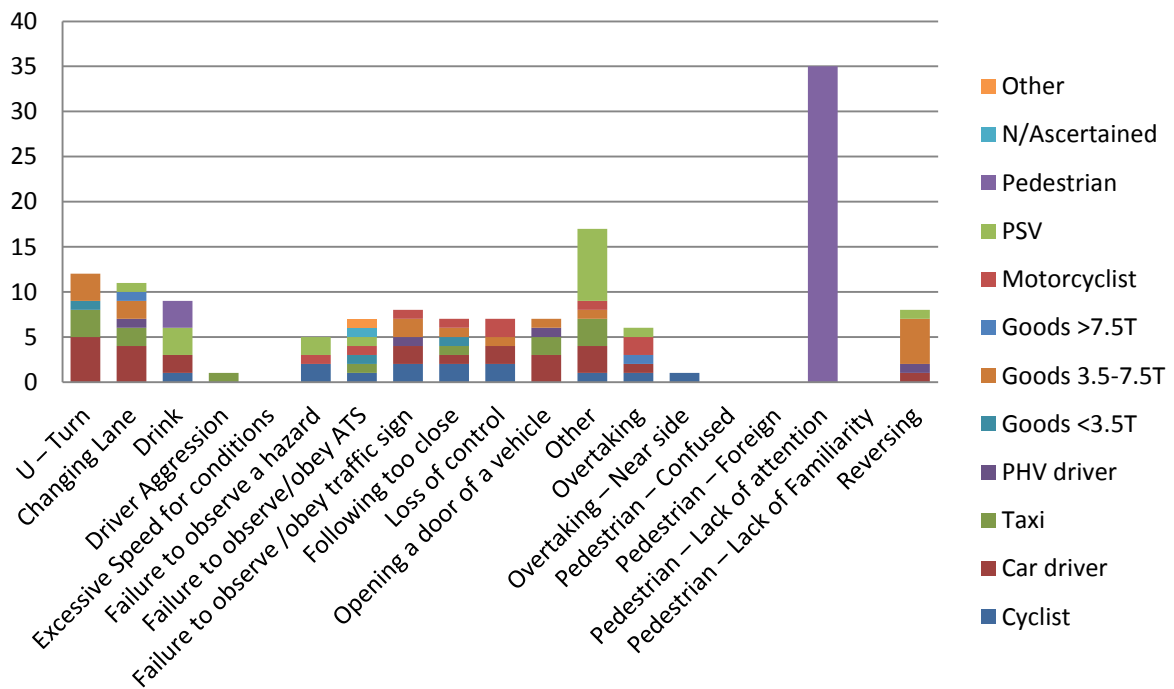
## All Personal Injury collisions by causation factor April to September 2014.



## All Personal Injury collisions April to September 2014 by mode causing collision/crash.

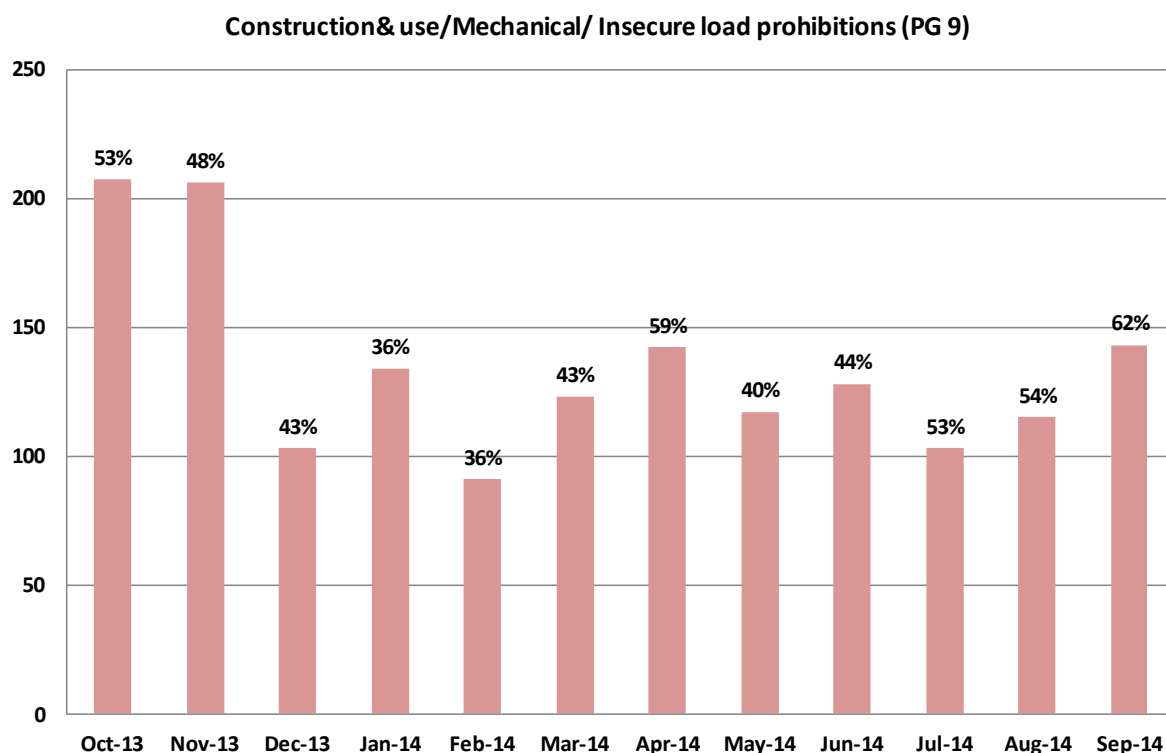


## Personal Injury collisions by cause and mode April to September 2014.



## Partnership working

18. As mentioned in the previous reports to your Committee, the City of London Police have an officer attached to a funded post on the TfL funded Industrial HGV Task Force (Joint Task Force) which aims to focus compliance and enforcement checks on construction vehicles. This unit is staffed by officers from the MPS, the City of London Police and also the DVSA – the Driving and Vehicle Standards Agency (formerly VOSA which has merged with the Driving Standards Agency).
19. The table below details the number of Large Goods Vehicles stopped in London which were issued prohibitions for Construction and Use offences, Mechanical defects or for having insecure loads (by the Joint Task Force). It should be noted that approximately half of the vehicles stopped are served with prohibitions.



20. Through close work with the Safer City Partnership (SCP) and other departments within the City of London, a problem location (Holborn Circus) where there were a high number of collisions recorded has been re-engineered to make it safer for all users. A comparison of collisions at this location shows a favourable outcome. April – Sept 2013 there were 6 injury collisions, all involving cyclists. For the same period in 2014 there were 3 injury collisions, all slight. One cyclist, one motor cyclist and 1 passenger falling over on a bus.



21. The concept of a Community Safety Hub is being developed and the functions that would sit within this area have been scoped. There is potential to add value to casualty reduction by identifying enforcement and educational activities carried out by both the CoL and the CoLP and developing a targeted and consistent approach.

## 20 MPH Speed Limit

22. The main thrust of road policing activity during this period has been the education and enforcement of the 20 mph limit that was introduced on July 20<sup>th</sup> 2014. The initial phase was “stop and advise” and sought to educate the driver as to change in limit rather than enforce. In October the Force introduced a number of NDORS (National Driver Offender Retraining Schemes) which provide an alternative to prosecution for certain offences such as speeding – in which case the officer will issue a Traffic Offence Report (TOR) rather than a Fixed Penalty Notice.

The table below shows what action police are to take in particular circumstances.

Limit	Device Tolerance	Fixed Penalty when education not appropriate	Speed Awareness if appropriate		Summons in all other cases and above
			From	To	
20 mph	22 mph	24 mph	24 mph	31 mph	35 mph
30 mph	32 mph	35 mph	35 mph	42 mph	50 mph
40 mph	42 mph	46 mph	46 mph	53 mph	66 mph
50 mph	52 mph	57 mph	57 mph	64 mph	76 mph
60 mph	62 mph	68 mph	68 mph	75 mph	86 mph
70 mph	73 mph	79 mph	79 mph	86 mph	96 mph

The results of the enforcement periods are as follows:

**July:** No tickets or summons due to “stop and advise”

**August:** 14 Endorsable Fixed Penalty Notice (EFPNs) and 11 summons and 3 TORs

**September:** 20 EFPNs, 2 Summons and 5 TORs

**October:** 50 EFPNs, 7 Summons and 31 TORs

- The Highest speed recorded during October was 66 mph by a motor cycle on London Bridge.
- To ensure that the messaging and the enforcement of the 20 mph limit is consistent, the CoLP intend to proactively enforce with manned equipment for up to two weeks per month.
- This activity was made possible by the City of London Corporation, through the SCP, providing approximately £20K to purchase the latest hand held speed cameras.

23. Below are tables of collision data that compares collisions for August and September 2013 to the same period in 2014. Although the number of collisions has risen from 44 to 61, the number of fatal and serious injured is constant.

24. The two month period is insufficient to judge the impact of the 20 mph limit and this will best be done over the next few years when driver habits hve changed.

	Casualties for months of: August 2014				Casualties for months of: September 2014				Total for both months.			
CLASSIFICATION	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL
PEDESTRIANS		1	7	8		2	7	9	0	3	14	17
PEDAL CYCLES	1	1	11	13		2	10	12	1	3	21	25
POWERED 2 WHEEL			9	9			5	5	0	0	14	14
CAR OR TAXI				0			6	6	0	0	6	6
P.S.V.			2	2			5	5	0	0	7	7
GOODS				0				0	0	0	0	0
OTHER				0				0	0	0	0	0
Total Casualties	1	2	29	32		4	33	37	1	6	62	69
<b>PI Collisions</b>	<b>1</b>	<b>2</b>	<b>26</b>	<b>29</b>		<b>3</b>	<b>29</b>	<b>32</b>	<b>1</b>	<b>5</b>	<b>55</b>	<b>61</b>

	Casualties for months of: August 2013				Casualties for months of: September 2013				Total for both months.			
CLASSIFICATION	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL	FATAL	SER.	SLIGHT	TOTAL
PEDESTRIANS		1	3	4		1	7	8	0	2	10	12
PEDAL CYCLES		2	10	12	1		5	6	1	2	15	18
POWERED 2 WHEEL			6	6			2	2	0	0	8	8
CAR OR TAXI			4	4				0	0	0	4	4
P.S.V.			1	1		1	2	3	0	1	3	4
GOODS			1	1				0	0	0	1	1
OTHER				0				0	0	0	0	0
Total Casualties		3	25	28	1	2	16	19	1	5	41	47
<b>PI Collisions</b>		<b>3</b>	<b>24</b>	<b>27</b>	<b>1</b>	<b>2</b>	<b>14</b>	<b>17</b>	<b>1</b>	<b>5</b>	<b>38</b>	<b>44</b>

## **Key anticipated risks for the future**

- The Mayor of London aims to double the number of cyclists within London in the next ten years.
- The continued developments of Crossrail and the Thames Tideway will increase the number of Goods Vehicles in the City for a number of years to come.
- Information from the City of London states that redevelopment of office space in the City of London will see an increase in the daytime working population of nearly 100,000 people by 2026, which is likely to affect crime and public safety.
- The redevelopment of the Bank Underground Station will require the closure of Arthur Street and will make the London Bridge Cannon Street junction and surrounding area busy with construction vehicles until 2024.

## **Future Proposals and Strategies**

- a. The City of London Police has made the improvement of road safety a Force Priority and this is included in the Force Plan 2013 – 2016. The outcomes are shown as:
  - Making the City roads safer
  - Engaging effectively with our partners
  - Effectively enforcing the law
- b. The key measures to support the priority at C are:
  - To deliver enforcement and educational activities for road users.
  - To increase the number of vehicles seized for being driven whilst uninsured and / or being driven by an unlicensed driver (based on 2012-13 data)
  - To increase the number of referrals to the Capital City Cycle Safe scheme and the NDORS Driver Alert Scheme (based on 2012-13 data).
- c. The Mayor for London recently launched his vision for cycling, which will result in significant changes to the TLRN road in the City with potentially reduced traffic lanes, more cycle facilities, and reduced vehicle speeds. This will inevitably create some enforcement challenges for the Force and we will work with them on their vision. Transport for London intends to introduce Cycle Super Highways along the route between Westminster and the Tower of

London, and from Blackfriars to Farringdon Road. The dedicated Cycle routes are being designed to reduce Cyclist casualties by separating Cyclist from other traffic.

- d. Now that the Strategic Road Danger Reduction Partnership between the City of London, the City of London Police and other stakeholders is firmly established, it is important to continue to develop the tactical and operational delivery elements of this to ensure that the strategic aims and objectives are achieved through managed and co-ordinated tasking of resources. This should be a key aim for all stakeholders over the next 6 months to continue the momentum to reduce casualties.
- e. Additional funding has been sought from TfL for approximately £300,000 to enable the CoLP to develop its enforcement capability in relation to Large Goods Vehicles. The proposal is that there will in an increase of this sum in the existing Special Services Agreement with TfL and additional objectives and KPIs have been written that target this area of policing which focus on compliance with safety regulations and enforcement.

## **Consultation**

- 25. The Lead Member for Road Safety, Alderman Alison Gowman, has been consulted in the preparation of this report and has been an active participant in the development of the partnership and a reliable and continues to be an interested and critical friend in many areas of road safety and policing activity.

## **Appendices**

Appendix A – Explanation of the Collision and Casualty statistical information used in this document.

Appendix B - DfT Guidance on Casualty classifications.

Appendix C- Industrial HGV Task Force slide presentation.

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## Appendix A

Information that a collision has occurred, or that a person has been injured in a collision, comes to Police attention either because an officer attends the scene shortly after the crash has occurred and writes a collision report book, or from a report from another person who sends a self report form to us at a later date.

Information from those two types of reports are recorded on a collision recording management programme (CRS) by our Criminal Justice Unit Staff. That programme is primarily a tool to assist in the investigation process and is not intended to provide statistical information, although it does give headline figures for the current position in the Calendar Year.

To provide the statistical information required by the Department of Transport and Transport for London our CJU send paper copies of the records to the Metropolitan Police who put the details onto another computer system which provides the information to Transport for London (ACCSTATS) and the DfT who publish annual reports based on the Calendar year.

The information published by TfL and the DfT is different to that on the CRS system for a number of reasons, such as:

- The officer taking the original report has given the collision the wrong classification in relation to the injury sustained as classified by the DfT. The DfT classifications (As at Appendix B) are not particularly logical and are open to different interpretations. Examples of this are that a 'suspected broken bone' is a Slight, whilst if the report just says 'broken bone' it is classified as Serious.
- The location is not in the City of London
- The location is on the City boundary and is allocated to another London Borough
- The location is on the City boundary, has been reported to the Metropolitan Police, and is allocated to the City of London
- Mis-keying by the person inputting in either our CJU or the Metropolitan Police (or sometimes by both).
- The report has been sent in by someone involved in the collision, as opposed to being reported by Police, and the information is either incorrect, such as at a location that does not exist (Bishopsgate junction with Fleet Street), or there is insufficient information (such as the time and date) provided for the report to be validated and accepted onto the ACCSTATS system.
- Collisions that have occurred in the City are reported to other Police Forces and can take some time to arrive here.
- A collision reported more than 30 days after the incident are not accepted by the DfT but appear on our CRS system.
- A person who dies more than 30 days after the collision has occurred is not recorded as a Fatal by the DfT, but is by us. (The DfT show it as a Serious collision and injury!).
- A collision that occurs in the City this month will generally appear on our CRS system within a week of it being reported/being received by this Force, but will

not appear on ACCSTATS for 3 or 4 months, which is not helpful, but we have no control over this. The only way to provide recent collision and casualty information is to add a rationalised (correcting any obvious miss keying, classification of injury, or location errors etc) version of the recent information on our CRS system to the older published information on ACCSTATS.

- Collisions that involve a City Police vehicle at any location in the Country are recorded on the CRS system, but are not relevant to the City of London casualty statistics.

An example of the above is where the driver of a motor vehicle recently crashed into a building as a result of having a bleed to the brain. It was recorded as a Serious collision and injury on our CRS system, but is not classed as a Personal Injury collision by the DfT as the injury occurred before, and unrelated to the crash, and will therefore not appear in the DfT statistics.

Later this year this Force is supposed to be obtaining the national 'CRASH' computerised recording system which is intended to reduce the inputting incidence to one occasion, and then sends the information direct to TfL and the DfT, which should enable correct information for statistical purposes to be obtained in a short period of time.

**The identical process has been used to create the Collision and Casualty information for the 2011/12, and 2012/13 years, in this report. That process was to include:**

**All the reports that appear on the Force CRS system that have an injury recorded in accordance with one of the DfT categories of Fatal, Serious or Slight, as they would be recorded by the DfT irrespective of the categorisation given to it by our CJU staff or the Metropolitan Police.**

**To include all reports from other Forces of collisions that occurred within the City of London and in accordance with the above criteria.**

**To exclude all collisions on the CRS system that have been incorrectly recorded, or contain insufficient information regarding essential matters such as location or injuries.**

**To exclude all CRS records for locations outside the City of London boundary.**

**The data for each financial year has then been analysed in exactly the same way to produce reliable trend patterns for the overall figures, and the individual modes.**

## Appendix B

### Definitions, symbols and conventions

**Accident:** Involves personal injury occurring on the public highway (including footways) in which at least one road *vehicle* or a *vehicle* in collision with a *pedestrian* is involved and which becomes known to the police within 30 days of its occurrence. One accident may give rise to several *casualties*. "Damage-only" accidents are not included in this publication.

**Adults:** Persons aged 16 years and over (except where otherwise stated).

**Agricultural vehicles:** Mainly comprises agricultural tractors (whether or not towing) but also includes mobile excavators and front dumpers.

**Built-up roads:** *Accidents* on "built-up roads" are those which occur on roads with *speed limits* (ignoring temporary limits) of 40 mph or less. "Non built-up roads" refer to speed limits over 40 mph. *Motorway accidents* are shown separately and are excluded from the totals for built-up and non built-up roads.

**Buses and coaches:** Buses or coaches equipped to carry 17 or more passengers, regardless of use.

**Cars:** Includes *taxis*, estate cars, three and four wheel cars and minibuses except where otherwise stated (i.e. Tables 22, 27, 28, and 40). Also includes motor caravans prior to 1999.

**Casualty:** A person *killed* or *injured* in an *accident*. Casualties are sub-divided into *killed*, *seriously injured* and *slightly injured*.

**Children:** Persons under 16 years of age (except where otherwise stated).

**Darkness:** From half an hour after sunset to half an hour before sunrise, i.e. "lighting-up time".

**Daylight:** All times other than *darkness*.

**DfT:** Department for Transport

**Drivers:** Persons in control of *vehicles* other than *pedal cycles*, *motorcycles* and ridden animals (see *riders*). Other occupants of *vehicles* are *passengers*.

**Failed breath test:** *Drivers* or *riders* who were tested with a positive result, or who failed or refused to provide a specimen of breath (see note on Table 11 in "Notes to individual tables" for the coverage of breath test data).

**Fatal accident:** An accident in which at least one person is *killed*.

**Goods vehicles:** These are divided into two groups according to vehicle weight. They include tankers, tractor units without their semi-trailers, trailers, articulated vehicles and pick-up trucks.

**Heavy goods vehicles (HGV):** Goods vehicles over 3.5 tonnes maximum permissible gross vehicle weight (gvw).

*Light goods vehicles (LGV):* Goods vehicles, mainly vans (including car derived vans), not over 3.5 tonnes maximum permissible gross vehicle weight.

*Injury accident:* An *accident* involving human injury or death.

**Killed:** Human casualties who sustained injuries which caused death less than 30 days (before 1954, about two months) after the *accident*. Confirmed suicides are excluded.

**KSI:** Killed or seriously injured.

*Light Goods Vehicle (LGV):* see *Goods vehicles*

*Motorcycles:* Two-wheel motor vehicles, including mopeds, motor scooters and motor cycle combinations.

*Motorways:* Motorway and A(M) roads.

*Other roads:* All B, C and unclassified roads, unless otherwise noted (i.e. Tables 5a-c).

*Other vehicles:* Other motor *vehicles* include ambulances, fire engines, trams, refuse *vehicles*, road rollers, *agricultural vehicles*, excavators, mobile cranes, electric scooters and motorised wheelchairs etc, except where otherwise stated (i.e. Tables 28 and 40). Other non motor *vehicles* include those drawn by an animal, ridden horse, wheelchairs without a motor, street barrows etc, except where otherwise stated (i.e. Tables 28 and 49). In certain tables “*other vehicles*” may also include *buses and coaches* and/or *goods vehicles*, as indicated in a footnote.

*Passengers:* Occupants of *vehicles*, other than the person in control (the *driver* or *rider*). Includes pillion passengers.

*Pedal cycles:* Includes tandems, tricycles and toy cycles ridden on the carriageway. From 1983 the definition includes a small number of cycles and tricycles with battery assistance with a maximum speed of 15 mph.

*Pedal cyclists:* *Riders* of *pedal cycles*, including any *passengers*.

*Pedestrians:* Includes children riding toy cycles on the footway, persons pushing bicycles, pushing or pulling other *vehicles* or operating pedestrian-controlled *vehicles*, those leading or herding animals, children in prams or buggies, and people who alight safely from *vehicles* and are subsequently injured.

*Riders:* Persons in control of *pedal cycles*, *motorcycles* or ridden animals. Other occupants of these *vehicles* are *passengers*.

*Road users:* Pedestrians and vehicle riders, drivers and passengers.

*Rural Roads:* Major roads and minor roads outside urban areas and having a population of less than 10 thousand. *Motorways* in rural areas are shown separately and (with the exception of Tables 23a, b and c) are excluded from the totals for rural roads.



*Serious accident:* One in which at least one person is seriously injured but no person (other than a confirmed suicide) is *killed*.

*Serious injury:* An injury for which a person is detained in hospital as an “in-patient”, or any of the following injuries whether or not they are detained in hospital: fractures, concussion, internal injuries, crushings, burns (excluding friction burns), severe cuts, severe general shock requiring medical treatment and injuries causing death 30 or more days after the *accident*. An injured *casualty* is recorded as *seriously* or *slightly injured* by the police on the basis of information available within a short time of the *accident*. This generally will not reflect the results of a medical examination, but may be influenced according to whether the casualty is hospitalised or not. Hospitalisation procedures will vary regionally.

*Severity:* Of an *accident*; the severity of the most severely injured *casualty* (either *fatal*, *serious* or *slight*). Of a *casualty*; *killed*, *seriously injured* or *slightly injured*.

*Slight accident:* One in which at least one person is *slightly injured* but no person is *killed* or *seriously injured*.

*Slight injury:* An injury of a minor character such as a sprain (including neck whiplash injury), bruise or cut which are not judged to be severe, or slight shock requiring roadside attention. This definition includes injuries not requiring medical treatment.

*Speed limits:* Permanent speed limits applicable to the roadway.

*Taxi:* Any vehicle operating as a hackney carriage, regardless of construction, and bearing the appropriate district council or local authority hackney carriage plates. Also includes private hire cars.

*Users of a vehicle:* All occupants, i.e. *driver* (or *rider*) and *passengers*, including persons injured while boarding or alighting from the *vehicle*.

*Urban Roads:* Major and minor roads within an urban area with a population of 10 thousand or more. The definition is based on the 1991 Office of the Deputy Prime Minister definition of urban settlements. The urban areas used for this bulletin are based on 2001 census data. *Motorways* in urban areas are shown separately and (with the exception of Tables 23a, b and c) are excluded from the totals for urban roads.

*Vehicles:* Vehicles (except *taxis*) are classified according to their structural type and not according to their employment or category of licence at the time of an *accident*.

*Vehicles involved in accidents:* *Vehicles* whose *drivers* or *passengers* are injured, which hit and injure a *pedestrian* or another *vehicle* whose *driver* or *passengers* are injured, or which contributes to the *accident*. *Vehicles* which collide, after the initial *accident* which caused injury, are not included unless they aggravate the degree of injury or lead to further *casualties*. Includes *pedal cycles* ridden on the footway.

### **Symbols and conventions used**

*Rounding of figures:* In tables where figures have been rounded, there may be an apparent slight discrepancy between the sum of the constituent items and the total as shown.

*Symbols:* The following symbols have been used throughout:

0 = nil or negligible (less than half the final digit shown).  
.. = not available/applicable.  
*Conversion factor:* 1 mile = 1.6093 kilometres.

## Appendix C



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