

<b>Committee:</b>	<b>Date:</b>
Streets and Walkways Port Health and Environmental Services	11 February 2013 30 April 2013
<b>Subject:</b> City of London (Various Powers) Bill London Local Authorities and Transport for London (No.2) Bill	<b>Public</b>
<b>Report of:</b> Remembrancer	<b>For Information</b>
<b><u>Summary</u></b>	
<p>This report informs the Committee of the content and progress of the City of London (Various Powers) Bill and the London Local Authorities and Transport for London (No.2) Bill.</p> <p><b>Recommendation</b> The Committee is invited to note the contents of this report.</p>	

## **Main Report**

### **City of London (Various Powers) Bill**

1. The City of London (Various Powers) Bill began its Parliamentary stages at the end of 2010. It completed Lords stages in July 2012 and had its First Reading in the House of Commons on 3 September 2012. A date for a Second Reading is currently awaited.
2. The main purposes of the Bill are to:
  - Provide the Corporation with a power to grant temporary street trading licences. The licences can last for up to 21 days and are intended to facilitate the holding of occasional events and street festivals.
  - Relax the current prohibition on street trading to enable vendors of ice cream to sell it outside their premises. The Corporation will have powers to approve the design and location of ice cream stalls and so prevent too many stalls being operated, a problem which can occur in other areas such as Westminster.
  - Update enforcement provisions relating to street trading.
  - Provide a new procedure for fixing charges for street trading licences, ending the need for byelaw amendments.
3. There are two minor amendments relating to City walkways. First, provision is made to enable the Corporation to make a charge for the costs involved in passing a resolution declaring, varying or rescinding a walkway, such as the costs of advertising the resolution, where a person has requested such a resolution. This will be similar to the provision for applications in respect of other rights of way.
4. Secondly, the Bill makes provision for the civil enforcement of parking offences on City walkways. Any parking problems are usually caused by motor cycles as changes in level, bollards, planters and similar arrangements physically exclude larger vehicles from most City walkways. The result of the provision in the Bill will be to make the enforcement regime for parking on City walkways the same as the existing civil enforcement of the prohibition on parking on footpaths in the City and elsewhere.

5. The Bill does not make provision in relation to driving a vehicle or cycling on walkways. The City of London (Various Powers) Act 1967 gives a right of way on foot only over City walkways. Having any vehicle (including a cycle) on a walkway is prohibited under existing City byelaws subject to a fine of up to £20.

### **London Local Authorities and Transport for London (No. 2) Bill**

6. The London Local Authorities and Transport for London (No. 2) Bill was first introduced in the House of Lords in 2008 and is now awaiting Commons Report stage. It does not deal with street trading. Its provisions apply in the City as well as to London boroughs except where we already have the power in question.
7. It empowers authorities to:
  - attach a street lamp or traffic sign to a building adjoining a highway. This provision does not apply to the City as we already have this power.
  - recover the cost of repairing any damage caused to footpaths or roads by building work being carried out on an adjacent site.
  - take more effective enforcement action by means of civil traffic regulation (a penalty charge notice regime) on builders' skips that are not properly lit and covered when placed on paths or roads, in place of existing criminal offences.
8. In addition, the Bill:
  - makes it an offence to interfere with a barrier properly placed on a highway by a traffic authority
  - provides for charging points for electrical vehicles on highways and in car parks
9. Other provisions were included in the Bill on introduction but faced opposition and were subsequently removed by the promoters. These provisions included a power for highway authorities to remove items from the highway if they were causing an obstruction. The power could have been used to remove an A-board which was causing an obstruction. This was opposed on the ground that a new power was unnecessary, given that where someone is convicted of the existing offence of obstructing a highway, the court may order the removal of the cause of the obstruction.

### **Recommendations**

10. The Committee are invited to note the contents of this report.

### **Background Papers**

- *City of London (Various Powers) Bill*
- *London Local Authorities and Transport for London (No.2) Bill*

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