

<b>Constitution Working Party</b>		
<b>Title</b>	Options for the public transport liaison committee	
<b>Contributor</b>	Head of Corporate Policy and Governance	Item 3
<b>Class</b>	Part 1 (open)	21 March 2016

## **1. Summary**

- 1.1 This report sets out options for the future of Lewisham's public transport liaison committee.

## **2. Recommendation**

It is recommended that:

- 2.1 That the Constitution Working Party considers the options for the future of the public transport liaison committee and asks officers to carry out any future activity necessary to deliver the preferred option.

## **3. Policy context**

- 3.1 Lewisham's sustainable communities strategy sets out a vision of a borough that is 'Dynamic and prosperous – where people are part of vibrant communities and town centres, well connected to London and beyond. The Strategy includes a commitment to: improve access to sustainable modes of transport within the borough and our connections to London and beyond.
- 3.2 The discussion about the Council's transport policy is also in line with the council's corporate priorities: 'clean green and liveable' as well as 'inspiring efficiency, effectiveness and equity'.
- 3.3 The budget report to Council in February 2016 estimated that a further £45m of savings will be required for the period 2017/18 to 2019/20. In order to achieve these savings the Council continues to work on a series of thematic (Lewisham Future Programme) and crosscutting (Lewisham 2020) reviews to fundamentally revisit the way it delivers services.

## **4. Background**

- 4.1 The public transport liaison committee was an informal body, which provided a forum for discussion and information sharing between community groups in Lewisham and public transport providers. It was set up under the remit of London Councils and Transport for London by agreement with London boroughs. A member of the Council chaired the forum and it was supported by Council officers.
- 4.2 The purpose of the group was to provide councillors and other representatives of the public with the opportunity to discuss operational problems directly with public transport providers. It also served as a forum for public transport providers to

consult public transport users, and address the issues and difficulties that they face.

4.3 The forum previously met four times a year – and invitations were sent to the following organisations:

- Transport for London
- Network Rail
- Rail operators – South Eastern, Southern, Thameslink, DLR, LOROL
- Bus Operators – Abellio, Arriva, FirstGroup, Go-ahead, Metrobus, Stagecoach
- Transport user groups
- Local assemblies
- Local residents societies

4.4 The format for the meeting involved a call for questions from the invitees. These questions would be collated and sent to the relevant organisations who would endeavour to respond in advance of the meeting. The agenda for each meeting would therefore comprise of the questions and answers, for both bus-related issues, and for rail-related issues, and the Chair of the meeting would lead a discussion on any matters arising.

4.5 The forum was a place for discussion that enabled the views of stakeholders to be put to providers. It did not have decision making powers.

4.6 A reorganisation of the teams that deliver the Council's transport related activities resulted in the loss of the officer support to the liaison committee and from March 2015, the group ceased to meet. This has led to a review of the activities of the public transport liaison committee and an appraisal of options for the future.

## 5. Options for future activity

5.1 There are currently four prospective options for supporting the future of transport liaison activity led by the Council:

- **Option A:** to cease supporting this activity;
- **Option B:** to incorporate the forum as body of the Council and allocate resources to supporting meeting;
- **Option C:** to add the work of the liaison committee to the responsibilities of the Overview and Scrutiny Committee;
- **Option D:** to explore further options for the delivery of the group through an online platform.

5.2 The sections below provide further information about each of these options:

### 5.3 Option A: to cease the activity of the group

5.4 The Council could cease its support for public transport liaison activities. Casework and questions about transport providers would be dealt with by the casework team.

5.5 Pros:

- Savings related to officer time and resources made in the previous reorganisation would be retained.
- There are existing complaints handling and casework processes.
- There are other forums where issues can be discussed and recommendations or referrals can be made to decision makers.

5.6 Cons:

- Concerns of local people regarding transport may not be put to transport providers in a robust and coordinated fashion.
- The subject matter may not fit easily in work programmes of other forums.
- There could be an increase in transport related queries for the Council's casework team.

5.7 **Option B: incorporate public transport liaison as a body of the Council and allocation resources to supporting meetings**

5.8 The public transport liaison committee could be constituted as a group supported and serviced by the Council, with nomination by Council to the position of Chair. The on-going work of the group would require officer time and resources to support it. As a minimum, these activities would need to be carried out for each of the meetings that are scheduled:

- Production of agendas in consultation with the Chair
- Responding to email queries
- Maintaining the Committee's mailing list
- Managing contact with guests
- Production of written briefings and reports for the committee, when required
- Organising room bookings, room set up and provision of resources for meetings
- Attending meetings
- Production of minutes
- Following up actions from meetings

5.9 It is anticipated that this option would work sufficiently with the frequency of meetings reduced to twice a year.

5.10 Pros:

- This option would enable the work of the forum to continue in its current form.

5.11 Cons

- Additional resources and officer time would need to be allocated in order to support the forum.

5.12 **Option C: to add the work of the liaison committee to the responsibilities of the Overview and Scrutiny Committee.**

5.13 The work carried out by the forum could be added to the work programme of one the Overview and Scrutiny Select Committees.

5.14 Pros:

- Work could be incorporated within existing activity and would not require any additional resourcing.

5.15 Cons:

- The types of issue considered by the forum may not fit easily in the Overview and Scrutiny work programme.
- A proportion of Scrutiny work programmes would need to be given over to liaison activity, rather than policy development, scrutiny and challenge.
- The procedures at Overview and Scrutiny Committees might not easily accommodate the exiting format of the forum.

**5.16 Option D: to explore further options for the delivery of the group through an online platform.**

5.17 Resources could be allocated to carry out further work to develop a digital solution. This approach to the running of the working group might use an online platform for gathering ideas and disseminating information about transport related issues to stakeholders. This approach would be in line with the Council's digital transformation programme.

5.18 Pros:

- This option would enable the work of the forum to continue with fewer additional resourcing requirements.

5.19 Cons

- No detailed work has been carried out to ascertain how this approach would work.
- Providers may not be perceived as so responsive to concerns that are not raised face to face.

**6. Legal implications**

6.1 The Council may establish working groups for time limited purposes if it considers it appropriate to do so.

6.2 The Equality Act 2010 (the Act) introduced the new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

6.4 The duty continues to be a "have regard duty", and the weight to be attached to it is

a matter for the Council, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

6.5 The Equality and Human Rights Commission issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it. The statutory code and the technical guidance can be found at:  
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

6.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

6.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:  
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## **7. Equalities implications**

7.1 There are no direct equalities implications arising from the implementation of the recommendation in this report. Each of the options might have implications, which would be considered further as part of the process of implementation.

## **8. Financial implications**

8.1 Should the working party recommend either options B or D resources would need to be allocated to enable their delivery.

8.2 Some of the activity required to deliver option B could be incorporated into existing functions (primarily in transport casework and asset management) however, there is currently no capacity available to provide services to clerk and minute a new group.

8.3 Further work would be required to establish the viability of managing liaison activity online. However, any additional resources required to deliver an online platform

have not currently been identified. The use of email, a messaging forum or social media, could reduce the potential costs.

**Background documents and originator**

If you have any questions about this report, please Timothy Andrew (Overview and Scrutiny Manager) 02083147916