

London Councils' TEC – operational management for electric vehicle charging infrastructure

COUNCIL

Date 24 January 2018

CLASSIFICATION:

OPEN

WARD(S) AFFECTED: ALL WARDS

GROUP DIRECTOR OF NEIGHBOURHOODS AND HOUSING

1 Summary

- 1.1 This report seeks the approval of Council to provide London Councils' Transport and Environment Committee (TEC) with the authority to take on the operational management as well as the strategic oversight of a London wide residential electric vehicle charging point delivery partnership on behalf of London's local authorities.
- 1.2 A centralised contract management and customer facing body is desirable, given the resource constraints Boroughs are facing and the benefits a consistent approach might deliver.
- 1.3 As an existing joint committee representing all of London's local highway authorities, London Councils' TEC has agreed that it is a suitable body to undertake both the strategic oversight and operational management of such a "partnership".
- 1.4 The delegation to London Councils' TEC is limited to locations for electric vehicle charging points which have been first agreed by the affected authority. Therefore the delegation is not a wholesale transfer of the authorities' powers in respect of electric vehicle charging to London Councils' TEC but allows for London Councils' TEC to take on a more limited collaborative role in relation to Electric Vehicle Charging Infrastructure. There was no provision for this included when the London Councils' TEC Agreement was first established. The London Councils' TEC Agreement was first established on 13 December 2001.
- 1.5 Given the uncertainties surrounding Phase 2 (the establishment of a London-wide "partnership"), mainly due to funding constraints, London Councils' TEC may not choose to utilise the delegation of this power. However, given the stated ambitions of the Go Ultra- Low City Scheme (GULCS) Steering Group to set up such a partnership and for London Councils' TEC to undertake both the strategic oversight and operational management role for it, London Councils' TEC would like to investigate the feasibility of Phase 2 in parallel with gaining sign off for amending the London Councils' TEC Agreement.
- 1.6 This report was initially intended for Full Cabinet in October 2017, however was removed from the agenda as further clarification was sought from London Councils' on the delegation function. London Councils' response satisfied queries raised, a copy is included in background papers.

2 Recommendations

That the Council:

- 2.1 Delegate to London Councils' TEC the power to provide and operate, as well as strategic oversight of a London wide residential electric vehicle charge point delivery partnership, charging apparatus for electrically powered motor vehicles under section 16 of the London Local Authorities and Transport for London Act 2013.**
- 2.2 To authorise the Director of Legal to amend the existing London Councils TEC governing Agreement to include the power to provide and operate charging apparatus for electrically powered motor vehicles and take all necessary steps to give effect to the above delegation.**

3 Background

- 3.1 The Office for Low Emission Vehicles (OLEV) and the Department for Transport (DfT) set the Go Ultra Low City Scheme (GULCS) to deliver a step-change in the uptake of ultra-low emission vehicles. London was announced as one of four winning GULCS cities and awarded £13,000,000 funding over the period 2016-2020. The project seeks to increase electric vehicle (EV) charging infrastructure and support the uptake of EV's by increasing EV charging infrastructure in residential areas by establishing a London-wide delivery partnership for deploying, managing and maintaining residential charging infrastructure in a more coordinated and cost-effective way.
- 3.2 The GULCS grant has been paid to Transport for London (TfL). A steering group that consists of representatives from TfL, the Mayor's office and London Councils (including the Chair and Conservative and Labour Vice-Chairs of TEC) has been established to guide the implementation of the projects proposed in London's bid.
- 3.3 London Councils' officers have been liaising with London local authorities and TfL regarding the GULCS project and how TfL and London boroughs could deliver the project. Through the project's engagement work it has become clear that some form of centralised contract management and customer facing body is desirable, given the resource constraints boroughs are facing and the benefits a consistent approach might deliver.
- 3.4 London Councils TEC is an existing joint committee representing all of London's local highway authorities. It was agreed at London Councils' Transport and Environment committee on 15 June 2017 that it is a suitable

body to undertake both the strategic oversight and operational management of a partnership between Boroughs and operators.

- 3.5 The addition of the operational management role for London Councils TEC would require each of the 33 London local authorities participating in the London Councils' TEC joint committee arrangements to delegate the exercise of additional functions to the joint committee, which requires the London Councils' TEC constitution (Governing Agreement, dated 13 December 2001) to be varied.
- 3.6 Phase 1 of the GULCS scheme proposes that TfL will lead on procurement and the Boroughs can then call down from a Framework to install the charge point and have it maintained and managed.
- 3.7 Phase 2 of the GULCS is to set-up London-wide delivery for electric vehicle charging infrastructure which would require the aforementioned amendment to the London Councils' TEC Agreement to take on the operational management as well as the strategic oversight on behalf of the boroughs and TfL. The GULCS project team is currently investigating the potential feasibility of such a delivery partnership being established. A business case will be developed following further consultation with each authority and other stakeholders and will be presented to London Councils' TEC for approval before any partnership is established and the delegation of powers utilised. London Councils are undertaking the feasibility and business case work in parallel to seeking the delegation of powers to save time in light of project programme constraints.
- 3.8 Signing the amendment to the LCTEC Agreement does not oblige any London Borough to take part, nor does it mean any loss of control of the participating Borough's assets. London Borough's that wish to participate will first have to agree the location of EV charge points before one is installed. This model will benefit London Boroughs, however it's important that participating Boroughs are still involved in the local decisions such as siting, designing the bays, traffic management orders and parking enforcement.
- 3.9 London Councils take on a similar role with other pan-London operations, such as the Freedom Pass and London Lorry Control Scheme and are well placed to act on behalf of all London Boroughs.
- 3.10 The **alternative option** would be to opt out of the GULCS network and funding opportunities arising from this project. As a result, Hackney would have to continue to work with private operators. This is unlikely to be as successful as we would be operating as a lone borough and from experience will result in higher charging costs for our residents and businesses and less control over the network. In order for the scheme to

be attractive to the public and for the Council to obtain maximum benefit, a uniform scheme needs to be presented to the market, not a myriad of individual disparate schemes.

- 3.11 Hackney Council are part of the SourceLondon charge point network, the GULCS project aims to establish another network to support charge points in residential areas and provide an alternative network to SourceLondon. The GULCS network will not replace the SourceLondon network and will be seen as a complementary network to support a wide-scale transition to electric vehicles.
- 3.12 By agreeing to London Councils TEC taking on an operational role does not exclude the Council from establishing partnerships with private operators should it wish to do so at a later date.

4 Policy Context

- 4.1 The Hackney Air Quality Action Plan states that the Council will seek the provision of alternative fuels and work to develop electric vehicle charging points. The Council's Transport Strategy also strongly supports the transition from Internal Combustion Engines to electric vehicles due to air quality benefits.
- 4.2 As stated above the proposal is in line with the Hackney Transport Strategy 2015-2025 Liveable Neighbourhoods Plan. Proposal number LN12, states that the Council will "Work with residents and businesses to enable them to make the transition to electric vehicles through the expansion of public charging points". Installation of state of the art charging infrastructure will be seen as a progressive move for the future.

5 Comments of the Group Director, Finance and Corporate Resources

- 5.1 This report seeks approval for London Councils' Transport and Environment Committee (TEC) to take on the operational management as well as the strategic oversight of a London wide residential electric vehicle charging point delivery partnership on behalf of London's local authorities.
- 5.2 There are no direct financial implications emanating from this report for the Council. Any specific operational changes with a financial impact that comes about as a result of this report will need to be considered separately.

6 Comments of the Director of Legal

- 6.1 Section 16 of the London Local Authorities and Transport for London Act 2013 permits the Council to provide and operate charging apparatus for electrically powered motor vehicles on any highway for which it is responsible as local highway authority or in any public off-street car park under its management and control.
- 6.2 In order to delegate to the London Councils Transport and Environment joint committee (“LCTEC”) the power to discharge the charging apparatus function each individual London Borough must agree to such arrangements.
- 6.3 The provision and operation of charging apparatus for electrically powered motor vehicles is a function that the Council has determined in part 3.2.13 (Local Choice Functions) of its Constitution is a non-executive function.
- 6.4 The Council is permitted under section 101 of the Local Government Acts 1972 to delegate the provision and operation of charging operation function to LCTEC.

APPENDICES

BACKGROUND PAPERS

Publication of Background Papers used in the preparation of reports is required

Description of document (or None)

BP 1: TEC Executive Sub Committee Item 12 (15/06/17)

BP 2: LC TEC agreement with delegated authority form (4/8/17)

BP 3: Clarification letter from London Councils (07/12/17)

Report Author	Laura Balzanella Principal Transport Planner 0208 356 8023 Laura.Balzanella@hackney.gov.uk
Comments of Director of Legal	Christine Stephenson Solicitor 020 8356 3578 Christine.stephenson@hackney.gov.uk
Comments of Group Director of Finance and Resources	Nurur Rahman Service Accountant 0208 356 2018 Nurur.Rahman@hackney.gov.uk