

	<p>Council</p> <p>12th December 2017</p>
<p style="text-align: right;">Title</p>	<p>London Councils Agreement</p>
<p style="text-align: right;">Report of</p>	<p>Strategic Director, Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A : Letter from London Councils dated 4th August 2017/Delegated Authority Form</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jamie Cooke, Assistant Director, Transportation and Highways Commissioning. Tel : 0208 359 2275 Mobile : 07885 213313 jamie.cooke@barnet.gov.uk</p>

<h3>Summary</h3>
<p>The pan-London strategic provision and operation of Electric Vehicle Charging Infrastructure is a key element to enabling the successful uptake of Electric Vehicles - both in Barnet and across London as a whole. This paper outlines the recommendation to amend the London Councils Technology & Environment Committee (LCTEC) Agreement in order to enable the future delegation of strategic and operational Management for Electric Vehicle Charge Points to LCTEC.</p>

<h3>Recommendations</h3>
<p>That Council approve :</p> <ol style="list-style-type: none"> 1. The amendments to the London Council’s Technical and Environment Committee Governing Agreement dated 13th December 2001 (as amended) and agree to delegate the Council’s functions to the London Council’s Transport and Environment Committee as set out in Appendix A. 2 The Council delegate authority the Strategic Director for Environment to sign and send an engrossed copy of the amendment to the London Council

Technology and Environment Committee Agreement as set out in Appendix A.

1. WHY THIS REPORT IS NEEDED

BACKGROUND

- 1.1 To ensure the successful take up of electric vehicles within Barnet - and across London as a whole - both in the short and medium term, publicly available charging infrastructure is considered to be a significant and necessary enabler.
- 1.2 The Council has secured funding under the Go Ultra Low Cities programme (GULCs) to install lighting column and destination charge units within the Borough. These proposals are currently being developed with the Council's Private Finance Initiative (PFI) Street Lighting provider, Bouygues, as well as with commercial charging unit manufacturers.
- 1.3 The provision of such infrastructure is based on various factors such as current demand, future demand predictions and availability of off-street parking. Importantly, there is not an organisation currently in existence which co-ordinates the strategic installation of charging units pan-London.
- 1.4 London Councils, who are custodians of the GULCs funding provision, see this strategic co-ordination as critical in ensuring Electric Vehicle Charging Points (EVCPs) are located in areas of demand and areas which will facilitate future demand, whilst also taking account of cross-boundary drivers for provision.
- 1.5 Feedback to London Council/GULCs also indicates that *some* Local Authorities are hesitant to take on operational responsibility of EVCPs.
- 1.6 The Barnet position on this is partially dependent on the system being installed. Lighting column mounted units, for example, are to be included within the current PFI contract and so become maintained and operated by Bouygues. Destination chargers will be maintained by the unit manufacturers.
- 1.7 However, electric vehicle charging is in its relative infancy and the future operational management of installations across the Borough could result in additional financial commitments for the Borough.
- 1.8 As a response to this potential hole in the strategic management of EVCPs, the role of the London Councils Technology and Environment Committee (LCTEC) has been identified as a body to expand and take on this additional responsibility of strategic and operational management.

- 1.9 The addition of the operational management role for LCTEC would require each of the 33 London local authorities participating in the London Councils Technology and Environment (TEC) joint committee arrangements to delegate the exercise of additional functions to the joint committee, which requires the TEC Constitution (Governing Agreement, dated 13 December 2001 (as amended)) to be varied.
- 1.10 There remain uncertainties around the establishment of a London-wide “partnership”, mainly due to future funding constraints, and LCTEC may not choose to utilise this delegation.
- 1.11 However, due to time constraints, London Council Officers are taking forward the delegated authority provision with the participating London Authorities and the participation of Barnet Council is recommended to ensure the timely development of these proposals.
- 1.12 The Environment Committee reviewed the proposals during the meeting on 7th November 2017 and accepted Officers recommendations to recommend to Full Council to give authority for :
 - 1.12.1 the amendments to the London Council’s Technical and Environment Committee Governing Agreement dated 13th December 2001 (as amended) and to delegate the Council’s functions to the London Council’s Transport and Environment Committee, all as set out in Appendix A; and
 - 1.12.2 the Strategic Director for Environment to sign and send an engrossed copy of the amendment to the London Council Technology and Environment Committee Agreement (Appendix A).
- 1.13 A business case will be reported to LCTEC for future consideration before any decision is taken to use the delegated authority. Barnet Council would also need to agree any delegated action which resulted in additional cost or expense being passed on. Therefore at this stage the Council is not committed to following any set course of action.

1.0 REASONS FOR RECOMMENDATIONS

- 1.1 A single interface for the London-wide strategic and operational management of EVCPs is considered to be the most effective method for enabling the future take up of EVCPs across London and hence assist with this uptake within Barnet.
- 1.2 By accepting the recommendations to permit this amendment to the LCTEC Agreement does not expose Barnet to financial commitment but enables the further development of such an organisation in a timely manner.

1.3 By accepting the premise of a pan-London strategic body does not restrict independent action by Barnet for the provision of additional charge units.

3.0 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED.

3.1 Council could decide not to recommend the amendment to the LCTEC agreement. .

3.2 By not recommending agreement to the amendments to the LCTEC Agreement, Barnet would not be able to participate in the development of any future organisation under LCTEC to strategically and operationally oversee EVCPs within Barnet and across London.

3.3 Considering the infancy of EVCP in the public arena, this exclusion could be considered a disadvantage to Barnet, its residents and businesses.

4.0 POST DECISION IMPLEMENTATION

4.1 On accepting the recommendations of this report, the Strategic Director of Environment will arrange to engross the amendment to the LCTEC agreement and send to London Councils.

4.2 Further development of the proposals will be undertaken by LCTEC and reported via that forum, on which Barnet has representation.

5.0 IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 By enabling the uptake of Electric Vehicles across the Borough, will help promote the Councils core values of :

- Fairness: by seeking to balance the needs of different groups of residents and providing wider choices in modes of transport that provide access to essential services, education and employment.
- Responsibility: by recognising that the existing travel modes within the Borough are leading to long term issues with air quality, which means that action must be taken to promote and provide alternative travel modes.
- Opportunity: by making the use of Electric Vehicles a practical and accessible mode of transport to all Residents in the Borough.

5.2 Health & Wellbeing Strategy

5.2.1 It is widely recognised that particulates resulting from the use of petrol and diesel vehicles is a quantifiable factor affecting air quality - within London and further afield.

5.2.2 By encouraging and enabling the transition from the use of internal combustion engine (ICE) to Hybrid and full electric vehicles will have a measureable impact on the air quality within the Borough.

5.2.3 Central Government Policy relating to the future restriction on the sale of ICE vehicles, along with London Mayoral Policy relating to Taxi and Private Hire Vehicles being electric/hybrid powered, will also impact on air quality and the future requirement for EVCPs.

5.2.4 Enabling electric vehicle take up within the Borough also encourages a move away from the traditional private car reliance in favour of more sustainable, less polluting forms of travel.

5.3 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.3.1 There are no resource implications presented by the recommendations.

5.4 **Social Value**

5.4.1 A greater access to EVCPs across the Borough will better enable those residents with limited access to such modes of transport due to current restrictions on parking and on-street vehicle charging facilities.

5.5 **Legal and Constitutional References**

5.5.1 Council constitution Article 8 (Joint Arrangements): Section 8.1 (Joint Arrangements) provides that the Council may establish joint arrangements with one or more Local Authorities. Such arrangements may involve the appointment of a Joint Committee with the other Local Authorities. Section 8.3 (Delegation to and from other local authorities) states:

(a) The Council may delegate functions to another Local Authority or, in certain circumstances, the Executive of another Local Authority.

(b) The decision whether or not to accept such a delegation from another Local Authority shall be reserved to the Council meeting.

5.5.2 Section 101(5) of the Local Government Act 1972 gives the Council the power to set up joint arrangements with other councils for the joint discharge of their functions and in doing so may establish a Joint Committee. The legislation does not authorise a Council Committee or officer to either establish such joint arrangements or to authorise the delegation of functions pursuant to the joint arrangements. Accordingly it is for Full Council to do this and to agree any amendments. This is also consistent with Full Council's reserved power to agree a Committee's term of reference and any changes and to delegate/receive functions to/from other Council's or their Executives under Article 4 of the Constitution

5.5.3 Constitution Article 7 (Committees, Forums and Working groups) provides that

the Environment Committee has specific responsibilities for transport and traffic management including agreement of London Transport Strategy-Local Implementation Plan. The Environment Committee considered this matter at their meeting on the 7th November 2017 and approved the recommendations to Full Council.

5.5.4 It is therefore necessary in order to progress this proposal, that Full Council agree the proposal and to accept the amendments to the London Councils TEC Agreement to authorise adding further delegations to London Council's TEC Joint Committee under the Governing Agreement as set out in Appendix A to this report.

5.6 Risk Management

5.6.1 A full risk analysis will be carried out should LCTEC confirm the take up of delegated powers.

5.7 Equalities and Diversity

5.7.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

5.7.2 The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.7.3 The future enabling of electric vehicle take up across the Borough will promote accessibility and inclusion, and will aim to meet the needs of diverse communities in Barnet.

5.8 Consultation and Engagement.

5.8.1 None.

5.9 Insight

5.9.1 Data on the future uptake of Electric Vehicles has been published by Transport for London. Upon this information, future trends and locations for strategic charge units has been developed. The formation of an overseeing organisation for pan-London infrastructure will utilise this information, along with any additional studies that Barnet may commission, to understand future

needs of Electric Vehicle owners/operators.

6.0 BACKGROUND PAPERS

- 6.1 Minutes of the Environment Committee, 7th November 2017 – Item 11 –
London Councils Agreement
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=9221>