

COUNCIL	DATE 30 October 2019	ITEM NO 15
TITLE To delegate the exercise of additional functions to London Councils relating to electric vehicle infrastructure	WARD(S) All	
CHIEF OFFICER Director of Regeneration Enterprise and Skills	CABINET MEMBER Air Quality, Sustainability and Transport	
DECISION CLASSIFICATION Key	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes	

1. **Decision required**

This report makes the following recommendations to Full Council:

- 1.1 Delegate the Council's functions relating to electric vehicle infrastructure to London Councils' TEC Joint Committee, as set out in Appendix A
- 1.2 Authorise the Cabinet Member for Air Quality, Sustainability and Transport to sign and send to London Councils' TEC Joint Committee, the delegated authority form as set out in Appendix A to this report
- 1.3 Authorise the Director of Regeneration, Enterprise and Skills to make the associated amendments to the London Councils' Governing Agreement dated 13 December 2001 (as amended) in order to give effect to the delegation authorised under paragraph 1.1 above.

2. **Links to the Royal Greenwich high level objectives**

- 2.1 This report relates to the Council's agreed high level objectives as follows:

The reduction of vehicle emissions relates to the high level objective of ensuring a healthy and safe living environment.

- 2.2 In its Air Quality Action Plan (Published on 15 June 2017), the Royal Borough of Greenwich has developed actions that it is taking to improve air quality within its administrative boundaries and one of the key actions is 'Cleaner transport'. Road transport is the main source of air pollution in

London. And as well as incentivising modal shift from private car use to walking, cycling, the Council is committed to encouraging the switch to ultra-low emission vehicles (such as electric) when vehicle use is absolutely necessary.

3. Introduction and Background

3.1 London Councils' Transport and Environment Committee (LCTEC) has an objective to provide a centralised delivery partnership and management resource for the development of electric vehicle (EV) charging infrastructure in London.

3.2 The centralised approach would bring economies of scale, simplify the process for customers and operators and reduce the resource burden on local authorities, whilst allowing boroughs to retain control of the type, locations, and ownership of charge points. The delivery partnership would provide support to boroughs and undertake tasks delegated by the boroughs to the delivery partnership.

3.3 For LCTEC to take part in this delivery partnership, each of the 33 London local authorities participating in the LCTEC joint committee arrangements must delegate the exercise of additional functions to the joint committee. This requires the TEC constitution (Governing Agreement, dated 13 December 2001 (as amended)) to be varied. So far, ten boroughs have signed the delegated authority forms.

3.4 The decision form setting out the agreed addition to LCTEC functions set out in Part 3(D) of the LCTEC Governing Agreement and inserting a new paragraph 2(b) to that Part 3(D) is attached to this report as Appendix A.

4. Available Options

4.1 Implement the proposals: The Council could implement the proposal as outlined in this report.

4.2 Do nothing: The Council could choose to do nothing. This mean the Council could carry on working on EV charging delivery without the assistance of the new delivery partnership led by London Councils.

5. Preferred Option

5.1 The preferred option is to implement the proposal.

6. Reasons for Recommendations

- 6.1 The delegation of the specific functions to LCTEC would facilitate a centralised delivery partnership whose benefits to the Council are set out at paragraph 4.2 of this report, and which would assist in facilitating the Royal Borough's ambitious EV delivery programme in 2019 and beyond.

7. Consultation Results

- 7.1 This decision would not require any form of consultation.

8. Cross-Cutting Issues and Implications

Issue	Implications	Sign-off
<p>Legal including Human Rights Act</p>	<p>Section 101(5) of the Local Government Act 1972 empowers two or more local authorities to discharge any of their functions jointly. Where arrangements are in force for them to do so, they may also arrange for the discharge of those functions by a joint committee. These powers enable the Council to delegate functions to LCTEC.</p> <p>The Council's Constitution provides, at Article 11.02 (Joint Arrangements), that the Council may establish joint arrangements with one or more local authorities, and that such arrangements may involve the appointment of joint committees with these other local authorities</p> <p>The Leader's Scheme of Delegation sets out at paragraph 4(2) in Part 3 of the Council's Constitution, the Council's transport and environment functions which had already been delegated to the London Councils Transport and Environment Committee.</p>	<p>Eleanor Penn, Assistant Head of Legal Services, 03/09/2019</p>

	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide that the function of making arrangements for the discharge of functions by a committee or officer under section 101(5) of the Local Government Act 1972 is not to be the responsibility of an executive of the authority. The proposed delegation of functions to LCTEC referred to in this report is therefore required to be approved by Full Council.	
Finance and other resources including procurement implications	There are no financial implications arising from this report.	Sue Rock Accountancy Business Change Manager 08/10/2019
Equalities	There are no equalities implications from the proposal	Mohammed Chibou 26/07/2019

9. Report Appendices

9.1 The following documents are to be published with and form part of the report:

- *Appendix A: LCTEC Agreement amendment delegated authority form*

10. Background Papers

N/A

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