



London Local Authorities and Transport for London Act 2013

2013 CHAPTER v

PART 5

CHARGING POINTS FOR ELECTRIC VEHICLES

16 Charging points for electric vehicles

- (1) A London authority may provide and operate charging apparatus for electrically powered motor vehicles—
 - (a) in any public off-street car park under the management and control of the authority;
 - (b) on any highway for which they are responsible as highway authority.
- (2) A London authority may grant a person permission to provide or operate charging apparatus for electrically powered motor vehicles—
 - (a) in any public off-street car park under the management and control of the authority;
 - (b) on any highway for which they are responsible as highway authority.
- (3) For the purposes of this Part, a person to whom permission is granted under subsection (2) is referred to as an “authorised person”.
- (4) Section 115D of the 1980 Act (limit on powers to provide amenities on the highway) shall apply in relation to the exercise of the powers under this section by a London authority as it applies in relation to the exercise of powers under sections 115B and 115C of that Act by a council.
- (5) No charging apparatus may be provided on a local Act walkway unless walkway consent has been obtained first.
- (6) Subject to subsection (7), a London authority may grant a permission under subsection (2) upon such conditions as they think fit, including conditions requiring the payment to the authority of such reasonable charges as they may determine.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(7) Nothing in this section—

- (a) is to be taken as authorising the creation of a nuisance or of a danger to users of a highway or a public off-street car park; or
- (b) (in relation to permissions granted under subsection (2)) is to be taken as imposing on a London authority by whom a permission has been granted any liability for injury, damage or loss resulting from the presence on a highway or public off-street car park of the charging apparatus to which the permission relates; or
- (c) is to be taken as imposing on a London authority any liability for injury, damage or loss resulting from the presence on a highway or public offstreet car park of a connecting cable; or
- (d) shall prejudice the right of a London authority to require an indemnity against any claim in respect of injury, damage or loss arising out of the grant of a permission granted under subsection (2),

but paragraph (d) is not to be taken as requiring any person to indemnify a London authority against any claim in respect of injury, damage or loss which is attributable to the negligence of the London authority.

(8) For the purposes of determining, in any proceedings in a court of civil jurisdiction, who is liable for injury, damage or loss resulting from the presence on a highway or public off-street car park of a connecting cable at or near charging apparatus provided under this section, it shall be presumed that the person in charge of the relevant vehicle at the relevant time had responsibility for and control of the cable.

(9) In subsection (8)—

“the relevant vehicle” means the vehicle in respect of which the connecting cable was about to be, was being or had been used for charging;

“the relevant time” means the time when the liability arose.

(10) This section is without prejudice to section 162 of the 1980 Act (penalty for placing rope, etc. across highway).

(11) In this section—

“charging apparatus” includes any fixed equipment but excludes any connecting cable or wire which is not provided by the authority;

“connecting cable” means any cable or wire, whether provided by the authority or otherwise, used to connect the charging apparatus to a vehicle and that is not permanently attached to the charging apparatus;

“local Act walkway” and “walkway consent” have the same meanings as in section 115A of the 1980 Act;

“operate” in relation to charging apparatus for electronically powered motor vehicles includes supply or sell electricity by means of such charging apparatus;

“public off-street carpark” means a place, whether above or below ground and whether or not consisting of or including buildings, where off-street parking accommodation is made available to the public, whether or not for payment.