

Date: 31/01/2023

Ref: CAM4473

Dear Requester

Thank you for your request for information dated 03/01/2023 about proposed electric vehicle charging points in Clorane Gardens, London NW3. We have dealt with this under the Freedom of Information Act 2000.

Response

The council holds the information requested. However we are withholding some of the information because it is exempt as explained below. We have explained where we are withholding information and what exemptions apply. Please see the refusal notices at the end of the answers which explain how and why they apply.

Can you please supply me with information relating to the decision to install the proposed electric vehicle charging points in Clorane Gardens, London NW3 (the "Clorane EVCPs"). In particular, please supply:

- **A copy of the resolution of Camden Council approving the decision to install the proposed Clorane EVCPs and/or confirmation of which officer of the council has delegated authority to approve the installation of the Clorane EVCPs a copy of such delegated authority, and a copy of the written decision pertaining to the installation; and**

I can confirm that London Borough of Camden holds the information you requested.

You can find this information on the Council's website at the following location:

[Decision - Fast Electric Vehicle Charging Points 2022-23 - Camden Council](#)

As the information requested is already reasonably accessible elsewhere it is exempt under the absolute exemption in Section 21.

- **Details as to the financial terms existing between Camden Council and Source London in relation to the Clorane EYCPs, and in particular**

(a) who is paying for the installation of the Clorane EVCPs and
Frognal ward Community Infrastructure Levy (CIL) funds.

(b) any revenue sharing, royalty payment, licence fee, milestone payments or similar to be paid to Camden Council by Source London in relation to revenues received by Source London from the Clorane EYCPs.

Please include copies of material which you hold in the form of paper and electronic records including emails.

Question b is exempt under Section 43(2) of the Freedom of Information Act 2000. See the refusal notice below.

Refusal Notice:

Section 43(2) – The Council has withheld this information because Section 43(2) exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

The council is relying upon the higher threshold of likelihood that disclosure would have a prejudicial effect. The parties whose commercial interests are concerned are Source London Mobility Solutions Ltd and the council. The harm that would be caused to Source London Mobility Solutions Ltd is that their commercial details such as profit margins and detailed business model, would be revealed which would negatively impact their trading position and ability to secure contacts. The harm that would be caused to the council is that our ability to achieve the best process for a new contract would be reduced. The link between the disclosure and harm is that for Source London Mobility Solutions Ltd, rival companies would have awareness of their business model and pricing structure which would reduce their chances of successfully tendering, and for the council, would reduce the chances of varied new tenders for similar areas.

In applying this qualified exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

The public interest arguments for releasing this information are as follows:

- Improving transparency in decision making.
- Ensuring value for money.
- To ensure accountability of the authority.
- Demonstrating the council is meeting its fiduciary duties.

The public interest arguments for withholding the information are as follows:

- It is not in the public interest to disclose information that would be likely to damage the commercial interests of a company, as this could lead to financial problems for the company and/or job losses.
- It is not in the public interest to damage the council's commercial interests, as this affects how it spends public money and the services it can provide to residents and other stakeholders.
- It is not in the public interest to release information that could negatively influence ongoing and future negotiations as this could have an adverse effect on value for money for the council, so for residents and other stakeholders.
- Withholding the figures does not prevent scrutiny of the council's actions and decisions.

We have decided that the public interest in withholding the information outweighs the public interest in disclosing it.

Advice and Assistance:

As advice and assistance I can inform you that the London Borough of Camden is receiving two distinct revenue streams from Source London for the provision of EV charging services.

1. Revenues from the PAN London agreement:
 - fix revenue element based on the geographical location of the charging site.
 - Profit share element that is based on the pro-rate contribution.
2. GULCS – a turnover percentage
 - This is based on the structure of the GULCS framework as set by TFL.

Further Information

We do not give our consent for any names and contact details provided in this response to be sent marketing material. Any such use will be reported to the ICO as a breach of General Data Protection Regulations and the Privacy and Electronic Communication Regulations.

Why not check our Portal [Open Data Camden](#) before making a new request as your question may already be answered by a previous [FOI response](#) or in one of our many useful and interesting datasets.

Your Rights

If you are not happy with how your response was handled you can request an Internal Review within 2 months of this letter by email to foireviews@camden.gov.uk or post: Information and Records Management Team, London Borough of Camden, Town Hall, Judd Street, London WC1H 9JE. Please quote your case reference number. If you are not satisfied with the Internal Review outcome you can complain to the Information Commissioner's Office at casework@ico.org.uk telephone 0303 123 1113, or post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. The ICO website www.ico.org.uk may be useful.

Yours sincerely

Philip Lewis
Information Rights Officer