

## Notice of KEY Executive Decision

<b>Subject Heading:</b>	Electric Vehicles Charging Point Programme (EVCP) - Approval to proceed to formal consultation.
<b>Decision Maker:</b>	Councillor Barry Mugglestone – Cabinet Member for Environment
<b>Cabinet Member:</b>	Councillor Barry Mugglestone – Cabinet Member for Environment
<b>SLT Lead:</b>	Barry Francis, Director of Neighbourhoods
<b>Report Author and contact details:</b>	Martin Day Senior Transport Planner <a href="mailto:martin.day@havering.gov.uk">martin.day@havering.gov.uk</a> 01708 432869
<b>Policy context:</b>	Havering Air Quality Action Plan 2018 - 2023 Mayor's Transport Strategy 2018 Havering Local Plan 2021 Havering Climate Change Action Plan 2021
<b>Financial summary:</b>	The cost of the units and installation of the EVCPs is to be met by the Government grant under the On-Street Residential Charge Point Scheme (ORCS) (75%) and the remainder from the selected Charge Point Operator (25%) following a procurement process managed by the Strategic Procurement Unit (SPU).
<b>Reason decision is Key</b>	The Chargers will be installed in eight wards.
<b>Date notice given of intended decision:</b>	Not before 11 <sup>th</sup> May 2022

**Key Executive Decision**

<b>Relevant OSC:</b>	Environment
<b>Is it an urgent decision?</b>	No
<b>Is this decision exempt from being called-in?</b>	No

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

Following a recommendation of the Highways Advisory Committee on 8<sup>th</sup> March 2022 this Executive Decision seeks approval to commence statutory consultation on the installation of 68 electric vehicle charge points across the following 12 car parking locations:

<b>Car Park/on street parking location</b>	<b>Number of Charge Points</b>
Balgores Square	2 charge points
Billet Lane	6 charge points
Cherry Tree Lane	6 charge points
Dorrington Gardens	6 charge points
Fentiman Way	6 charge points
Keswick Avenue	6 charge points
Oldchurch Road	6 charge points
Town Hall (Front)	6 charge points
Woodhall Crescent	2 charge points
Hilldene Avenue	8 charge points
Station & Tadworth Parades	8 charge points
Slaney Road	6 charge points

- If at the close of the formal consultation period, no objections are received to the proposals, considered on a site by site basis, then those sites proceed to full implementation. In the case of any site receiving objections an objection report, for those sites, will be submitted seeking an approved way forward.
- In locations where no objections are received, officers progress with the implementation of the works and amendments to the traffic orders accordingly.
- It is noted that the scheme will be funded through the Office of Zero Emissions Vehicles (OZEV) who are funding 75% of the total cost (£176,000) with the remaining 25% (£59,000) being funded through the appointed Charge Point Operator.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

#### **Authority under which decisions are made**

2.1 Article 9 Power of the Executive to make decisions.

## **Key Executive Decision**

Part 3, Section 2.5, paragraph (s) To consider recommendations of the Highways Advisory Committee relating to highways and traffic schemes and to make decisions relating to them.

1.2 Part 3, Section 2.6, paragraph (y) Portfolios to be assigned to individual Cabinet Members - Highways & Traffic Schemes

## **STATEMENT OF THE REASONS FOR THE DECISION**

### **Introduction**

1. At its meeting on 8<sup>th</sup> March 2022 the Highways Advisory Committee (“HAC”) considered proposals to consult on the introduction of electric vehicle charge points in Council operated car parks.
2. The HAC recommended that the proposals proceed to consultation.
3. This Executive Decision reflects the recommendations of the HAC and adopts the justification for the decision as set out in the report to HAC.

### **Background**

4. There has been a significant expansion in media coverage about Electric Vehicles (EVs) in recent years. That is often linked to commentary about poor air quality and the adverse impact of this on health, particularly for children and older people or those with respiratory problems.
5. Electric Vehicles have the potential to offer great benefits to residents, businesses, and visitors, in terms of health, the environment, and reduced running costs over the lifetime of a vehicle.
6. In terms of health impact, more people in London are harmed by air pollution attributed to road transport than by road collisions and incidents. Airborne Particulate Matter (PM) reduces average life expectancy across the whole of the UK by up to 8 months. The health effects of air pollution in the UK costs the economy between £9 and £21 billion per annum.

### **Policy Context**

7. The Government recently announced that it would not be possible to buy a new internal combustion engine (ICE) vehicle from 2030. This measure is part of wider Government plans for the UK to become carbon neutral by 2050.
8. The Mayor’s Transport Strategy (2018) (MTS) aims for all taxis and Private Hire Vehicles to be zero emission capable by 2033, and for all buses to be zero emission by 2037, and all new road vehicles driven in London to be zero

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emission by 2040.

9. The London Plan requires all new developments with parking provision to include 20% of the spaces with Electric Vehicle Charging Points ready to use, with passive provision for all remaining spaces.
10. Havering's Local Plan (Policy 24 parking standards and design) states that developments will need to include the minimum required electric vehicle charging points at the time of the application in line with the London Plan.
11. The Council adopted a Climate Change Action Plan in November 2021 setting out how Havering will look to achieve becoming a carbon neutral borough by 2040 or sooner.
12. The Havering Air Quality Action Plan 2018-2023 has an 'action' to investigate the feasibility of Electric Vehicle Charging Points on the public highway and in residential areas.

### Electric Vehicle Infrastructure in Havering

13. The Government wishes to support a switch from ICE (internal combustion engine) vehicle ownership and usage across the country to electric vehicles or hybrid vehicles. As part of that policy the Government would like to improve and expand the infrastructure needed to charge vehicles in the public domain, and that means more publicly available electric vehicle charge points (EVCPs).
14. A significant increase in the number of electric vehicles owned nationally and by residents in the coming years will require greater numbers of publicly available chargers.
15. Havering has no Council owned EVCPs at the present time and very low numbers of EVCPs provided even by other bodies compared to the vast majority of London Boroughs. There are pockets of charge points at various housing developments, Centre of Engineering and Manufacturing Excellence (CEME), some garages, and supermarkets, but none of these are Council owned.
16. Car ownership figures in the Borough are the third highest in London so it's reasonable (and modelled by Transport for London) to anticipate that the number of EVs in the Borough will also be high in the coming months and years as residents switch their vehicle type.
17. Electric Vehicle ownership in Havering currently comprises between five and six hundred vehicles. This is comparable to other outer London boroughs but lower than in inner and central London where journeys tend to be shorter and public transport more accessible.
18. Transport for London (TfL) has modelled scenarios of predicted uptake of Electric Vehicles. Ownership in Havering is forecast to rise rapidly in the next five years with an estimated 2,800 plug-in vehicles registered to Havering

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residents and businesses by 2025.

19. Currently, there are more than 400,000 Electric Vehicles registered in the UK. The Government and private sector have supported the installation of more than 22,500 individual charging points (which is now numerically more than individual petrol pumps).
20. The Council's consultation hub invites residents to comment on a number of matters concerning Electric Vehicles and charging point infrastructure. To date over 300 responses have been received and reflects a growing call for EVCPs in the Borough.

### Funding Opportunities

21. The Government have allocated £20m to support the installation of electric vehicle charge points, through the Office of Zero Emission Vehicles (OZEV), until the end of the 2022/23 Financial Year.
22. Councils can bid for funding through the On-Street Residential Charge Scheme (ORCS) for charge points that will allow those that cannot charge at home (and visitors to the Borough) to charge an electric vehicle. The ORCS scheme is the most appropriate opportunity to deliver charge points in those settings using central Government funds.

### Funding Application

23. The primary criteria for charge points in Council owned car parks is that they should be accessible 24 hours a day by residents and visitors. They are also required to be within a five to ten minute walk of residential areas with relatively low home charging capability.
24. All of the 26 Council owned car parks have been closely assessed against the scheme criteria and nine meet the criteria. In addition a further three on-street parking locations meet the criteria.
25. In total 68 bays across the twelve parking locations have been approved by OZEV, which equates to under 10% of the total parking bays across these locations.
26. The intention is to procure double socket charging units so one charge unit can charge two EVs at the same time, though of course two parking bays would be required. Further details on the car park locations can be found in Appendix A of this report which includes an extract of the funding application for each parking location.
27. The chargers will be 7kw, which are the most cost effective and suitable for overnight charging. The spending guide from OZEV shows a maximum of £7.5k per charger, inclusive of all costs, including connection, up to a maximum of £13k in exceptional circumstances, and justified in the application.

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### **Funding Allocation**

28. A funding application was prepared to a total value of £235k. The value of the application was broken down as £176k from OZEV and the remaining £59k to be secured from a charge point operator that will be selected through a procurement exercise, overseen by the Council's Strategic Procurement Unit (SPU). This would cover the cost of the EVCP infrastructure and installation and ongoing maintenance for the entire period of the contract of the Charge Points themselves by the Charge Point Operator (CPO).
29. Following submission of the funding application, Havering has been awarded £176,390 from OZEV.
30. A Non-Key Executive Decision by an Officer was approved by Havering's Chief Operating Officer to confirm acceptance of the offer from OZEV, and 75% of the OZEV funding has been awarded following Havering's acceptance of the offer and the remaining 25% of the award on completion of the works later in 2022.

### **Procurement Process**

31. A full procurement process is being undertaken to appoint a Charge Point Operator. This is being progressed in liaison with the Council's Strategic Procurement Unit.

### **Consultation**

32. Members in wards where EVCPs are proposed have been consulted on the proposed locations. Comments received on the proposals can be found in Appendix B together with a summary of the response that went back to each enquiry.
33. Consultation will include the publication of a Section 17 Notice in the vicinity of each car park space proposed to be converted into an Electric Vehicle Charging Bay, with the associated infrastructure. The Notice will provide details of the proposals and will specify the consultation period during which representations regarding the proposal may be made to the London Borough of Havering. The consultation period will be 28 days.
34. In addition, a Traffic Management Order (TMO) will be formally advertised in the local newspaper publication for a period of 21 days.
35. If following the formal consultation process there have been no objections to the proposals, it is recommended that Officers progress the scheme to implementation following completion of the procurement process.

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### **Electric Vehicle Charging Point Operation**

36. As part of the installation process, bays where charging points will be located will be marked as dedicated '*EV charging only*' parking bays. These will be clearly marked with lines and indicated with signage.
37. Local residents (and visitors to the borough) will be able to access the car parks listed in this application for free overnight (but paying for the power used), between 6pm – 8am at all 12 sites. This will ensure that residents will have full unrestricted overnight use of the charge points.
38. To ensure that EVCP bays are available for people to use, and the length of stay controlled, it is recommended that bays are booked on the RingGo parking app. It would not be possible to use coinage and a parking ticket machine for these purposes.
39. All the EV bays will be exempt from parking charges with a maximum stay of 4 hours during daytime hours. A no return within 2 hours (between the hours of 8am and 6pm) restriction would also be in place to ensure availability for others.

### **Next Steps**

40. Subject to approval of this report by the Lead Member, Officers will progress the scheme to formal consultation.
41. Should formal objections be received, an Objections Report will be prepared and presented to the Cabinet Member for Environment for the sites that received objections.
42. If no formal objections are received, once the procurement process has been completed the scheme will be progressed to implementation.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

43. These resident consultations are a statutory requirement so must be undertaken and therefore are the only options available to the Council.

### **PRE-DECISION CONSULTATION**

44. A report was taken to the Highways Advisory Committee on 8<sup>th</sup> March. Ward Members where Charge Points are proposed have also been consulted.



**Key Executive Decision**

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Martin Day

Designation: Senior Transport Planner

Signature: *Martin Day*

Date: 18/07/2022

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

45. Implementation of the proposals in this Report will be subject to the outcome of the statutory consultation process as set out in the relevant legislation.

#### **London Local Authorities and Transport for London Act 2013**

46. Section 16 of the London Local Authorities and Transport for London Act 2013 sets out the Council's power, as a London local authority, to provide and operate charging apparatus for electrically charged vehicles in any public off-street car park under the management and control of the traffic authority (S.16(1)(a)) or on any highway for which they are responsible as highway authority (S.16 (1 (b))).

47. In exercise of the Council's power under Section 16, the Council has a statutory duty to publish a notice under Section 17 (2) of the 2013 Act. Section 17 (3) states that the London authority shall publish a notice by affixing it in a conspicuous position at or near the place to which the proposal relates, Section 17 (4) stipulates the notice shall:

(a) give details of the proposal; and

(b) shall specify a period (being not less than 28 days after the publication of the notice) during which representations regarding the proposal may be made to the London authority or authorised person.

48. Section 17 (5) states that where a London local authority has published a notice they shall not exercise the power or grant permission for the charging apparatus until they have taken into consideration all representations made within the specified period.

49. Section 18 sets out a duty to consult or obtain consent any authority other than themselves who are a local planning authority.

50. A Traffic Management Order (TMO) will be formally advertised in the local newspaper publication for a period of 21 days.

51. The Council's power to make an order regulating or controlling vehicular traffic on roads is set out in Section 6 of Part 1 RTRA 1984. Schedule 1 of the RTRA 1984 lists those matters as to which Orders can be made under Section 6. The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings.

52. Before an Order is made, the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 are complied with.

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53. Section 122 RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). This statutory duty must be balanced with any concerns received over the implementation of the proposals.
54. In considering any consultation responses, the Council must balance the concerns of any objectors with the statutory duty under section 122 RTRA 1984.

## **FINANCIAL IMPLICATIONS AND RISKS**

55. This report is requesting that the Cabinet Member for Environment approve that formal consultation be progressed on the proposals and that should no objections be received, that the scheme progress to implementation.
56. The ORCS application provides for 75% (£176,000) of the total project value from OZEV, for the remaining 25% (£59,000) it is permissible to negotiate with the charge point operator so no Council funds will be required.
57. There is usually a profit share or similar arrangement negotiated as part of the procurement process.
58. Any agreement with the charge point operator will be checked by the Legal team following the procurement process overseen by the Strategic Procurement Unit (SPU).
59. The Council does not hold occupancy data for the car parks. Officers have calculated the average occupancy for each car park based upon financial earnings from the last full year before the onset of the Covid-19 pandemic.
60. These calculations have revealed that, out of the 12 different locations selected for charging point installation, the highest occupied car park was occupied at an average of 21.3% of the time. The least occupied car park was Cherry Tree Lane at an average of 1.8% of the time.
61. While these calculations do not consider peak and non-peak times, they do reveal that if car visits were distributed equally throughout the year, that the majority of each car park would not be occupied. As such, officers believe that the installation of electric vehicle charging points (in total less than 10% of bays across the 12 sites), in the numbers contained within the report, would have no financial effect on the parking income of each location.
62. In time the charge points will themselves provide a low level income stream, subject to negotiation with the charge point operator chosen through the procurement process. That revenue will increase as EV ownership inevitably increases.

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**HUMAN RESOURCES IMPLICATIONS AND RISKS  
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

63. There are no Human Resource Implications as a result of this decision.

**EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

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64. Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

65. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants

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### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

66. This decision seeks approval to proceed to formal consultation on the proposed Electric Vehicle Charge Point locations. There are no direct environmental or climate change implications as a result of undertaking consultation.
67. However, subsequent implementation of the Electric Vehicles Charging Points will contribute towards the Council's aim of being a carbon neutral organisation by 2040 or sooner.

### **BACKGROUND PAPERS**

None

### **APPENDICIES**

Appendix A: Proposed Electric Vehicle Charge Point locations  
Appendix B: Ward Member Consultation Responses

**Key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

**Councillor Barry Mugglestone**

Signed

Name:

Cabinet Portfolio held: Lead Member for the Environment

Date:

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_