

Notice of NON-KEY Executive Decision

Subject Heading:	Electric Vehicles Charging Point Programme (EVCP) in Lamp Columns - Approval to proceed to formal consultation.
Decision Maker:	Imran Kazalbash – Assistant Director, Public Realm
Cabinet Member:	Councillor Barry Mugglestone – Cabinet Member for Environment
SLT Lead:	Barry Francis, Director Neighbourhoods
Report Author and contact details:	Martin Day Senior Transport Planner martin.day@havering.gov.uk 01703 432869
Policy context:	Havering Air Quality Action Plan 2018 - 2023 Mayor's Transport Strategy 2018 Havering Local Plan 2021 Havering Climate Change Action Plan 2021
Financial summary:	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.
Reason decision is Key	The Chargers will be installed in 16 wards.
Date notice given of intended decision:	30 August 2022

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Relevant OSC:	Places OSSC
Is it an urgent decision?	No
Is this decision exempt from being called-in?	Yes, it is a Non Key Decision

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

This Executive Decision seeks approval to commence statutory consultation on the installation of 80 electric vehicle charge points in lamp columns in streets that do not have houses that will allow for charging at home for residents.

The criteria set by the Office for Zero Emission Vehicles required the locations to be in areas where home charging was not possible, they also contain a number where specific requests by residents have been received.

The full list of lamp column locations are at Annex A to this report.

If at the close of the formal consultation period, no objections are received to the proposals, considered on a location by location basis, then those locations 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 (£170,100) with the remaining 25% (£56,700) being funded through the appointed Charge Point Operator.

AUTHORITY UNDER WHICH DECISION IS MADE

Paragraph 3.4 of the London Borough of Havering Constitution

3.4 Powers of Second Tier Managers

General powers

(g) To undertake consultation with the Council's customers and relevant stakeholders, in accordance with the Council's consultation procedures, in order to establish: (i) levels of customer satisfaction with the Council's services (ii) the public and stakeholders' responses to consultation documents, strategies and surveys.

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. 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.
2. 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.
3. 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

4. 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.
5. 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 emission by 2040.
6. 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.
7. 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.
8. 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.
9. 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.

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Electric Vehicle Infrastructure in Havering

10. 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).
11. 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. The growth in EV sales is huge and in 2021 one in five new vehicles sold in the UK was an EV.
12. 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.
13. 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 as high in the coming months and years as residents switch their vehicle type.
14. Electric Vehicle ownership in Havering currently comprises over a thousand 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.
15. Data for the DVLA shows that across London EV's have accounted for 1 in 5 of all new vehicle purchases in the past year. 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 residents and businesses by 2025.
16. 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).
17. The Council recently invited 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.

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Funding Opportunities

18. 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.
19. 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

20. The primary criteria under this scheme is that the chargepoints 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.
21. All of the 80 locations have been closely assessed by OZEV and meet their criteria. All bays on-street will be marked for EV use and enforced.
22. The chargers will necessarily be slow charge, primarily for use overnight and are the most cost effective and suitable for chargers housed in lamp columns. 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.

Funding Allocation

23. A funding application was prepared to a total value of circa £227k. The value of the application was broken down as £170k from OZEV and the remaining £57k to be secured from a charge point operator that will be selected through a procurement exercise. 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).
24. Following submission of the funding application, Havering has been awarded £170,100 from OZEV.
25. 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.
26. The funding has to be spent by the end of the 2022/23 Financial Year.

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Procurement Process

27. A full procurement process is being undertaken to appoint a Charge Point Operator. Given that the funding allocated has to be spent by the end of the financial year, the Council has taken the decision to secure an external resource to progress the procurement process on the Council's behalf. The Procurement Partnership Limited (TPPL) have been appointed to provide the necessary procurement support for the project.
28. It is intended to also use TPPL under the same process to select the CPO for the 68 car park chargers spread across 12 Council owned car parks and subject to a previously cleared ED earlier this year.

Consultation

29. Consultation will include the publication of a Section 17 Notice on each of the lamp columns proposed to be converted into an EV charging facility, 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. The Notice will be attached to the lamp columns being converted.
30. In addition, a Traffic Management Order (TMO) will be formally advertised in the local newspaper publication for a period of 21 days.
31. 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.

Electric Vehicle Charging Point Operation

32. Local residents (and visitors to the borough) will be able to access the chargers listed at Annex A at any time, the cost to charge will be agreed with the CPO and advertised prior to use.

Next Steps

33. Subject to approval of this report by the Lead Member, Officers will progress the scheme to formal consultation.
34. 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.
35. If no formal objections are received, once the procurement process has been completed the scheme will be progressed to implementation.

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OTHER OPTIONS CONSIDERED AND REJECTED

36. These resident consultations are a statutory requirement so must be undertaken and therefore is the only option available to the Council.

PRE-DECISION CONSULTATION

37. Not applicable.

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

Name: Martin Day

Designation: Senior Transport Planner

Signature: *Martin Day*

Date: 11/11/2022

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

38. 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

39. 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))).

40. 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.

41. 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.

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

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

44. 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.

45. 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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46. 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.

47. 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

48. This report is requesting that the Assistant Director of Public Realm approve that formal consultation be progressed on the proposals and that should no objections be received, that the scheme progress to implementation.

49. The ORCS application provides for 75% (£170,100) of the total project value from OZEV, for the remaining 25% (£56,700) it is permissible to negotiate with the charge point operator so no Council funds will be required.

50. There is usually a profit share or similar arrangement negotiated as part of the procurement process.

51. Any agreement with the charge point operator will be checked by the Legal team following the procurement process overseen by the The Procurement Partnership Limited (TPPL).

52. Discussion on the preferred financial model as a long term concessionary contract will be assessed by the Finance team. It is likely the contract term will be 15 years as is common across the UK between CPOs and Local Authorities.

53. CPOs are attracted by a long period in order to get a greater return on their investment, especially given the first few years are likely to deliver low level usage.

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

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

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EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

55. 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.

56. 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

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

57. 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.

58. 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

Annexes

Annex A: Proposed Electric Vehicle Charge Point locations

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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

Imran Kazalbash
AD Public Realm

Signed



Name: Imran Kazalbash

Other manager title: AD Public Realm

Date: 11 November 2022

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 _____