

CORPORATE SERVICES DEPARTMENT
Director – Caroline Holland



**Democracy Services
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

**Direct Line: 0208 545 3357
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Date: 6 March 2020

Dear Councillor

**Notification of a Decision taken by the Cabinet Member for
Regeneration, Housing and Transport**

The attached non-key decision has been taken by the Cabinet Member for Regeneration, Housing and Transport with regards to:

- **Proposed Electric Vehicle Charging Points – formal consultation**

and will be implemented at **noon on Wednesday 11 March 2020** unless a call-in request is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

**Amy Dumitrescu
Democracy Services**

NON-KEY DECISION TAKEN BY A CABINET MEMBER UNDER DELEGATED AUTHORITY

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

1. Title of report and reason for exemption (if any)

Proposed Electric Vehicle Charging points – formal consultation

2. Decision maker

Councillor Martin Whelton - Cabinet member for regeneration, housing and transport

3. Date of Decision

6 March 2020

4. Date report made available to decision maker

6 March 2020

5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel

6. Decision

That the Cabinet Member notes and considers the content of this report and approves the following recommendations:

- a) Notes the result of the statutory consultation carried out between 9th January and 7th February 2020 on the proposal to introduce electric vehicle charging points at the following locations: Graham Road and Rostrevour Road.
- b) Notes and considers the representations received in respect of the proposal as detailed in sections 3.2.1, 3.2.2 and 3.2.3.
- c) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of EV charging points at the above identified locations. Location plans are attached in Appendix 1
- d) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

1. The installation in Graham Road and Rostrevour Road will assist in meeting the Mayor of London target for the introduction of 100,000 electric vehicles on London's roads by the end of 2020 which the council supports.
2. It will also enable closer access to charging points as the current charging points are over 800 metres
3. Following the formal announcement of a climate emergency, the rollout of electric vehicle charging point infrastructure which will supplement the current air quality Action Plan.

8. Alternative options considered and why rejected

Do nothing. This would be contrary to the Supreme Court ruling that the government must take immediate action to cut air pollution after the UK breached EU limits for nitrogen dioxide (NO₂) in the air. The Government is now legally bound to take urgent action.

There are several different approaches that the council could adopt to the provision of charging infrastructure including:-

- Purchase and maintain its own independent network of EVCP's

- Form a partnership with another EVCP provider.

9. Documents relied on in addition to officer report

10. Declarations of Interest

None

11. Publication of this decision and call in provision

Send this form and the officer report* to democratic.services@merton.gov.uk for publication. Publication will take place within two days. The call-in deadline will be at Noon on the third working day following publication.



Councillor Martin Whelton

Cabinet member for regeneration, housing and transport

6 March, 2020

Delegated Report

Date: 5th March 2020

Agenda item: N/A

Ward: Hillside and Dundonald

Subject: Proposed Electric Vehicle Charging points.

Lead officer: Chris Lee, Director of Environment & Regeneration

Lead member: Councillor Martin Whelton Cabinet Member for Regeneration, Housing and Transport.

Contact Officer: Paul Atie Email: paul.atie@merton.gov.uk

Key decision reference number: N/A

RECOMMENDATIONS

That the Cabinet Member notes and considers the content of this report and approves the following recommendations:

- a) Notes the result of the statutory consultation carried out between 9th January and 7th February 2020 on the proposal to introduce electric vehicle charging points at the following locations:

Street	Postcode	EVCP's
Graham Road	SW19 2SJ	3
Rostrevor Road	SW19 7AP	3

- b) Notes and considers the representations received in respect of the proposal as detailed in sections 3.2.1, 3.2.2 and 3.2.3
- c) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of EV charging points at the above identified locations. Location plans are attached in Appendix 1
- d) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report details the undertaking of the statutory consultation and its outcome on the Councils' proposals to introduce EV charging points at the above locations.
- 1.2 It seeks approval to implement the above recommendations.

2. BACKGROUND

2.1 Despite government grants, the uptake of battery electric (BEV) or Plug-in hybrid electric vehicles (PHEV) has been slower than originally anticipated. This slow take up has in part been due to higher purchase costs, the variety of vehicles available and range anxiety (the concern that a vehicle might run out of power during a journey). However, vehicle manufacturers are now offering a much-improved selection of electric/PHEV vehicles to customers.

2.2 The recent Society of Motor Manufactures and Traders (SMMT) data below shows a marked acceleration in the numbers of BEV and PHEV.

Year to Date	YTD 2020 (Jan 2020)	YTD 2019	% change	Market share 2020	Market share 2019
Battery Electric Vehicles (BEV)	4054	1334	203.9%	2.7%	0.8%
Plug-in hybrid electric vehicle (PHEV)	4788	2268	111.1%	3.2%	1.4%

2.3 The Government has recently announced its intention to bring forward the ban on the sale of new petrol, diesel and hybrid cars to 2035 from 2040.

2.4 London introduced the Ultra-Low Emission Zone in April 2019, with further proposals in place to extend it to the North and South Circular roads in 2021. All taxis and new Private Hire Vehicles (newly-licensed) will also be required to be zero emission capable (ZEC),

2.5 A key objective of the Mayor's Transport Strategy is to facilitate the delivery of a network of Electrical Vehicle Recharging Points (EVRPs) across London. This is reinforced by documents such as the London Electric Vehicle Infrastructure Delivery Plan.

2.6 Following the formal announcement of a climate emergency, the Council is expected to present an Action Plan to Cabinet in March 2020. The plan is likely to endorse an accelerated rollout of electric vehicle charging point infrastructure. This new plan will supplement the current air quality Action Plan.

2.8 Analysis undertaken by TfL suggests that by the end of 2025 London could need 2,300 - 4,100 rapid chargers, and 33,700 — 47,500 slow to fast chargers (3kw — 7kw). Merton currently has around 132 fast (7kw) chargers and 5 rapid chargers (50Kw).

2.9 In June 2019 representatives of Bluepoint and Council officers met to identify locations where the 5th batch of EVCP's could be installed. The method used to identify the sites was through requests received from residents who own electric vehicles or those who plan to purchase one. Thus so far the Council has introduced 133 charging points on 39 sites. The Council and Bluepoint continue to receive requests/enquiries from members of the public for charging points with the more recent being Graham Road and Rostrevor Road.

3. CONSULTATION

- 3.1 Following the completion of the planning process, a statutory consultation was carried out for the introduction of the EV charging points. During the planning stage there were objections from Rostrevor Rd. These objections were addressed accordingly. The statutory consultation on the proposals to introduce a number of electric charging points in Graham Road and Rostrevor Road, was carried out between 9th January and 7th February 2020. The consultation included the erection of street Notices on lamp columns in the vicinity of the proposals and the publication of the Council's intentions in the Local newspaper (Wimbledon Times) and the London Gazette. Notices were distributed to property owners adjacent to the proposed charging points and larger plans were also made available at the Link, Merton Civic Centre and on the Council's website.
- 3.2 The statutory consultation resulted in 3 objections being received.

Objection 1

- 3.2.1 'I am writing regarding application ES/EVBATCH5 for three electrical charging points opposite 173-177 Graham Road. This is the second time that I am writing to object to the application. I originally objected last October however I never received an acknowledgment. I don't know if the two applications are linked, so am writing again to express my objections.

While I am not against the installation of electrical charging points in general, I am totally against the proposed site opposite 173-177 Graham Road for the following reasons:

1. Lack of clarity about Merton's overall strategy for electrical charging points and how Graham Road fits into this strategy.

I have seen no explanation of Merton's overall strategy for electrical charging, and why this end of Graham Road has been selected for three charging points. I find it especially odd that this site has been picked, given that there are two existing charging points in Gladstone Road within a three minute walk of the site, and two more on Kingston Road within a ten minute walk. Given the size of Merton, what is the rationale for installing three new points so close to existing charging points, while much of the rest of the borough does not yet have any coverage?

2. Lack of evidence about current unmet need for electrical charging points

Since I first became aware of the proposal for three charging points last October, I have checked the usage of the two charging points on Gladstone Road and the two on Kingston Road on a twice daily basis as I walk to and from South Wimbledon tube station. I do not recall ever seeing all four spaces being occupied by electric cars at the same time. The two charging points in Kingston Road are rarely used (and indeed are out of action currently due to the road works, with no apparent adverse effect) while the charging points in Gladstone Road are either empty, or occupied by one or two car club vehicles. I have rarely seen the Gladstone Road spaces occupied by a private vehicle, and never by two private vehicles at the same time.

This suggests to me that the local supply of charging points currently exceeds demand. Why then, is there a proposal for three new charging points in Graham Road, just round the corner from Gladstone Road? Where is the evidence to support this proposal?

3. Current parking is already at capacity at this end of Graham Road

Parking at this end of Graham Road is already extremely crowded with cars from both Graham and Hartfield Roads. The fact that there is no on-street parking in Hartfield Road between Kingston Road and Graham Road, and then only parking on one side of Hartfield Road beyond Graham Road, means that a number of residents in Hartfield

Road park their cars in Graham Road in addition to Graham Road residents. Furthermore, the junction of Graham Road and Hartfield Road limits the number of car parking spaces available compared to the number of properties at this end of the road. Parking is therefore already extremely challenging. It is common for there to be no free spaces at this end of the road, requiring one to park closer to Herbert Road and beyond. There are also times when there are no free spaces at all along the length of Graham Road or Hartfield Road.

Given that there are already insufficient parking spaces available, the removal of three parking spaces for electrical charging points will only exacerbate the challenges that many local residents experience. If residents are forced to drive around the W4 area looking for any available parking spaces, then this will increase traffic pollution rather than diminishing it.

Given the current parking challenges, it is unclear why Merton want to remove three spaces from general use and replace them with charging points. What surveys have been done to review current parking arrangement in Graham Road before choosing this site?

4. Residents cannot be expected to replace their petrol cars overnight

While some residents may replace their petrol or diesel cars with electric vehicles in the future, it is unreasonable to expect that this will happen overnight as soon as the chargers are installed. Where will the existing cars park in the meantime?

I am therefore strongly opposed to the proposal for three charging points opposite 173-177 Graham Road. I think that any decision about location should be backed by robust evidence of both local demand for charging points, and local capacity to give up existing car parking spaces.

Instead, I would propose that Merton considers the following:

- Installing charging points in places where there is existing spare capacity for parking
- Installing charging points in spaces that are open to non-residents (i.e. pay and display spaces) as well as local car parks

Adopting a gradual roll-out in each location - i.e. starting with a single charging point being made operational, and then increasing it to two or three points only when there is robust evidence of unmet demand for electrical charging points.

Objection 2

3.2.2 I am writing with reference to the proposal to install charging points for electric vehicles opposite 173 to 177 Graham Road. I am concerned that although we live close to the proposed charging points (XXX Graham Road), at no point have we been notified. This will have a severe impact on residents' ability to park in an already busy road. Why were we not consulted ?

Graham Road does seem a random choice . There are already other charging points nearby - two on Gladstone Road and two on Kingston Road - and these are not fully utilised . This suggests to me that local demand is not exceeding supply. Therefore three more charging points in Graham Road seems excessive.

It strikes me that there is a lack of strategy around charging points and that the many of us who cannot afford electric vehicles will be the losers.

We have the impending development of a hotel at the top of our road which will place yet further pressure on the already overstretched parking facilities on Graham Road.

In the light of the above I would ask you to reconsider this proposal.

Objection 3

- 3.2.3 We are writing to express our objection to the above application to install charging points for electric vehicles opposite 173-177 Graham Road.

Parking is already very limited around the Graham Road /Hartfield Road junction and the loss of three bays will have a significant impact on local residents. We are unaware of any local residents who currently have electric vehicles and would request that a needs analysis is carried out before this installation goes ahead

Officers comments

- 3.2.4 Parking stress is a recognised issue across the Borough. The conversion from normal parking bays to charging bays is therefore, a carefully undertaken process. The current local ownership of EVs and estimated future local demand are also important factors within the site selection process. This means that provision for EVCPs is accommodating known demand and future proofing the streets for the anticipated uptake in EV ownership. It should further be noted that the creation of new vehicle charging facilities will likely lead to an uptake in electric vehicle ownership by way of induced demand. This implies that once the infrastructure is in place, this leads to a change in thinking, resulting in greater uptake in the electric vehicle market.
- 3.2.5 Following request for EV charging points in Graham Rd, the Council identified a location in Graham Rd (Town Centre end), however, due to the development site, officers were compelled to consider alternative locations in Graham Rd. A newsletter was delivered to those properties within the vicinity of the proposed bays. Objections were received from those who claim they were not aware of the proposal.
- 3.3 On a broader issue it is important to note that electric vehicles have no tailpipe emissions of CO2 or the air pollutants which have a detrimental effect on human health. The London Mayor's Air Quality Strategy focuses specifically on improving air quality and to facilitate this the Mayor for London and LB Merton is working with partners to introduce 100,000 electric vehicles on London's roads by the end of 2020.
- 3.4 On a local level Merton's Local Implementation Plan report is being prepared and it will recommend that every resident is within 800m of a charge point. The installation of three charge points in Graham Road will assist in meeting this target and can confirm that the other charge points in close proximity to the site are over 800 metres.
- 3.5 Following the formal announcement of a climate emergency. The Council is expected to present an Action Plan to Cabinet in March 2020. The plan is likely to endorse an accelerated rollout of electric vehicle charging point infrastructure. This new plan will supplement the current air quality Action Plan.
- 3.6 In conclusion the proposals include the conversion of three parking spaces to dedicated electric vehicle bays. Given the overall greater benefit of such a facility, it is recommended that the implementation of the charging points be approved.

- 3.7 It is recommended that the TMO is made to implement the charging points in Graham Road and Rostrevor Road.

4.0 ALTERNATIVE OPTIONS

- 4.1 Do nothing. This would be contrary to the Supreme Court ruling that the government must take immediate action to cut air pollution after the UK breached EU limits for nitrogen dioxide (NO₂) in the air. The Government is now legally bound to take urgent action. It would also be contrary to the Council's own various policies and aspirations in encouraging and facilitating electric vehicle ownership.

5.0 TIMETABLE

- 5.1 If a decision is made to proceed with implementation of the proposed EV charging points, TMOs will be made six weeks after the publication of Cabinet Member decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. The measures will be introduced soon after.

3. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 The installation, operation, electricity costs and maintenance of any "open" electric vehicle charging points would fall within the sole responsibility of Bluepoint. The council is only responsible for progressing the necessary Traffic Management Orders and highway maintenance. Even then reasonable costs up to £500 will be recoverable providing costs can be clearly demonstrated. Bluepoint's investment costs would be recovered through membership fees and charges.
- 6.2 The Council receives a fee per open charge point (based on London Travel Zones) for every open EVCP location installed via the contract. This equates to £300 for zone 4 and £200 for zones 5 and 6 (TfL Bus/Tube zone Map). Although costs of physical works are refundable, fees will initially need to be ring fenced to ensure that the whole process is sustainable in the future.
- 6.3 The cost of making the necessary traffic orders will be met from the Council's Local Implementation Plan budget.

4. LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Traffic Management Orders would be made under Section 6 and Section 45 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.
- 7.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published draft order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.

5. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs.
- 8.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.

8.3 The implementation of the proposal aims to assist those with existing and future needs.

6. CRIME AND DISORDER IMPLICATIONS

N/A

7. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1 The road safety implications/risks during construction and maintenance will be fully considered at each stage of the detailed design process.

10.1 The risk of not implementing the proposals would be detrimental to Council's obligations in addressing pollution and would compromise the Council' contractual obligations with Bluepoint. It would also do nothing to meet the growing demand for the infrastructure.

8. APPENDICES

Appendix 1 - Drawing Graham Road SL-010_Rev A and Rostrevor Road L-010_Rev B (003)

Appendix 2 - Statutory consultation notice to homeowners and site Notice.

Merton Council - call-in request form

1. Decision to be called in: (required)

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2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy Services, 7th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on

020 8545 3864