CORPORATE SERVICES DEPARTMENT

Director - Caroline Holland



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

Direct Line: 0208 545 3356

Email: democratic.services@merton.gov.uk

Date: 1 November 2016

Dear Councillor

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

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

Proposed Electric Vehicle Charging Points

and will be implemented at **noon on Friday 4 November** unless a call-in request is received.

The <u>call-in</u> form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

Lisa Jewell 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, Environment and Housing

3. Date of Decision

November 2016

4. Date report made available to decision maker

31 October 2016

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

6. Decision

- a) Notes the result of the statutory consultation carried out between 31st August and 3rd October 2016 on the proposal to introduce Electric Vehicle (EV) charging points in various parts of the Borough which include Cowdrey Road, Dudley Road, Durham Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road and West Barnes Lane.
- b) Notes the objection received during the statutory consultation.
- c) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of EV charging points in various part of the Borough which included Cowdrey Road, Dudley Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road, and West Barnes Lane.
- d) Agrees not to proceed with implementation of Electric Charging points outside property Nos 7 & 9 Durham Road

7. Reason for decision

- 1) Support for the installation of electric charging points as demonstrated by the consultation.
- 2) Impact on the environment through the increased use of electric cars. This will lead to lower emissions and improvements to air quality.
- 3) Increasing demand from residents for the use of electric cars.

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.

The current partnership approach is seen as offering the council best value at a low financial risk in a rapidly changing and innovative market place. Previous ownership models across London also failed to deliver economically and in terms of reliability to customers with around 60% of charge points operational when Bluepoint took over source London. Most boroughs no longer have the resources nor technical expertise to operate independently Not to implement would go against majority support for a CPZ as expressed in the consultation.

9.	Documents	relied o	on in	addition	to	officer	repo
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None

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, Environment and Housing

1 November, 2016

Delegated Report

Date: 17th October 2016

Agenda item: N/A Ward: Borough Wide

Subject: Proposed Electric Vehicle Charging points.

Lead officer: Chris Lee, Director of Environment & Regeneration

Lead member: Councillor Martin Whelton Cabinet Member for Regeneration, Environment and

Housing.

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 31st August and 3rd October 2016 on the proposal to introduce Electric Vehicle (EV) charging points in various parts of the Borough which include Cowdrey Road, Dudley Road, Durham Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road and West Barnes Lane.
- b) Notes the objection received during the statutory consultation.
- c) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of EV charging points in various part of the Borough which included Cowdrey Road, Dudley Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott R, Strathearn Road, and West Barnes Lane.
- d) Agrees not to proceed with implementation of Electric Charging points outside property Nos 7 & 9 Durham Road
- e) 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 in Cowdrey Road, Dudley Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road, Durham Road and West Barnes Lane.
- 1.2 It seeks approval to proceed with the making of the relevant TMOs to introduce EV charging points Cowdrey Road, Dudley Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road, and West Barnes Lane as shown in Drawing No. ELECT 001- 010 in Appendix A.

 It seeks approval not to proceed with implementation of EV charging points outside property Nos 7 & 9 Durham Road.

2. BACKGROUND

- In recent years despite government grants, the uptake of electric or ultra-low emission vehicles (ULEV) has been slower than 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/ULEV vehicles to customers.
- Department of Transport figures also reveal that at the end of 2014 there were 21,371 licenced green vehicles in the UK. A total of 9,046 ultra- low emission vehicles were also registered in the first quarter of 2015 a rise of 366% from the same period in 2014 indicating that whilst numbers are still relatively low the trajectory is now clearly upwards.
- Within London, ULEV's had a 0.8 percent market share for new vehicle registrations in 2014. Based on research commission by TfL it is projected that the number of ULEV in London will surpass 20,000 (baseline scenario) in 2020 and will approach 100,000 by 2025, which represents a 25 fold increase in 10 years. In a high battery electric vehicle (BEV) scenario the numbers of ULEV could reach 50,000 by 2020 and 220,000 by 2025. For Merton this equates to 1,890 by 2025 for the baseline and 5,195 in the high growth BEV scenario.
- There is now a noticeable interest from Merton residents seeking on-street charge points.
 With continued government support and other planned interventions this demand is expected to increase.
- Recently the Supreme Court ruled 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.
- Likely interventions include TfL's proposals for an ultra-low emission zone in central London, which will include a requirement that all taxis and new PHVs newly-licensed from January 2018 will be Zero Emission Capable (ZEC), with broader controls planned for 2020. There is also the possibility that the existing London wide Low Emissions Zone (LEZ) could be broadened to include greater range of vehicles. Both proposals are expected to increase demand for ULEV's. Improving air quality is a mayoral priority objective for TfL. The most recently launched Ultra Low Emission Vehicle Delivery Plan (July 2015) demonstrates this commitment.
- A key objective of the Mayor's Transport Strategy (2011) is to facilitate the delivery of a network of Electrical Vehicle Recharging Points (EVRPs) across London. This is reinforced by documents such as the Electric Vehicle Delivery Plan and the Ultra-Low Emissions Vehicles Delivery plan for London.
- It is anticipated that the numbers of electric and hybrid vehicles is set to rise in Merton and neighbouring boroughs over the next few years and requests for EVRPs is likely to increase, as manufacturers bring more electric vehicles to the market each year.
- Merton Council is committed to improving air quality and promoting sustainable modes of transport. EV charging bays and associated EV charging points are amongst a number of measures the Council are introducing to encourage motorists to switch to low carbon vehicles (including electric vehicles).

- Previously the backroom operations for Source London (pan London electric vehicle charging provider) were controlled by TfL and the charge infrastructure was owned independently by TfL, private partners and partner London boroughs. Since September 2014 this operation has been sold to "Bluepoint" London.
- The legal process to transfer ownership, the "Deed of Novation" is now complete. Negotiations on the Deed of Variation (the main contractual document) was signed 10 February 2016 and Merton's amendment letter concluded. This legal contract sets out the respective obligations of scheme partners (boroughs) and the scheme operator, technical details, maintenance and communication specifications.
- The revised contract includes some wide ranging and in instances innovative proposals e.g.
 profit sharing and the ability to book a charge point, which following lengthy negotiations
 supported by legal and property teams has resulted in significant changes to the original
 contract and is now considered acceptable to the Merton Council.
- Important items of the new contract include:-
- The installation, operation, electricity costs and maintenance of any "open" electric vehicle charging point 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 limit (£500) will be recoverable provided costs can be clearly demonstrated (internal processes will need to be established for this new area of work). Bluepoint's investment costs would be recovered through fees and charges.
- Bluepoint would work with the council to identify potential EVCP locations. These are likely
 to be provided in clusters (5 maximum) across the borough. This has already been taking
 place and those sites identified within this report are the first batch.
- Bluepoint is committed to funding and expanding the number of EVCP's across London from around 1300 to around 6000 by 2017 (including borough and private partners).
- The Council is expected to use its best endeavours to ensure that all necessary consents, licences and permissions are obtained to install and operate the charging points.
- To prevent Source London customers overstaying in EV dedicated bays, they have in place a charging regime for customers that will provide a financial disincentive for stays beyond 4 hours (except between 7pm to 7am).
- In October 2015 representatives of Bluepoint and Council officers met to identify locations where the first batch of EVCP's could be installed. The method used to identify the sites was through requests received from residents who own an electric vehicle or those who plan to own one in the immediate future. 10 sites were selected for the first batch of the charging points. Since that time the Council and Bluepoint continue to receive request/enquiry from members of the public for charging points. The Council and the operator currently have enough requests for a further 20 locations in the pipeline to be investigated as soon as implementation of the current batch is complete.

3. CONSULTATION

- The statutory consultation on the proposals to introduce a number of electric charging points in various parts of the Borough which include Cowdrey Road, Dudley Road, Durham Road, Gorringe Park Avenue, High Street Wimbledon, Kingston Road, Mostyn Road, Pincott Road, Strathearn Road and West Barnes Lane was carried out between 31 August and 3 October 2016. 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 Guardian and the London Gazette. Newsletters were distributed to property owners adjacent to the proposed charging points and larger plans were also made available at the Link, Merton Civic Centre, Wimbledon Library and on the Council's website.
- The statutory consultation resulted in a total of 2 representations being received, 1 with comments and 1 against the proposal in Durham Road.

Durham Road

• An objection was received from an owner of a property in Durham Road where the charging points were proposed. The resident stated that the area of the road is very busy with shops, a council care home and block of flats close by with no designated parking. Use of these spaces as charging points instead of parking for residents would exacerbate the problem. As an NHS doctor he/she frequently gets called out at unsociable hours and changing the use of this parking space would create parking difficulties when returning home late at night. It is recommended not to implement the EV Charging points at this location for the time being and to look for alternative location in the area.

4. ALTERNATIVE OPTIONS

- 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.
- 4.1 The current partnership approach is seen as offering the council best value at a low financial risk in a rapidly changing and innovative market place. Previous ownership models across London also failed to deliver economically and in terms of reliability to customers with around 60% of charge points operational when Bluepoint took over source London. Most boroughs no longer have the resources nor technical expertise to operate independently

5. TIMETABLE

• If a decision is made to proceed with implementation of the proposed EV charging points, TMOs could be made six weeks after the made 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.

6. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

 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 (internal processes will need to be established for this new area of work). Bluepoint's investment costs would be recovered through member fees and charges.

 The Council would receive 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 into the future.

7. LEGAL AND STATUTORY MPLICATIONS

- 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.
- 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.

8. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 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.
- Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- The implementation of the proposal aims to assist those with existing and future needs.

9. CRIME AND DISORDER IMPLICATIONS

N/A

10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

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

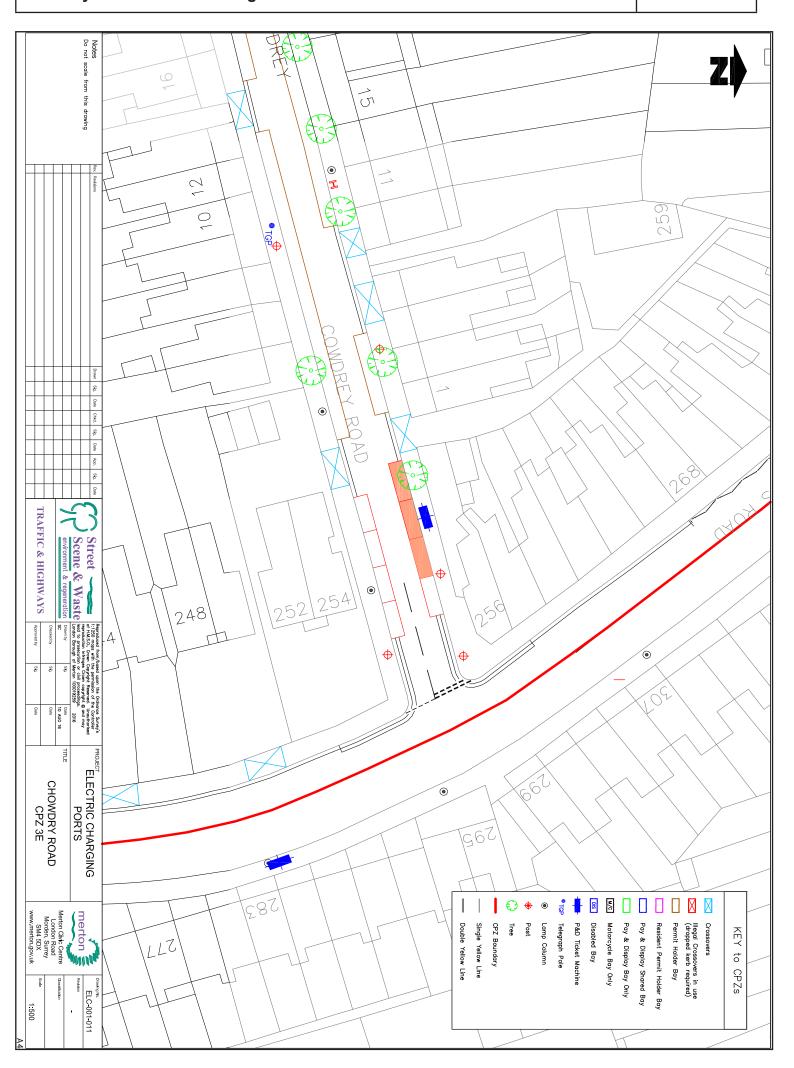
11. APPENDICES

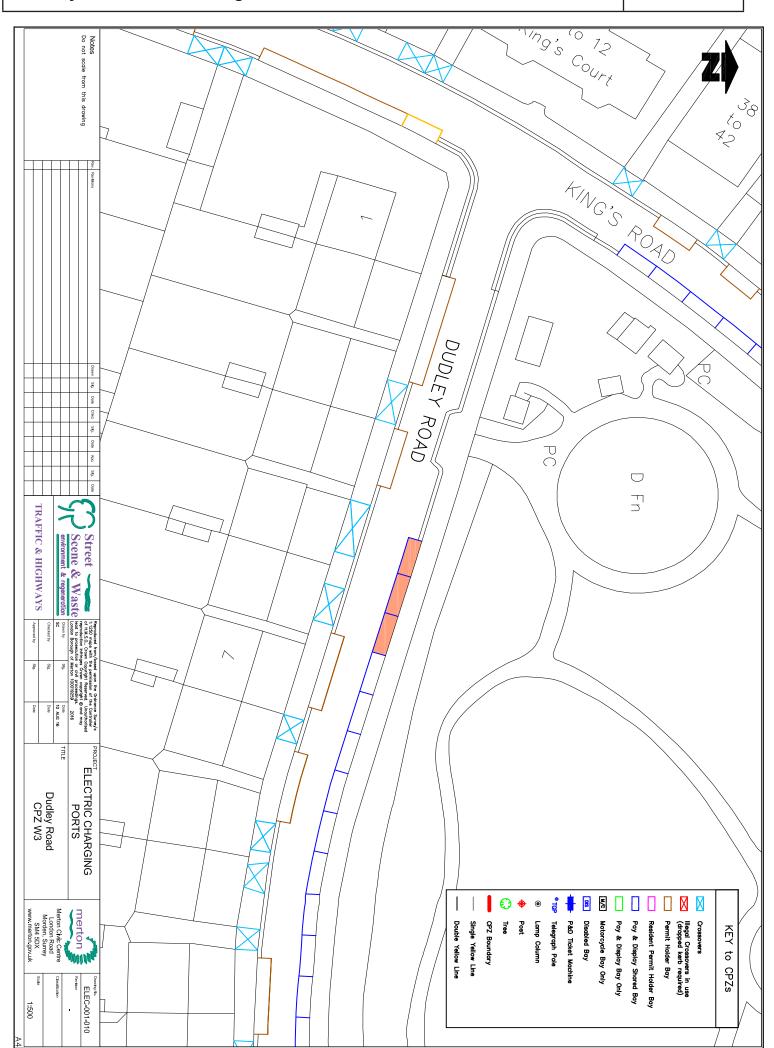
Appendix 1 - Drawing ELECT 001- 010

Appendix 1 - Statutory consultation letter to home owners

Appendix 3 - Representations received

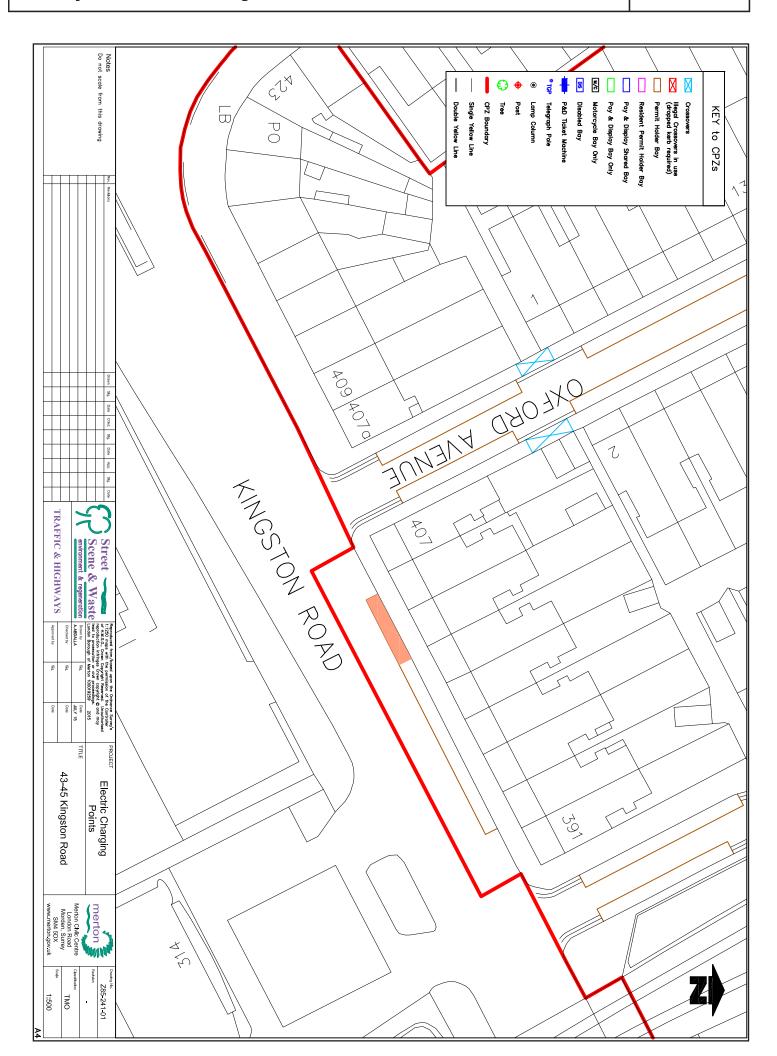
Appendix 4 – Sample of the letter sent to property owners.

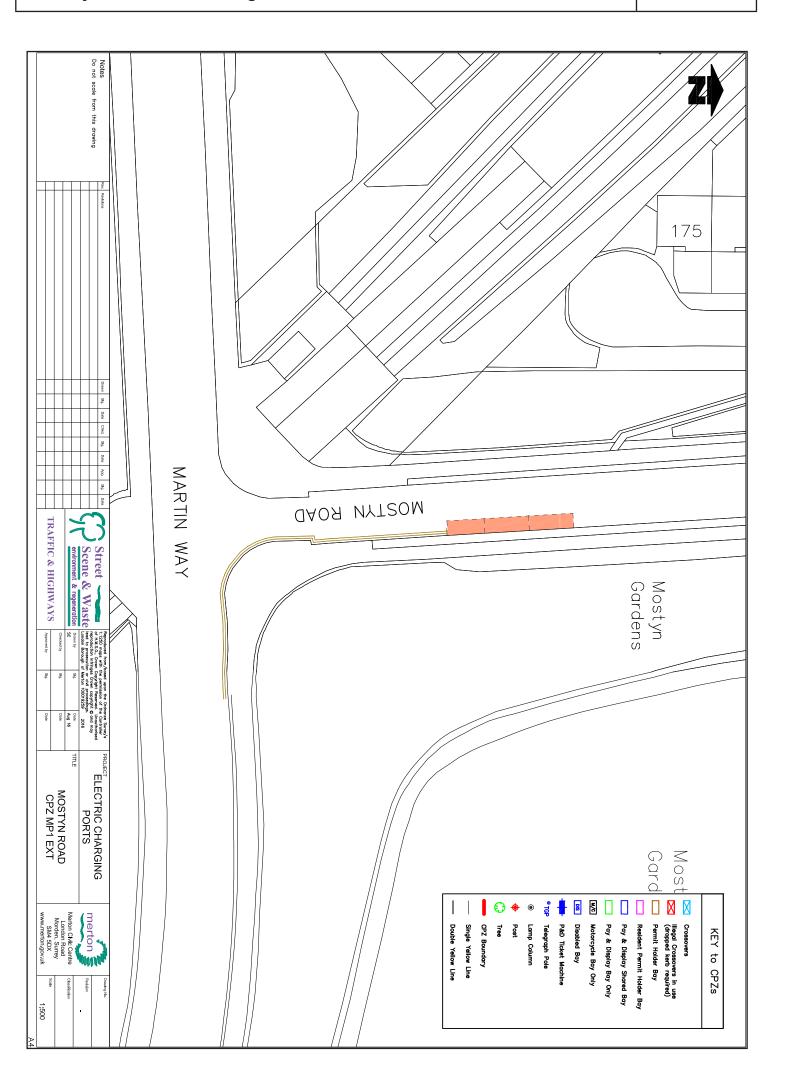


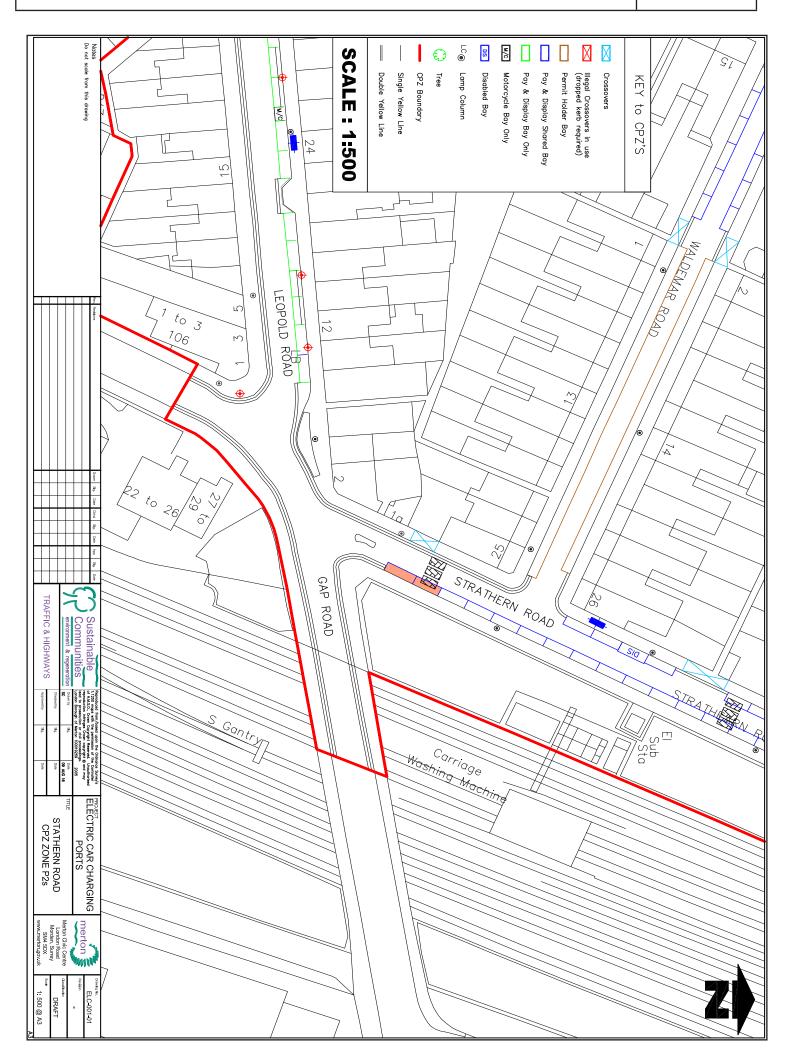


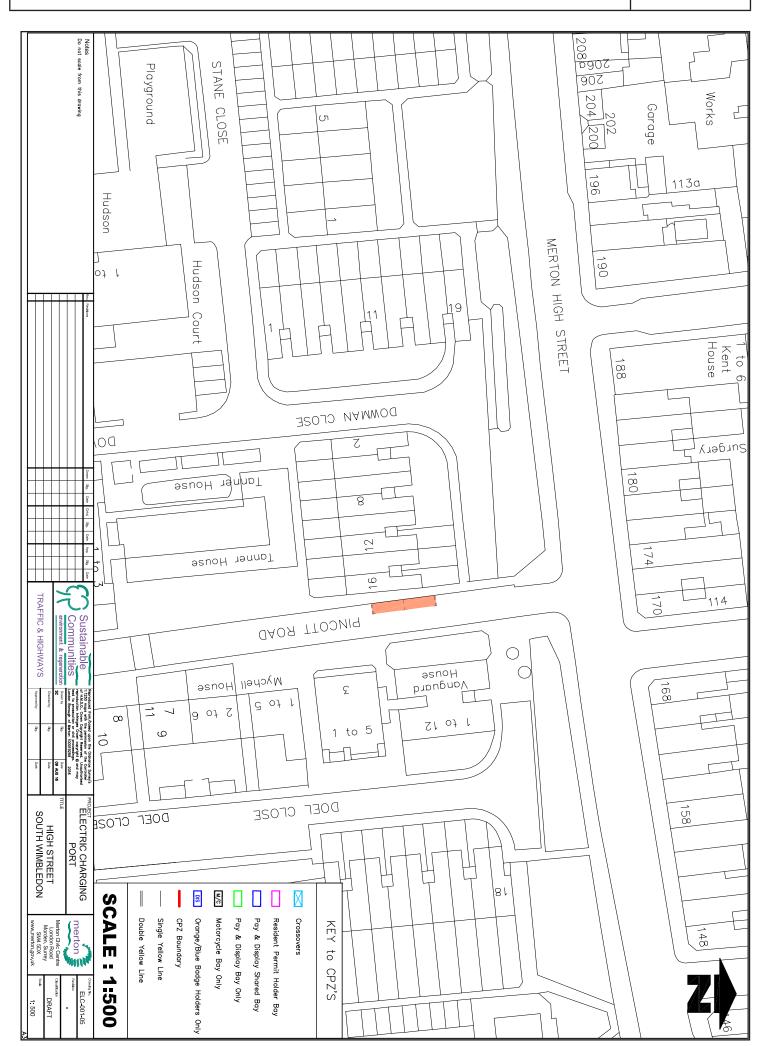
APPENDIX 1

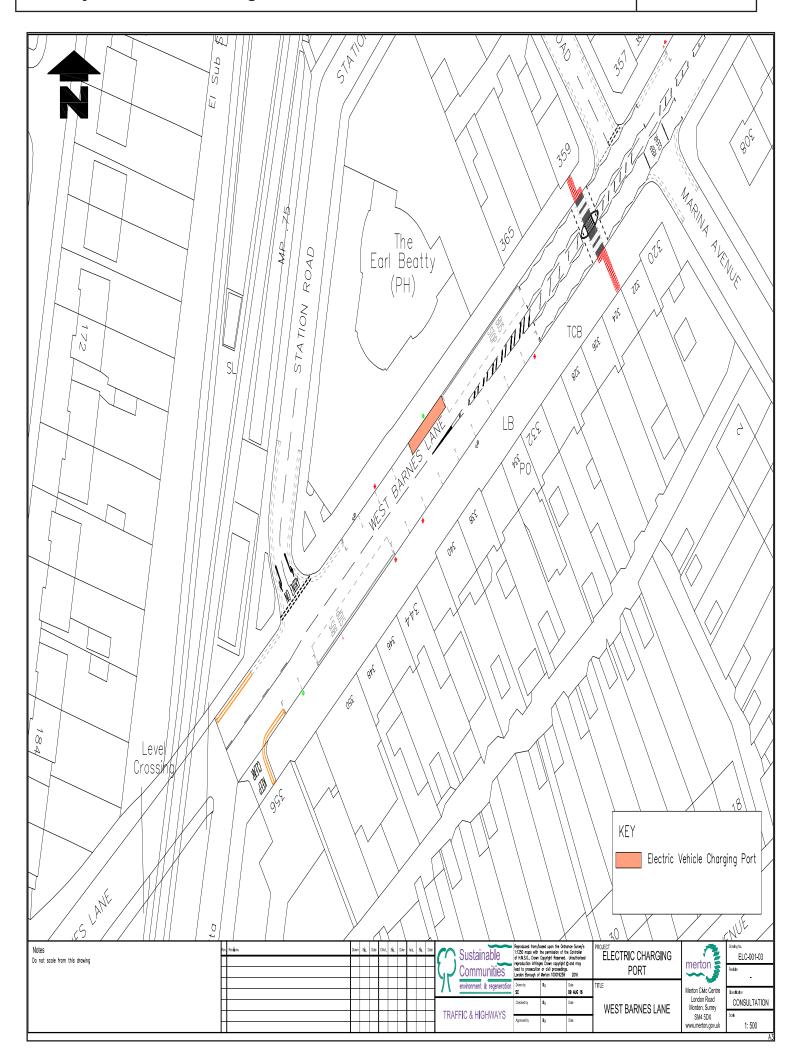


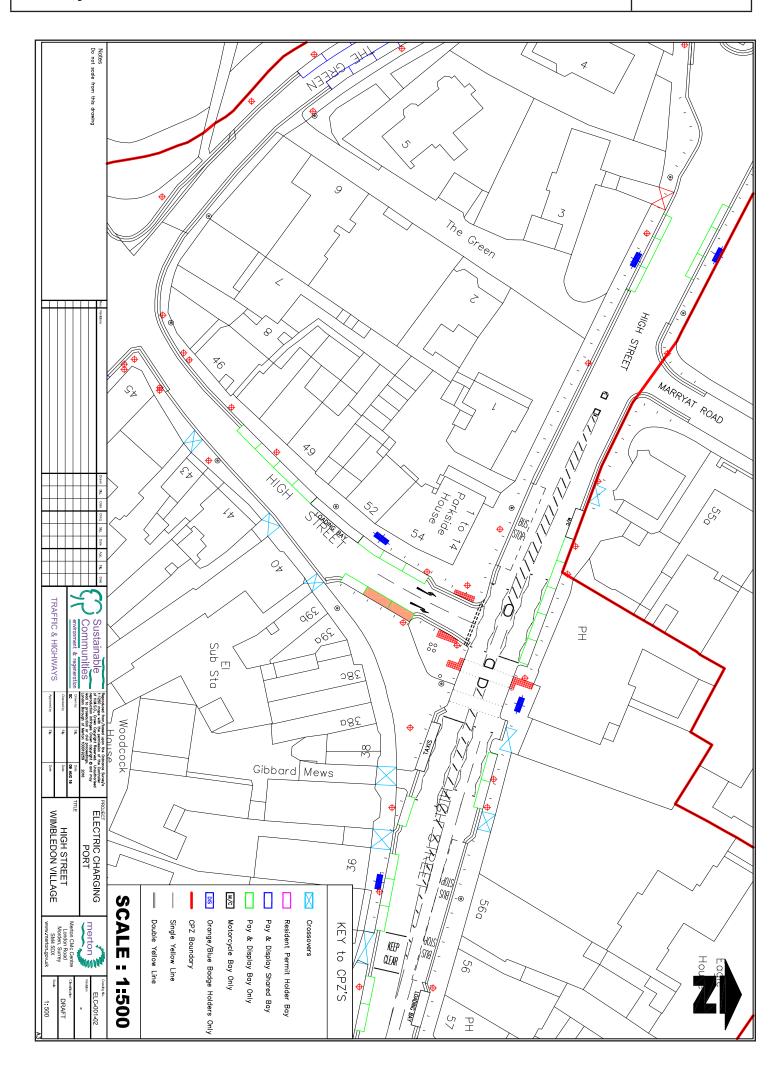


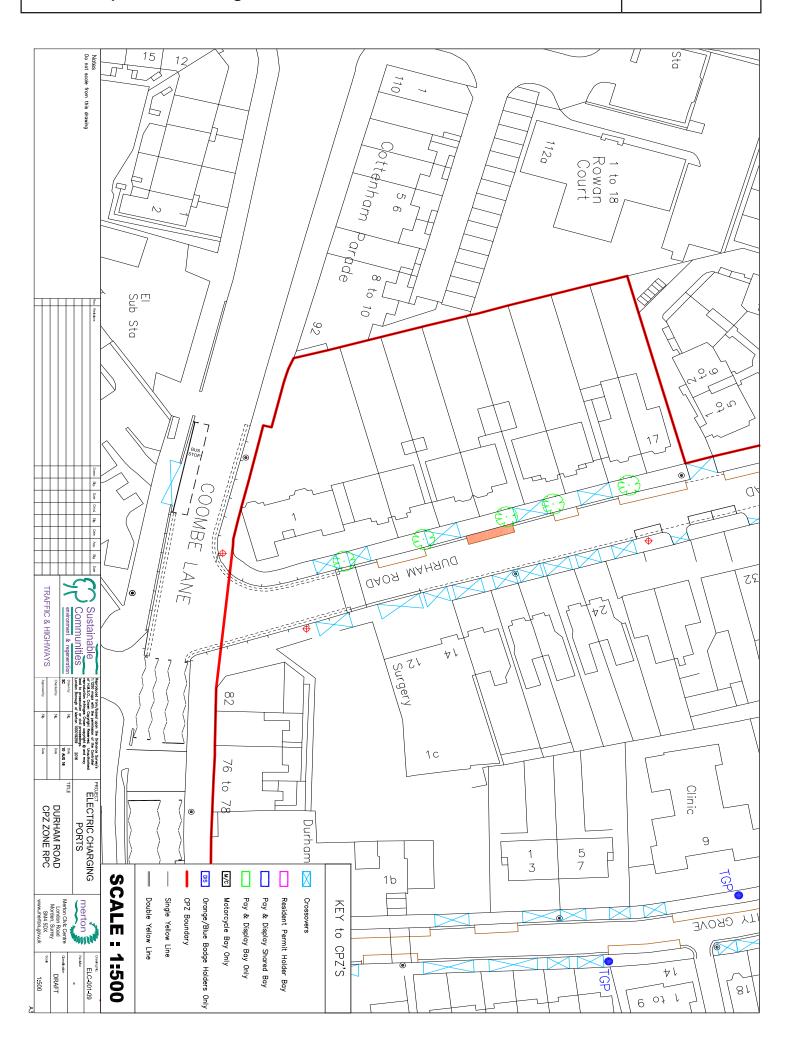












Appendix 3 - Representations received

EV001

To Whom it May Concern:

We act on behalf of Promontoria Holding 74 BV.

We are in receipt of the attached and can confirm Promontoria have no objection to the proposals.

EV002

I want to object to the proposal to place an electric vehicle charging bay outside of my house in Durham road(no7). This area of the road is very busy with shops, a council care home and block of flats close by with no designated parking. Use of these spaces as charging points instead of for parking would worsen the problem in my opinion. I work as an NHS doctor and frequently get called out at unsociable hours . A number of times my exit has been blocked by cars parking across my driveway . I am also concerned about electricity supply for the charging metre . Over the past 4 years I have had a number of power cuts and been told there has been problems at the substation?

Officers Comment

Objection is upheld, the EV charging points will not be implemented at this location till further notice.

ENVIRONMENT AND REGENERATION DEPARTMENT Chris Lee - Director



James McGinlay Head of Sustainable Communities **London Borough of Merton Merton Civic Centre London Road** Morden SM4 5DX

Direct Line: 020 8545 4901

Fax: My Ref:

F\/RP Please Ask For: Paul Atie

Your Ref:

Date: 20 August 2016

Dear Resident.

Re: Electric Vehicle Charging Points

The purpose of this letter is to advise you of the Council's intention to introduce Electrical Vehicle Recharging Points in Cowdrey Road.

A key objective of the Mayor's Transport Strategy (2011) is to facilitate the delivery of a network of Electrical Vehicle Recharging Points (EVRPs) across London. This is reinforced by documents such as the Electric Vehicle Delivery Plan and the Ultra-Low Emissions Vehicles Delivery plan for London.

It is anticipated that the numbers of electric and hybrid vehicles is set to rise in Merton and neighbouring boroughs over the next few years and requests for EVRPs is likely to increase, as manufacturers bring more electric vehicles to the market each year.

Merton Council is committed to improving air quality and promoting sustainable modes of transport. Electric vehicle charging bays and associated electric vehicle charging points are amongst a number of measures the Council are introducing to encourage motorists to switch to low carbon vehicles (including electric vehicles).

PROPOSED CHANGES

It is proposed to introduce 3 numbers of dedicated electric vehicle charging points in Cowdrey Road. The proposal is to convert 3 of the existing Pay & Display parking bays on the northwest side of Cowdrey Road close to its junction with Haydon's Road to electric vehicle charging bays. This would enable members of Source London to charge their vehicle in those dedicated parking bays. For membership and other information please refer to www.sourcelondon.net.

- The proposed dedicated electric charging bays will operate at all times.
- Pay and display tickets will not be valid in these bays.

WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (The Guardian), London Gazette and posted on lamp columns in the vicinity. Representations against the proposals described in this Notice must be made in writing to Future Merton (Traffic and Highways Team 9th Floor), Merton Civic Centre, London Road, Morden, Surrey, SM4 5Dx or email trafficandhighways@merton.gov.uk by no later than 23 September 2016 quoting reference ES/EV. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm. This information is also available on Merton Council's website www.merton.gov.uk/EV

All representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. Please note that responses to any representations received will not be made until a final decision is made by the Cabinet Member.

The Council carries out careful consultation to ensure that all road users are given a fair opportunity to give their views and express their needs on parking proposals. The Council is required to give weight to the nature and content of your representations and not necessarily the quantity. Your reasons are, therefore, important to us. Once a decision is made you will be informed accordingly.

Regards

Paul Atie

Senior parking Engineer

futureMerton

London Borough of Merton

Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX

Merton Council - call-in request form

1. Decision to be called in: (required)						
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					
Call-ins must be supported by at least three members of the Council (Part 4E Section 16(c)(a)(i))					
The call in form and supporting requests must be received by by 12 Noon on the third working day following the publication of the decision (Part 4E Section 16(c)(a)(iii)).					
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 (Part 4E Section 16(c)(a)(iv)) to the Democracy Services, 7 th floor, Civic Centre, London Road, Morden SM4 5DX.					

For further information or advice contact the Democracy Services on 020 8545 3616