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: 14 January 2019

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 **Thursday 17 January 2019** 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, housing and Transport

3. Date of Decision

11 January 2019

4. Date report made available to decision maker

11 January 2019

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

11 January 2019

6. Decision

a) Notes the result of the statutory consultation carried out between 16th November and 14 December 2018 on the proposal to introduce electric vehicle charging points at the following locations

I	St	reet Postcode	EVCP's	Type of bay
l	Parkside	SW19 5BA	2	Pay & Display
I	154 Copse Hill	SW20 0NP	2	No restriction
	11 Revelstoke Road	SW18 5NJ	2	Permit holders
	44 Copse Hill	SW20 0HQ	3	No restriction
	Opposite 30 Wide W	ay CR4 1BL	3	No restriction
	Edenvale Road	CR4 2BE	3	No restriction
I	Chestnut Grove	CR4 1RB	3	No restriction
	Garth Road	KT4 8PX	3	No restriction
	Cleveland Rise	SM4 4PU	2	No restriction
	Central Road	SM4 5RG	2	No restriction
	Castle Way	SW19 6JN	3	Permit bay
	160 Pepys Road	SW20 8NR	3	Permit bay
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- b) Notes that no objection was received during the statutory consultation.
- 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. Drawing are attached in Appendix 1

c) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Reason for decision

Increased use of electric vehicles will help reduce vehicle emissions and improve air quality

The growing number of residents with electric vehicles in Merton and improving access to charging points

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 offers 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.

9. Documents relied on in addition to officer report

London borough of Merton Air Quality Action Plan

10. Declarations of Interest

None

Councillor Martin Whelton

Cabinet member for regeneration, housing and transport

11 January, 2018

Delegated Report

Date: 11th January 2019

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, 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 16th November and 14 December 2018 on the proposal to introduce electric vehicle charging points at the following locations

Street	Postcode	EVCP's	Type of bay
Parkside	SW19 5BA	2	Pay & Display
154 Copse Hill	SW20 0NP	2	No restriction
11 Revelstoke Road	SW18 5NJ	2	Permit holders
44 Copse Hill	SW20 0HQ	3	No restriction
Opposite 30 Wide Way	CR4 1BL	3	No restriction
Edenvale Road	CR4 2BE	3	No restriction
Chestnut Grove	CR4 1RB	3	No restriction
Garth Road	KT4 8PX	3	No restriction
Cleveland Rise	SM4 4PU	2	No restriction
Central Road	SM4 5RG	2	No restriction
Castle Way	SW19 6JN	3	Permit bay
160 Pepys Road	SW20 8NR	3	Permit bay

- b) Notes that no objection was 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 at the above identified locations. Drawing 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 following locations
- 1.2 It seeks approval to implement the above recommendations.

2. BACKGROUND

- 2.1 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.
- 2.2 The Society of Motor Manufactures and Traders data reveals that at the end of March 2018 there were 36,693 alternative fuel vehicles registered. This represents a year on year increase of 9.8% or 5.1% market share. This compares to 21,371vehicles at the end of 2014 representing a rise of around 172%. Continued consumer uncertainty surrounding diesel vehicles is likely to reinforce this strong upward trend. This remarkable surge in demand means there are now more than 145,000 vehicles in the UK. This number is expected to rise to 200,000 in 2018.
- 2.3 The highest number of registrations of alternative fuelled vehicles is in London with over 9200 recorded in 2017 up 42% from the year before. In Merton the highest density of electric cars in the Village area with around 500 vehicles and Wimbledon Park with 73 vehicles. This number is on target to reach TfL's projection that the number of ULEV in London will surpass 20,000 in 2020.
- 2.4 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.
- 2.5 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.
- 2.6 Likely interventions include TfL's recent introduction of an ultra-low emission zone in central London, which include a requirement that all taxis and new PHVs newly-licensed 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 schemes are expected to increase demand for ULEV's. Improving air quality is a mayoral priority objective for TfL. The Ultra Low Emission Vehicle Delivery Plan (July 2015) demonstrates this commitment.
- 2.7 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 Electric Vehicle Delivery Plan and the Ultra-Low Emissions Vehicles Delivery plan for London.
- 2.8 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.

- 2.9 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).
- 2.10 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.
- 2.11 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 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 works with the Council to identify potential EVCP locations. These are likely to be provided in clusters (5 maximum) across the borough.
 - Bluepoint is committed to funding and expanding the number of EVCP's across London from around 1300 to around 6000 by the end of 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 May 2018 representatives of Bluepoint and Council officers met to identify locations 2.12 where the third 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 own one in the immediate future. Thus so far the Council has introduced 64 charging points on 30 sites selected for the first and second batches 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 continue compiled request which is being for the investigation/consultation as soon as implementation of the batch 3 is complete.

3. CONSULTATION

- 3.1 Prior to a statutory consultation, the above locations did undergo the planning approval process. During the planning stage there were some objections for some of the sites. These objections were addressed accordingly.
- 3.2 The statutory consultation on the proposals to introduce a number of electric charging points in various parts of the Borough which include Parkside, Copse Hill, Revelstoke Road, Wide Way, Chestnut Grove, Garth Road, Cleveland Rise, Central Road, Castle Way, Pepys Road was carried out between 16th November and 14 December 2018. 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. 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, Wimbledon Library and on the Council's website.
- 3.2 The statutory consultation did not result in any objections.

4. 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.
- 4.2 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.
- 4.3 The current partnership approach offers 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

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.

6. 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.

7. LEGAL AND STATUTORY MPLICATIONS

- 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.

8. 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.

9. CRIME AND DISORDER IMPLICATIONS

N/A

10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

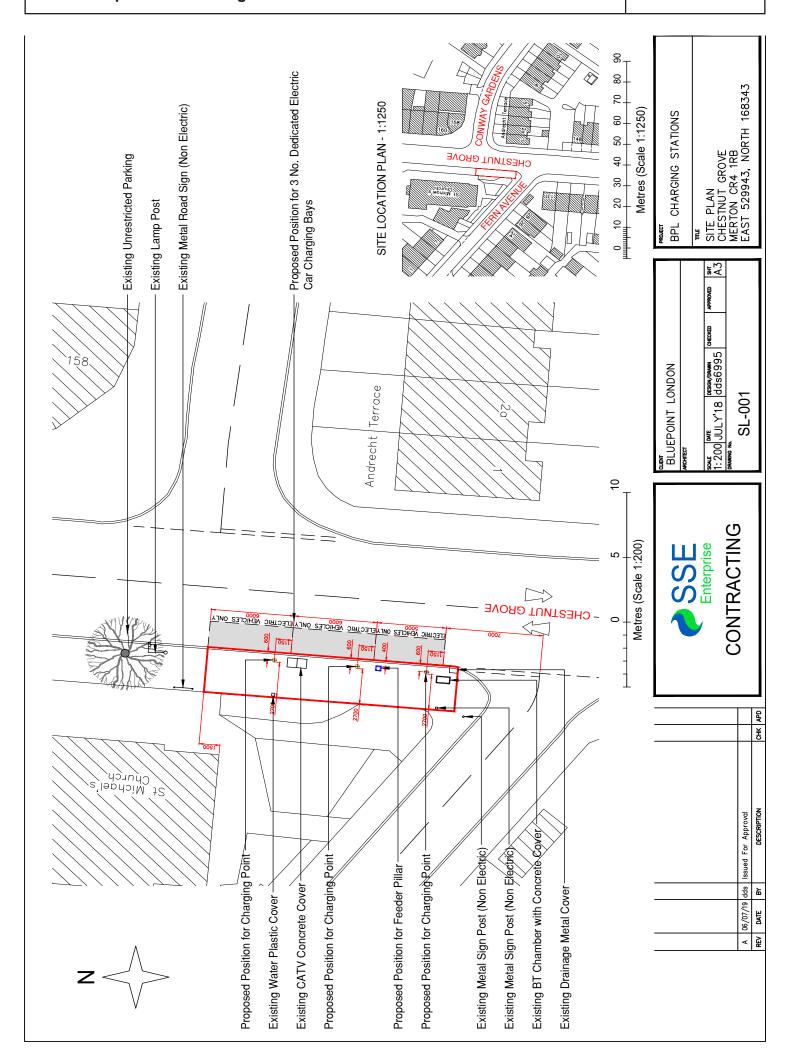
- 10.1 The road safety implications/risks during construction and maintenance will be fully considered at each stage of the detailed design process.
- 10.1 The risk of not implementing the proposals would be detrimental to Council's obligations in addressing pollution and would compromise the Council' contractual obligations with Bluepoint. It would also do nothing to meet the growing demand for the infrastructure.

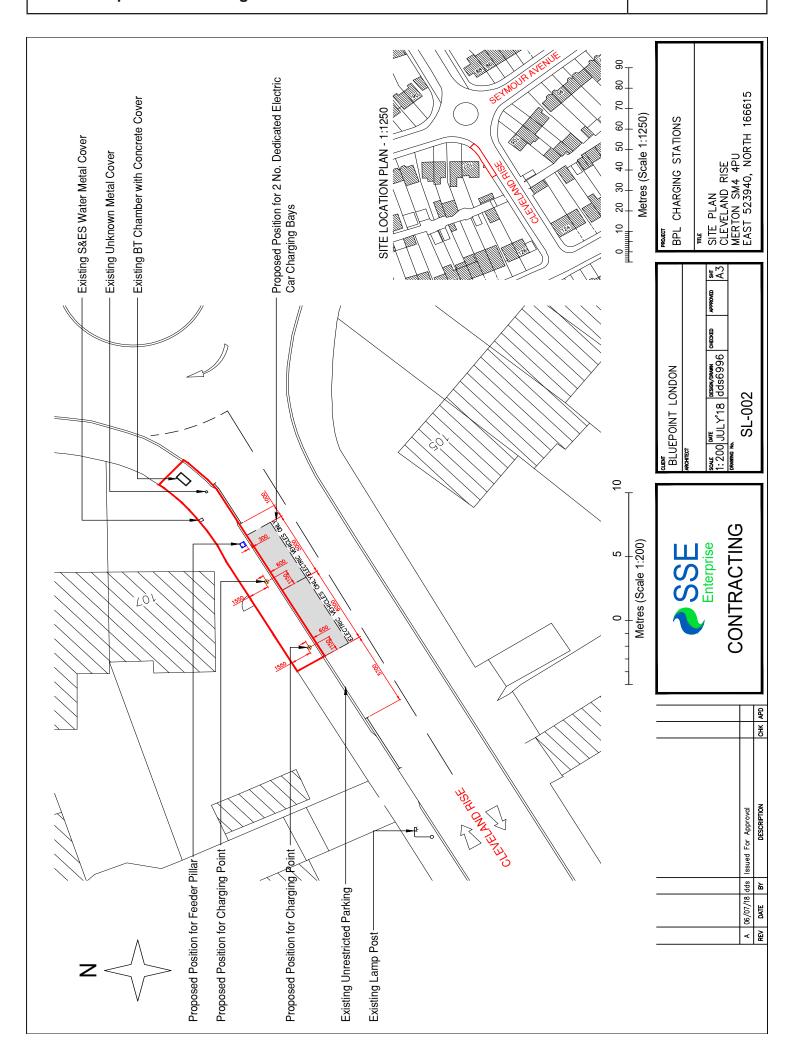
11. APPENDICES

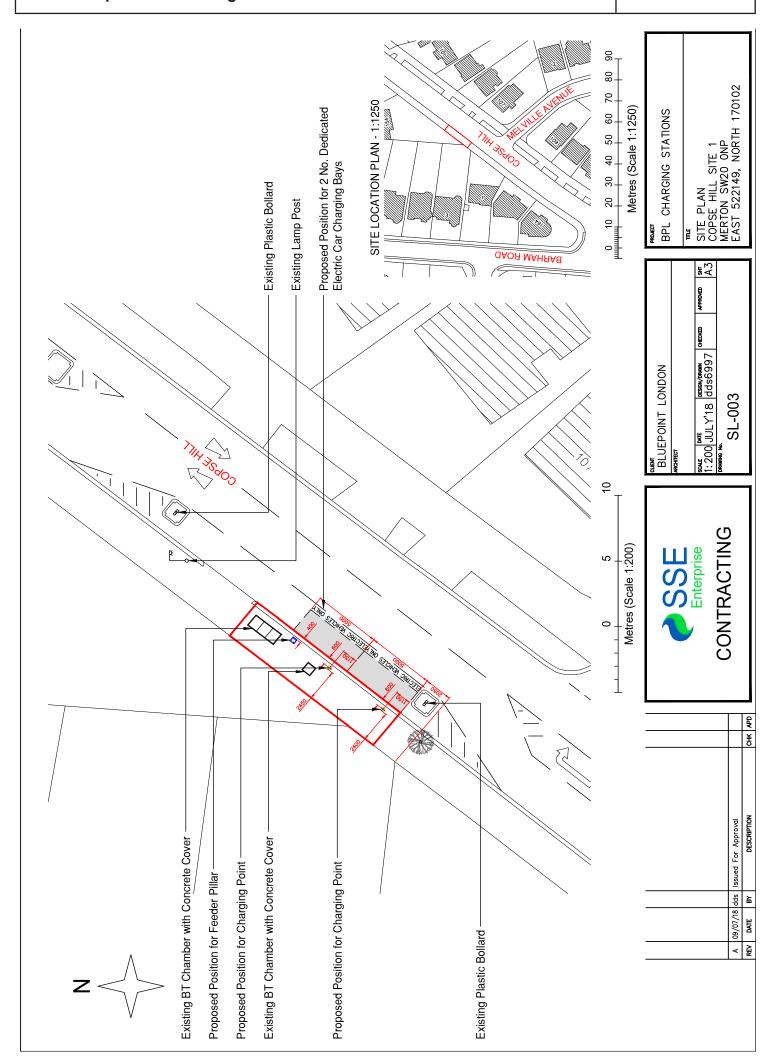
Appendix 1 - Drawing ELECT 001- 012 batch 3

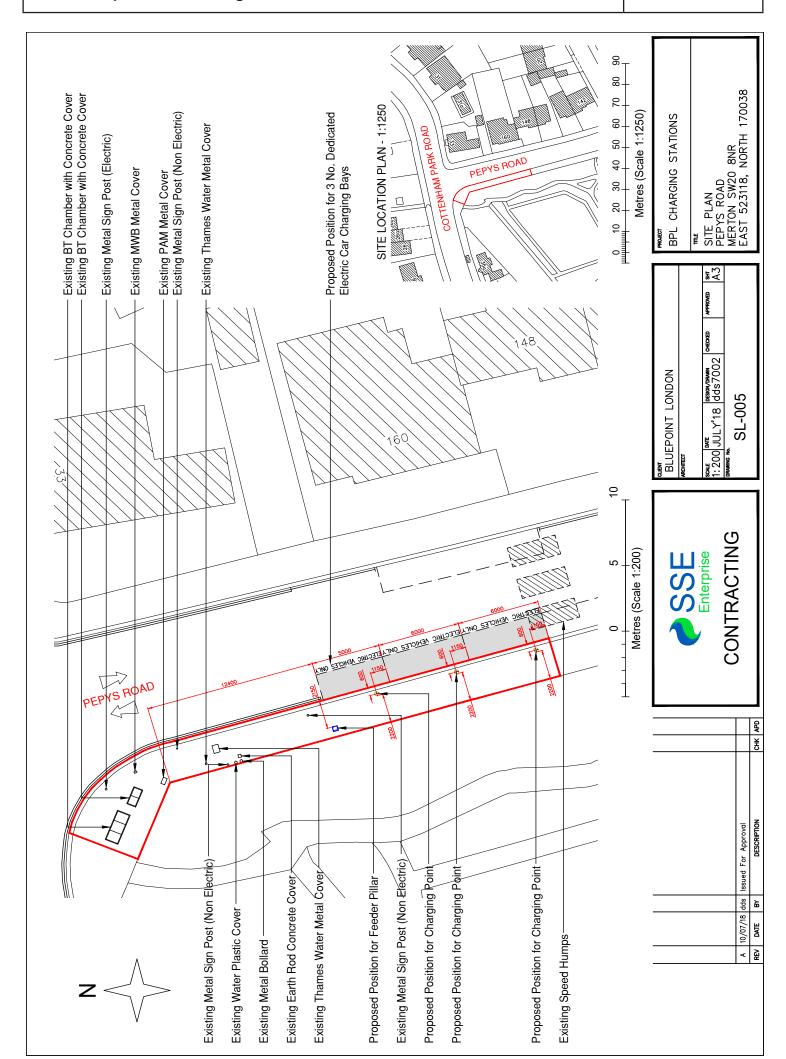
Appendix 2 - Statutory consultation notice to homeowners and site Notice.

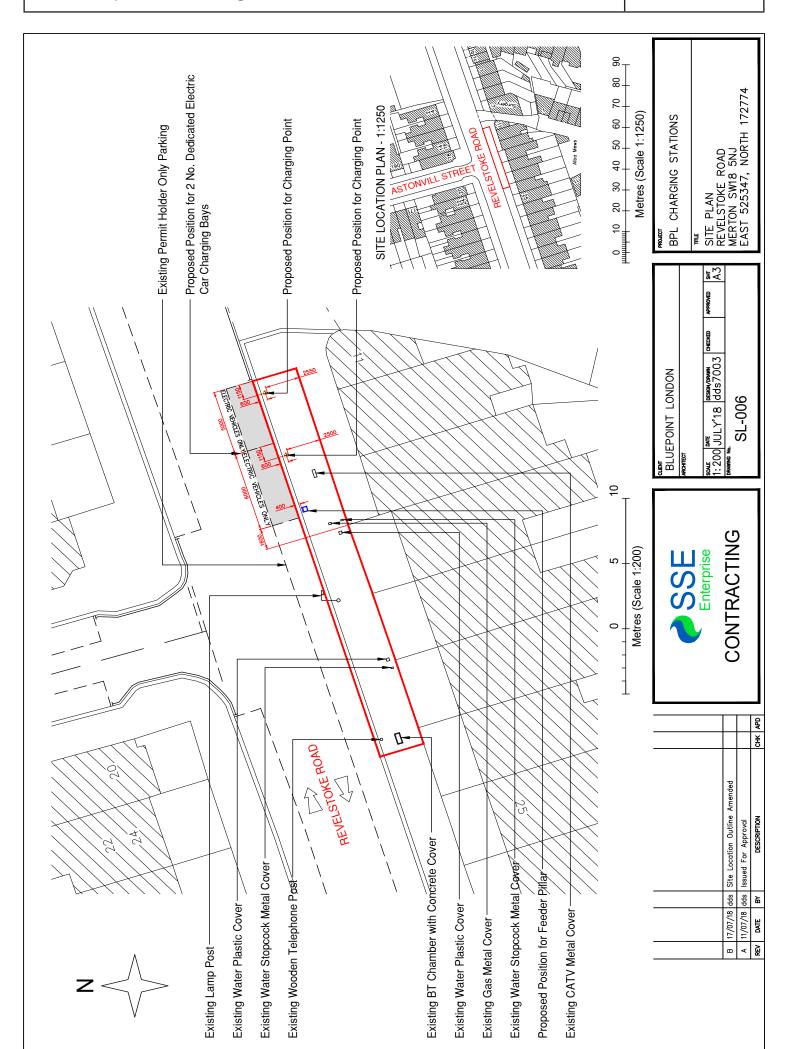
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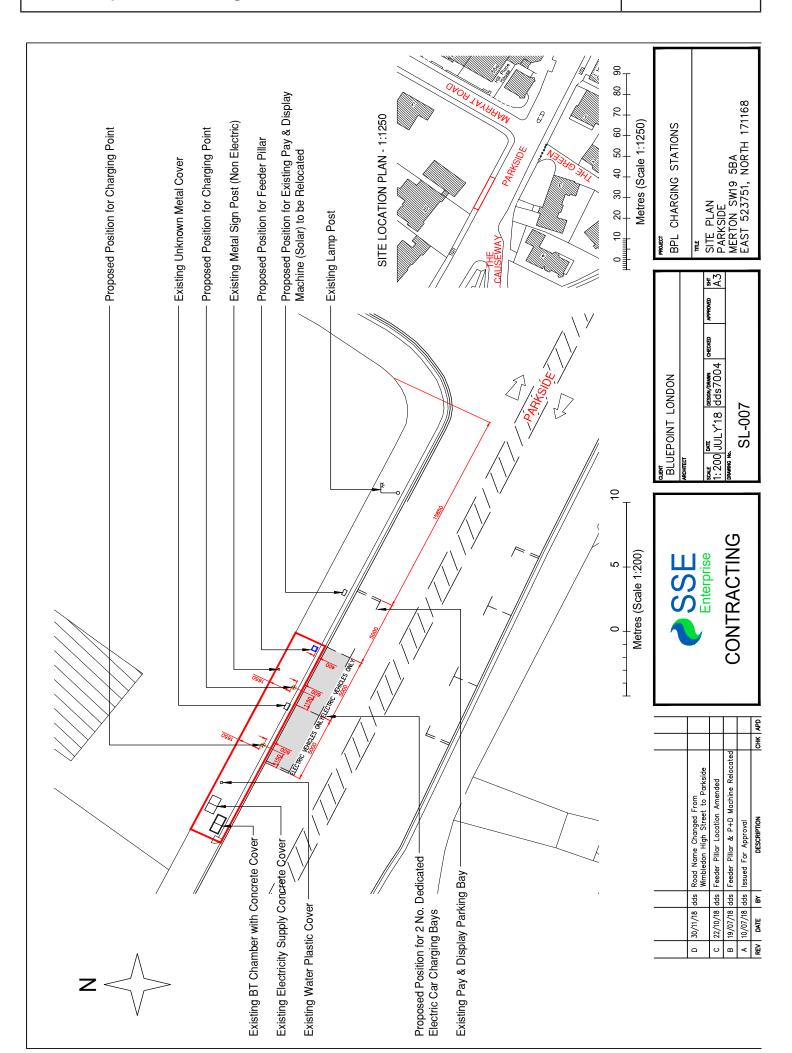


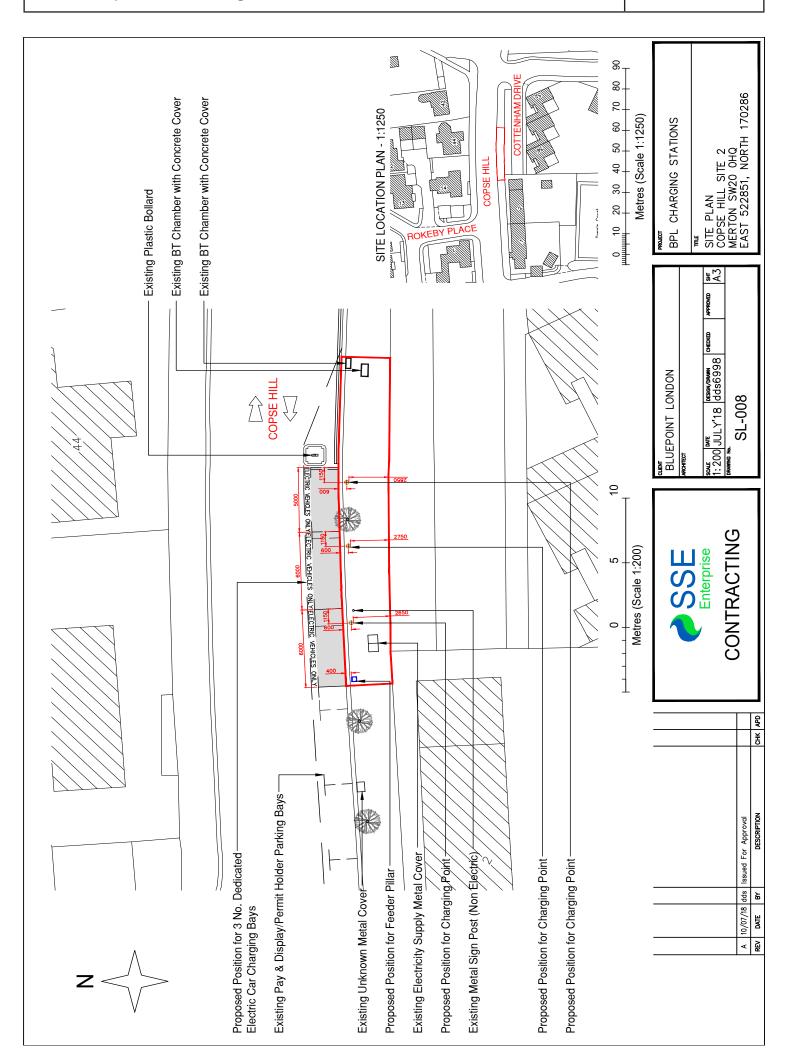


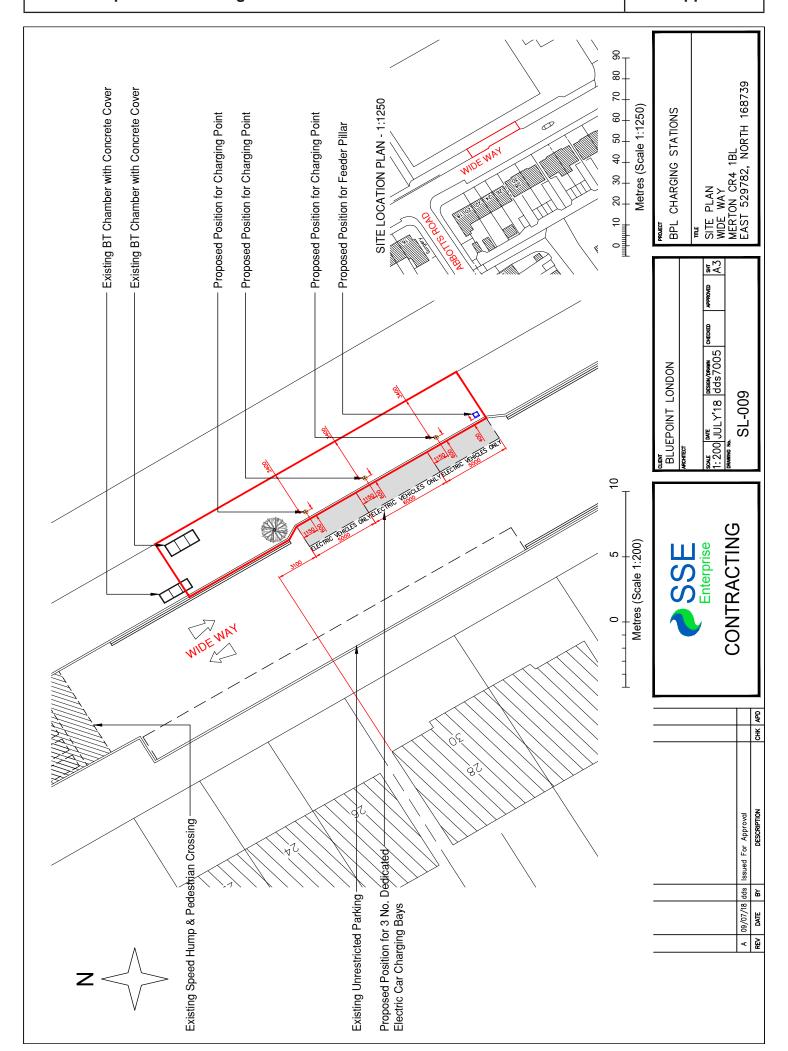


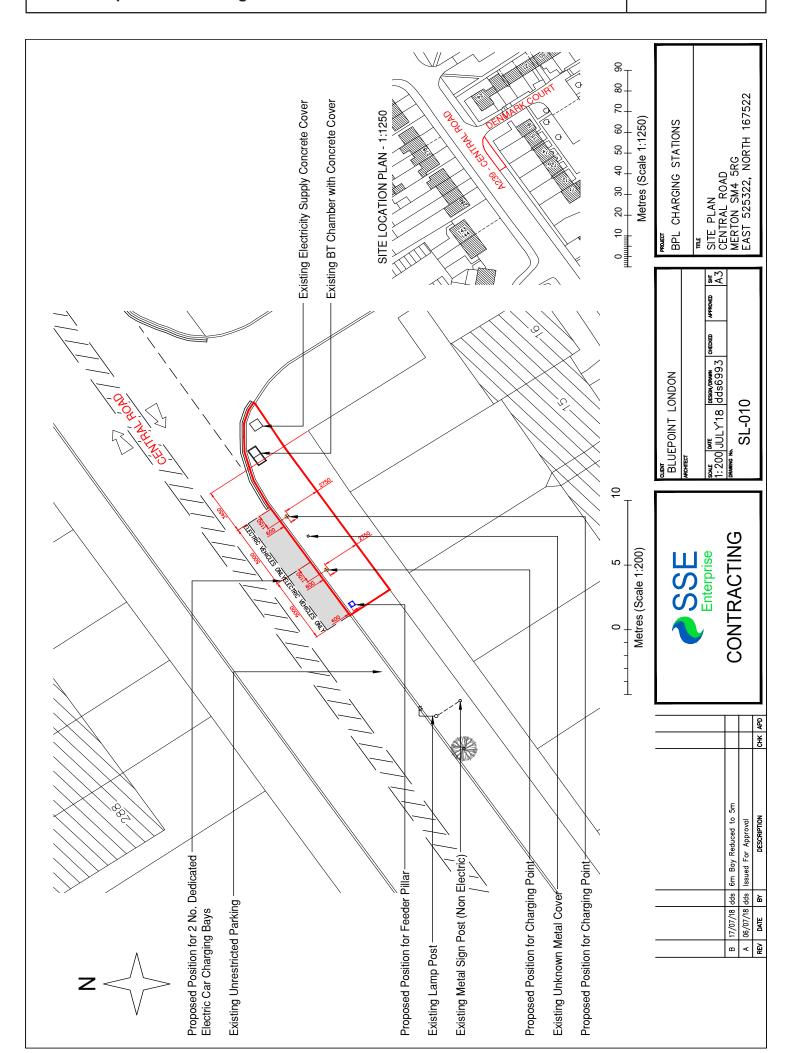


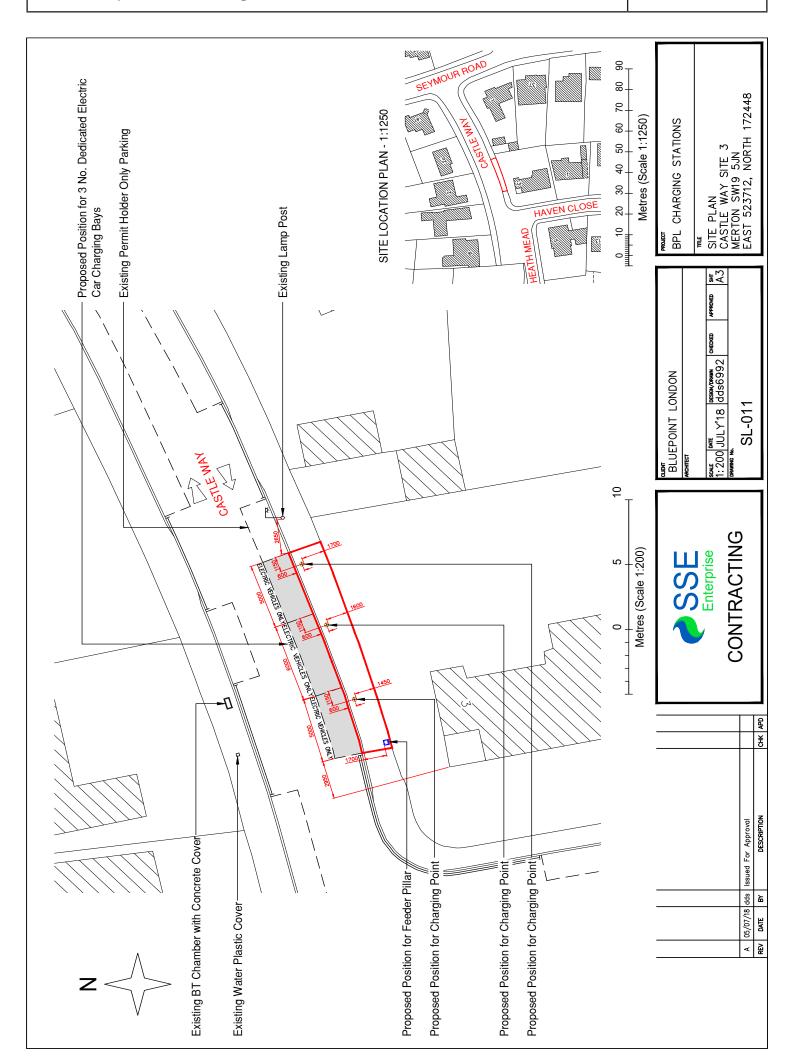


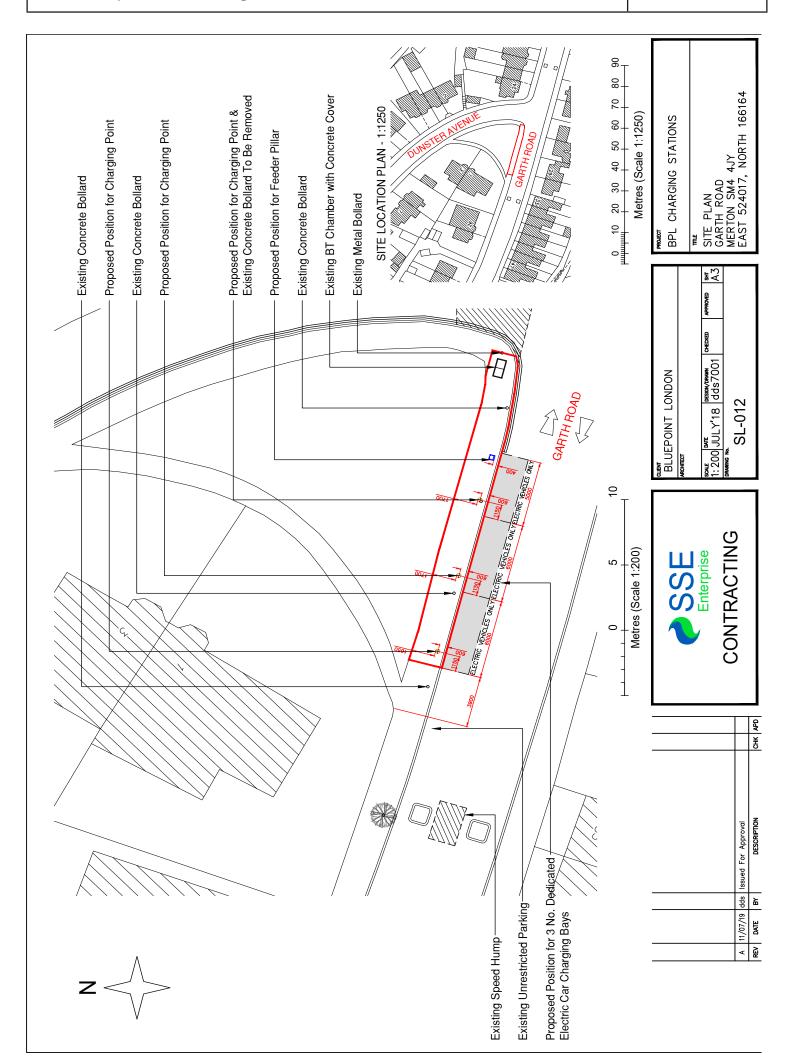












LONDON BOROUGH OF MERTON PARKING PLACES FOR ELECTRIC VEHICLE CHARGING

THE MERTON (PARKING PLACES) (ELECTRIC VEHICLE CHARGING POINTS) (NO. *) ORDER 201*

THE MERTON (PARKING PLACES) (RPC) (NO. 2, 2015) (AMENDMENT NO. *) ORDER 201*

THE MERTON (PARKING PLACES) (VNE) (AMENDMENT NO. *) ORDER 201*

THE MERTON (PARKING PLACES) (VSW2) (AMENDMENT NO. *) ORDER 201*
THE MERTON (PARKING PLACES) (WIMBLEDON PARK) (NO. 2) (AMENDMENT NO. *) ORDER 201*

THE MERTON (PARKING PLACES) (WIMBLEDON VILLAGE) (AMENDMENT NO. *) ORDER 201*

THE MERTON (WAITING AND LOADING RESTRICTION) (WIMBLEDON VILLAGE) (AMENDMENT NO. *) **ORDER 201***

- NOTICE IS HEREBY GIVEN that the Council of the London Borough of Merton propose to make the abovementioned Orders under sections 6, 45, 46, 47 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, as amended, and all other enabling powers.
- The general effect of the 'Electric Vehicle Charging Points' Order would be to:-2.
 - (a) designate parking places for electric vehicle charging at the locations specified in Schedule 1 to this notice;
 - specify that any parking place referred to above would be available for electric vehicles only "at any time" without charge, provided that any electric vehicle is connected to a charging post via a charging lead at all times while it is left in that parking place. Electric vehicles left at a parking place for electric vehicle charging would be able to return at any time; and
 - (c) revoke the Orders listed in Schedule 2 to this notice, and re-introduce their provisions.
- The general effect of the 'Parking Places Amendment' Orders would be to remove or reduce in length certain parking places in the roads listed in Schedule 1 to this notice to accommodate the introduction of parking places designated for electric vehicle charging.
- A copy of the proposed Orders and other documents giving more detailed particulars of the Orders, including plans which indicate the lengths of roads to which the Orders relate can be inspected Monday to Friday during normal office hours at Merton Link, Merton Civic Centre, London Road, Morden, Surrey.
- Any person desiring to comment on the proposed Orders should send a statement in writing of their representations or objections and the grounds thereof, to the Environment and Regeneration Department at the Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX, or alternatively by email to trafficandhighways@merton.gov.uk quoting reference ES/EVBATCH3, no later than 14 December 2018.

Dated 16 November 2018.

Paul McGarry Head of futureMerton London Borough of Merton, Merton Civic Centre, London Road, Morden Surrey, SM4 5DX

SCHEDULE

CASTLE WAY, SW19, the south-east side, from a point 2 metres north-east of a point in line with the western building wall of No. 3 Castle Way north-eastward for a distance of 16 metres.

CENTRAL ROAD, SM4; the south-east side, from a point 8.6 metres south-west of the south-western kerb-line of Denmark Court south-westward for a distance of 10 metres.

CHESTNUT GROVE, MITCHAM; the west side, from a point 7.2 metres north of the north-eastern kerb-line of Fern Avenue, northward for a distance of 17 metres.

CLEVELAND RISE, MORDEN; the north-west side, from a point 3.2 metres north-east of a point in line with the eastern building wall of No. 107 Seymour Avenue south-westward for a distance of 11 metres.

COPSE HILL, WEST WIMBLEDON; the north-west side, from the boundary of Nos. 1 and 3 Barham Road, northeastward for a distance of 10 metres.

COPSE HILL, WEST WIMBLEDON; the south side, from a point 2.6 metres west of a point in line with the eastern boundary of No. 2 Prospect Place eastward for a distance of 17 metres.

GARTH ROAD, MORDEN; the north-east side, from a point 6 metres south-east of a point opposite the common boundary of Nos. 31 and 33 Garth Road south-eastward for a distance of 17 metres.

PARKSIDE, WIMBLEDON; the north-west side, from a point 23.6 metres north-west of the north-western kerb-line of Marryat Road north-westward for a distance of 10 metres.

PEPYS ROAD, RAYNES PARK; the south-west side, from a point 2.2 metres north-west of a point in line with the northern boundary of No. 160 Pepys Road south-eastward for a distance of 17 metres;

REVELSTOKE ROAD, WIMBLEDON PARK; the south side, from a point 1.6 metres east of the common boundary of Nos. 15 and 17 Revelstoke Road eastward for a distance of 11 metres;

WIDE WAY, MITCHAM; the north-east side, from a point 3.1 metres south-east of a point in line with the northwestern building wall of Nos. 28 and 30 Wide Way, south-eastward for a distance of 16 metres.

SCHEDULE 2

The Merton (Electric Vehicle Recharging Point) (Parking Places) (No. 1) Order 2018

The Merton (Electric Vehicle Charging Point) (Parking Places) (No. 2) Order 2018

The Merton (Parking Places) (Electric Vehicle Charging Points) (No. 3) Order 2018

Merton Council - call-in request form

	Decision to be called in: (required)	
2. nas	Which of the principles of decision making in Article 13 of the not been applied? (required)	ne cons
Requ	uired by part 4E Section 16(c)(a)(ii)of the constitution - tick all tha	t apply:
(a) des	proportionality (i.e. the action must be proportionate to the sired outcome);	
	due consultation and the taking of professional advice from cers;	
(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:	
	The Panel/Commission to refer the decision back to the cision making person or body for reconsideration, setting out in iting the nature of its concerns.	
	To refer the matter to full Council where the ommission/Panel determines that the decision is contrary to the blicy and/or Budget Framework	
٠,	The Panel/Commission to decide not to refer the matter back the decision making person or body *	
	* If you select (c) please explain the purpose of calling in the decision.	

. Evidence which demonstrates the alleged breach(es) indicated in 2 above (require
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 of following the publication of the decision.
The form and/or supporting requests must be sent:
J 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, 7 th floor, Civic Centre London Road, Morden SM4 5DX.
For further information or advice contact the Head of Democracy Services on

020 8545 3864