

<p>Cabinet</p> <p>19 September 2017</p>	
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Electric Vehicle Charging Point Delivery Plan</p>	

Lead Member	Councillor Amina Ali, Cabinet Member for Environment
Originating Officer(s)	Margaret Cooper, Head of Engineering
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	A Great Place to Live

Executive Summary

- 1.1 The Council's Draft Air Quality Management Plan and Mayor for London's Transport Strategy have identified the introduction of cleaner vehicles as a priority and this strategy has been developed to inform and direct action towards delivery of that objective over the next 8 years.
- 1.2 The draft strategy for rolling out the introduction of Electric Vehicle Charging Points is attached to this report and includes an Action Plan for delivery. The approval of a detailed policy with clear targets at this time will tie in with forward planning for funding bids to take forward such work as well as enabling work to proceed in the current financial year to deliver the first on-street charging points in the borough.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the Electric Vehicle Charging Point Delivery Plan and targets for delivery by 2025.
2. Authorise the Corporate Director Place to enter into service level agreements and utilise the GULCS framework contract for the delivery of on-street charging points throughout the borough;
3. Approve the adoption of an additional capital estimate of £36,000 for the delivery of charging points in the current financial year;

4. Instruct the Corporate Director Place, with the Head of Communications, to publicise this strategy and invite residents to express an interest in utilising these charging points in the future.

1. REASONS FOR THE DECISIONS

- 1.1 This decision is required in order that work can proceed to deliver on policies set out in the Mayor for London's Transport Strategy and the final Air Quality Management Action Plan.

2. ALTERNATIVE OPTIONS

- 2.1 Refusal to install electric vehicle charging points on street: this would fail to comply with London-wide Air Quality and Transport Policy and result in difficulties for the growing number of electric vehicle drivers being able to charge their vehicles locally. This could have particularly severe impacts on local taxi drivers and the taxi service and would not help to improve air quality.
- 2.2 Reduce the speed of delivery: current changes in the market and emissions legislation suggests that demand is likely to grow more quickly than predicted and slowing delivery would have similar impacts to refusing to deliver any points.
- 2.3 Limit supply to free-standing units with no streetlighting column adaptations: Free-standing units all require designated bays which would have a significant impact on parking supply in areas of critical parking stress.
- 2.4 Limit supply to slow-charge units in residential streets with no prioritisation of space for electric vehicles: this would not have an impact on general parking availability but would not assist those vehicles needing to charge quickly for business or as passing traffic.
- 2.5 The recommended option is to provide a mix of types of supply to work towards meeting a variety of market demands.

3. DETAILS OF REPORT

- 3.1 The main strands the strategy explores are:-
 - Current EV ownership levels across the borough and likely growth in demand.
 - How the borough can work with partners e.g. Poplar HARCA, Source London, and Transport for London.
 - The tie in with the Council's own policies, LEN partnership, Go Ultra Low City measures and TfL best practice
 - Ensuring Tower Hamlets specific issues are considered, including pressures on kerbside space.

- The types of charging offer across the market and how this can be introduced to Tower Hamlets including the residential parking model overlap with expansion of standard floor mounted columns.
- Develop a mixed charging offer where appropriate that takes in to account different needs
- What criteria will be used to determine where points should be considered
- Considering innovations
- What else the Council can do to drive adoption of EVs

3.2 The outcome of the strategy will be to:-

- Set out a framework that will encourage the uptake of EVs within Tower Hamlets through the introduction of a robust EVCP network
- Realistic targets for LBTH to aim to raise the number of EV percentage of the fleet by 2020;
- To prepare for a future with high demand for EV charging infrastructure in residential areas it is important to trial new technologies which could be rolled out in the future including trialling residential charging (Lamp column) as a quick win with limited impact on parking availability generally;
- Whilst the majority of EVs are currently private cars it is important to support other forms of EV vehicles which can also be converted to zero emissions. Taxis and car clubs should be a focus.
- LBTH to work with car clubs to convert bays to EV and to favour electric car clubs when contracts come up for retendering
- To support the introduction of EV taxis as new TfL regulations will require all new taxis to be EV from 2018. Charging infrastructure will be required to service these vehicles thus supporting access to taxi services for borough residents and taxi drivers living in the borough.
- Installation of rapid chargers via the TfL framework.
- Making best use of assets: Tower Hamlets Homes owns large amounts of land within the borough, including a number of parking spaces which are currently unrented. These underutilised bays could be repurposed as public electric vehicle charge points. Alternatively bays could be electrified to encourage EV ownership amongst residents of THH's 21000 residential properties.
- Remain cost neutral: The provision of electric vehicle infrastructure should remain cost neutral wherever possible so as not to become a financial burden on the council. To achieve this LBTH should make use of all available funding and revenue. This includes government grants, partnerships with private companies which provide profit shares and fees

3.3 The mix of charging units available include two main varieties:-

- Rapid charge units which are of a considerable size – a petrol pump sized charging facility accompanied by the feeder supply box of over 1m in length. A full charge is possible within 30 mins. These would be attractive to passing traffic, visitors and taxis and probably need to be located in sites close to main roads or town centres. These charge points would require dedicated space to be designated and enforced to protect availability for electric vehicles.



Rapid Charge unit



Slow charge arrangement

- Slow charge units can be provided by installing a supplementary connection within a street lighting column or a separate free standing unit. These would be more appropriate for overnight residential use and trials in other boroughs suggest that if a small cluster of columns are converted, the limited number of residents requiring such an on-street facility at this stage will generally be able to find a suitable parking space without a designated space needing to be provided. The metered plug-in connection is owned by the vehicle owner so the power supply costs are a direct contract between the energy provider and the resident, with no impact on the Council's Street lighting unmetered supply bills. Subject to successful pilots, in areas with known early adopters, these could be rolled out quickly with minimal impact on parking availability.

3.4 It is therefore recommended that the Electric Vehicle Charging Point Strategy is approved with the target of providing a minimum of 150 points by 2025, although a more aspirational target could be set of delivering 300 points by the same date. This baseline target would create a grid of charge points with every residence within at least 500m of a point.

3.5 A number of TfL approved suppliers are already available and a borough consortium is also procuring a framework of suppliers to build delivery capacity across London. It is therefore recommended that, subject to due diligence, the Corporate Director Place is authorised to enter into service level agreements with suppliers and utilise the GULCS framework contract for the delivery of on-street charging points throughout the borough.

3.6 The Council has now received confirmation of £36,000 GULCS grant funding being available in the current financial year as 75% match funding enabling the delivery of up to 14 charging points. This can be matched by £12000 LIP funding and the adoption of a capital estimate will therefore enable work to commence n delivery of the strategy immediately.

- 3.7 It is recommended that the adoption of this strategy be publicised locally and residents and businesses invited to express an interest in utilising these charging points in the future to inform the roll-out plan.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report seeks consideration of the Electric Vehicles Draft Strategy and recommends integrating it with the Climate Change / Air Quality Management Action Plan reports due to Cabinet September 2017.
- 4.2 The strategy highlights the need to determine the future demand and infrastructure requirements within the borough for Electric Vehicles. The aim for the Council is to have a minimum of 50 EV chargers by 2020 increasing to 150 by 2025 with an aspirational aim of 300 chargers in the same period. The full impacts of providing a mixed charging offer will need to be fully considered and quantified to ensure that any provision remains cost neutral to the authority and that funding opportunities are fully explored and included as part of the Council's Capital Strategy.
- 4.3 The Council has expressed an interest in being part of the Go Ultra Low City Scheme (GULCS) multi-borough procurement of a framework contract for delivery of Electric Vehicle charging points which will enable grants of 75% of the capital cost of the installation work to be accessed. There are a number of funding options available to the Council to fund the balance. TfL LIP funding has been identified as eligible match funding to support the full costs of installation. Section 106/Community Infrastructure Levy funding could also be used to fund the capital cost of provision in and around new developments. Most Rapid Charge Point providers fully fund chargers in return for a lease or licence for a site which would also receive revenue from parking permits.
- 4.4 Depending on the mix charging offer to be procured, the back office and maintenance costs will be determined through the procurement process, but there is no charge upon the Council in relation to any power usage by those charging, that will form a direct relationship between the power supplier and the vehicle owner.
- 4.5 There are significant competing demands for funding and therefore the Strategy will form an important justification to support funding requests where additional resources are required. Those costs will need to be quantified and the necessary funding identified as part of the development of the Council's Medium Term Financial Strategy and Capital Strategy before implementation.

5. LEGAL COMMENTS

- 5.1 Nationally, the Air Quality Strategy for England, Scotland, Wales and Northern Ireland sets out UK vision for how good air quality can contribute to a good quality of life and the steps being taken to achieve this. As part of this

Strategy, improvements are sought in air quality due to the impacts pollution has on human health and the environment.

- 5.2 Part IV of the Environment Act 1995 ('the 1995 Act') requires all local authorities in the UK to review and assess air quality in their area. Specifically, section 82 of the 1995 Act makes it a duty that every local authority shall review the air quality within its area, both at the present time and the likely future air quality. Section 83 of the 1995 Act also makes it a duty for local authorities to designate an air quality management area ('AQMA') where air quality objectives are not being achieved, or are not likely to be achieved within the relevant period, as set out in the Air Quality (England) Regulations 2000 ('the 2000 Regulations'). An Air Quality Management Area was declared in the Borough in December 2000.
- 5.3 Once an area has been designated then section 84 of the 1995 Act imposes a further duty on the local authority to carry out an assessment and then to develop an Action Plan for the air quality management area. An Air Quality Action Plan was published in 2003 and as indicated in this report a new Air Quality Management Action Plan is due to be considered by Cabinet in September. If agreed the draft strategy for the rolling out of the introduction of Electric Vehicle Charging Points will be incorporated into that Action Plan.
- 5.4 Local authorities are required to consult on its air quality review and assessment; further air quality assessment in an air quality management area; and preparation or revision of an air quality action plan and schedule 11 of the 1995 Act requires such consultation to be with:
- the Secretary of State;
 - the Mayor of London;
 - the Environment Agency;
 - the highways authority ;
 - in London, the Mayor (for London authorities only);
 - all neighbouring local authorities;
 - the county council (if applicable to English local authorities);
 - any National Park authority;
 - other public authorities as appropriate; and
 - bodies representing local business interests and other organisations as appropriate.
- 5.4 As it is intended to integrate the Electric Vehicle Strategy with the air quality action plan then the Council will have to consult as above.
- 5.5 There is no requirement for Local authorities to undertake full public consultation but Government Guidance (see Chapter 5 of the Local Air Quality Management Policy Guidance Addendum: LAQM.PG(09)) provides that local authorities should use their own judgement to determine whether there is a need for a full public consultation.

5.6 Specifically in respect of consultation on the Action Plan, the Guidance provides:

“Exchanging information is important throughout the local air quality management process. Many local authorities have successfully established local steering groups to oversee the process. Some authorities have built on existing inter-authority pollution groupings. Where appropriate, these steering groups should include:

- local authorities’ representatives, including transport and land planners;
- the Highways Agency (where the English strategic road network is affected), or Transport for London if a London local authority;
- the Environment Agency;
- representatives of local businesses and community groups;
- representatives of Primary Care Trusts; and
- any other local interest groups and local residents.”

5.7 As to consultation, the Council must consider its common law duty and which imposes a general duty of procedural fairness upon public authorities exercising a wide range of functions which affects the interests of individuals (see *R (Moseley) v Haringey London Borough Council* [2014] UKSC 56, [2015] 1 All ER 495 at [35] per Reed LJ and the consultation must comply with the following common law criteria:

- (a) it should be at a time when proposals are still at a formative stage;
- (b) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response;
- (c) adequate time must be given for consideration and response; and
- (d) the product of consultation must be conscientiously taken into account.

5.8 The duty to act fairly applies and prior to undertaking a consultation exercise, consideration must be given to whether the matter to be consulted on impacts on those with protected characteristics. If it does then the method of consultation should be adapted to ensure that those persons are able to respond to the consultation so as to inform the decision making process. For example, if a group of persons with a protected characteristic is a ‘hard to reach’ group then they may not be reached by traditional consultation techniques.

5.9 As to issues of parking, the Council is a parking authority for the purpose of the Road Traffic Regulation Act 1984 (‘the 1984 Act’). Under sections 45 and 46 of the 1984 Act, the Council may by order: (1) designate parking places on highways in Tower Hamlets for vehicles or vehicles of any class specified in the order; (2) make charges for vehicles left in a parking place so designated; (3) limit the use of designated parking places for specified persons or vehicles or classes of persons or vehicles authorised by permit; and (4) make charges in connection with the issue of such permits. This would therefore permit the Council to set aside designated parking spaces for electric vehicles only but

the Council would have to comply with the process and procedure set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('the 1996 Regulations') and which apply to any order made or proposed to be made pursuant to sections 45 and 46 of the 1984 Act by virtue of regulation 4 of the 1996 Regulations. Further, the Council would have to consider wider consultation as part of making any order.

- 5.10 When deciding whether or not to proceed with the proposals, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty).

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 This strategy seeks to ensure that electric vehicle charging points are delivered as efficiently as possible to ensure that all those requiring access have at least one on-street point conveniently located within less than 500m of their home by 2025.
- 6.2 The strategy seeks to ensure that these charging points are provided in a safe manner which neither obstructs essential kerbside access nor creates trip or fall hazards.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The delivery of this strategy seeks to utilise recently tendered frameworks for the installation of charging points which are being procured by a consortium of 22 Boroughs and TfL to ensure value for money is maximised through efficiencies of scale.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 The entire objective of this plan is to facilitate a shift to cleaner electric vehicles and is enacting a key policy in the Draft Air Quality Management Plan.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 Health & Safety assessments and plans will be required from the relevant contractor in all implementation work in order to mitigate any risk to the Council, contractor's employees and/or the public in the delivery and ongoing operation of these facilities.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 Caution will be applied in extending the initial supply of electric vehicle points to enable them to be monitored for any crime and antisocial behaviour issues which may arise.

11. SAFEGUARDING IMPLICATIONS

11.1 None

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Electric Vehicle Charging Point Delivery Plan

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

Or state N/A