Report No.
ES20166

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
Date:	**Monday 21 March 2022**
Decision Type:	Non-Urgent Executive Non-Key
Title:	**LBB RESIDENTIAL EV CHARGING PILOT**
Contact Officer:	Lee Gullick, Carbon Programme Manager E-mail: Lee.Gullick@bromley.gov.uk Dan Beckett, Transport Planner E-mail: Dan.Beckett@bromley.gov.uk
Chief Officer:	Director of Environment and Public Protection
Ward:	Bickley; Bromley Town; Chelsfield and Pratts Bottom; Clock House; Cray Valley East; Cray Valley West; Crystal Palace; Farnborough and Crofton; Kelsey and Eden Park; Penge and Cator; Plaistow and Sundridge; West Wickham;

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1. Reason for report

1.1. This report details the scope and design of a proposed LBB 'Residential Electric Vehicle (EV) Charging Pilot' that will seek to:

- Evaluate a variety of emerging EV charging solutions and their performance.
- Assess community responses to the installations and any modified parking arrangements.
- Develop insights for scaling up the public EV charging network in Bromley.

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2. RECOMMENDATION(S)

The ECS PDS is asked to:

2.1. Provide feedback on the design of the pilot.

2.2. Authorise that the Residential EV Charging Pilot proceeds.

2.3. Delegate to the Portfolio Holder authority to implement the EV Pilot and to;

2.4. Delegate to the Assistant Director of Legal Services authority to sign all ancillary legal documentation arising in connection thereto.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Positive impact on users of the highway in relation to air quality improvements.

Corporate Policy

1. Policy Status: Existing Policy: Delivering on an objective within the LBB Electric Vehicle Charging Strategy

2. BBB Priority: Excellent Council Quality Environment Healthy Bromley

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Financial

1. Cost of proposal: Fully costed proposals for installation of chargepoints will be determined during the tender process. The installation of gullies will be funded by the S106 Carbon Offset Fund and potential decommissioning costs will be funded through existing Highways budgets.

2. Ongoing costs: Not Applicable (at this stage, subject to tender outcome)

3. Budget head/performance centre: Traffic Planning & Strategy / Carbon Management Team

4. Total current budget for this head: £ 293k

5. Source of funding: Existing revenue budget 2021/22; future funding options TBD

Personnel

1. Number of staff (current and additional): Two current staff working on this project as a key part of their duties

2. If from existing staff resources, number of staff hours: Variable

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Legal

1. Legal Requirement: Non-Statutory – Government Guidance
2. Call-in: Applicable

Procurement

1. Summary of Procurement Implications:

1.1. The action recommended in this report can be conducted in accordance with the council's Contract Procedure Rules.

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Proceeding with the Residential Charging Pilot will not only benefit the Council by fulfilling existing air quality and carbon reduction objectives, but will benefit the health of the wider-community through area-

wide emissions reductions and improved connectivity for residents without off-street parking, in areas where private transport remains essential. The scheme also assists residents in the necessary transition to electric vehicles.

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1. Following approval at the Environment and Community Services Policy Development and Scrutiny Committee on 17th November 2021, this report details the scope and design of the 'Residential EV Charging Pilot' project.

3.2. The main objectives of the pilot are to:

- Evaluate a variety of emerging EV charging solutions and their performance.
- Assess community responses to the installations and any modified parking arrangements.
- Develop insights for scaling up the public EV charging network in Bromley.

Scope of the Pilot

3.3. A survey was conducted between 7th December and 21st December 2021, specifically aimed at residents who had submitted an online chargepoint request up until 6th December, via the Council's online form[1].

3.4. In total fifty-three (53) residents answered the survey, giving their consent to be part of the pilot project. Three more residents were contacted by the Council directly, included as 'priority cases'.[2]

3.5. 84% of residents who have given their consent to be part of the pilot are within priority areas of the borough, as determined by the Councils' chargepoint mapping analysis (See Appendix 1).

3.6. The remaining 16% of residents were within walking distance of priority locations, except one.

3.7. The majority of residents who want to be involved in the pilot lie in the North-West of the Borough, see Appendix 1. The number of installations and the locations for installing charging infrastructure is subject to change, depending on technical feasibility, fulfillment of legal requirements and future agreements with suppliers, but it is anticipated that the pilot will last

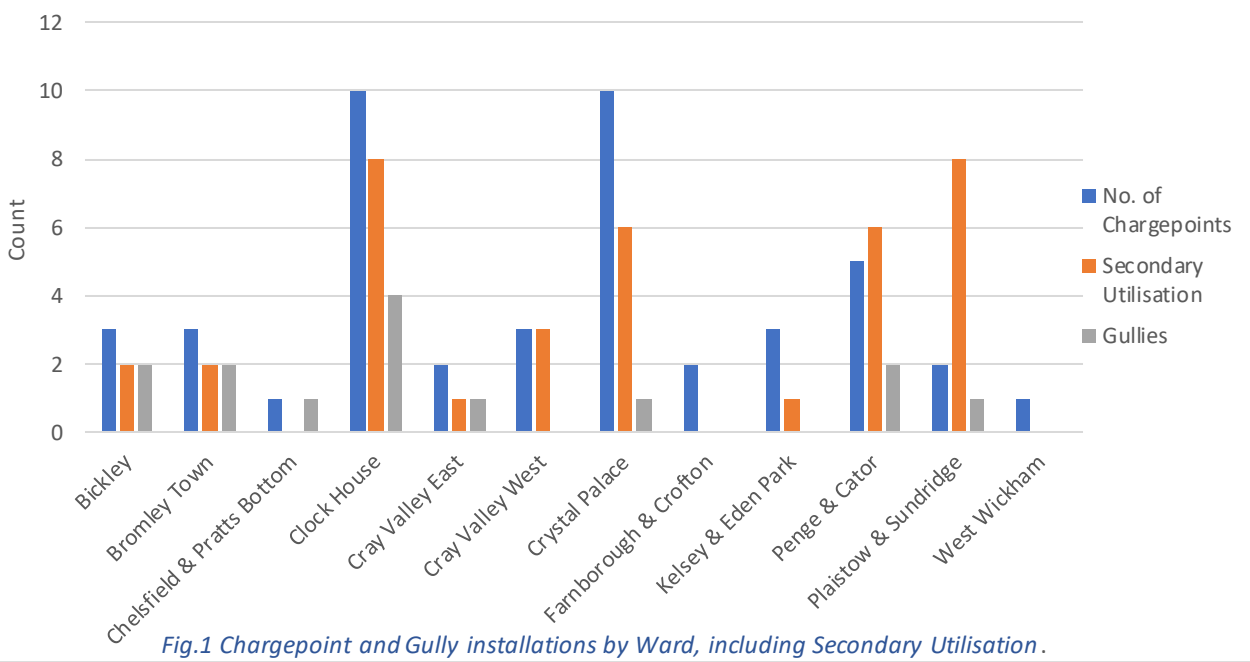

Fig.1 Chargepoint and Gully installations by Ward, including Secondary Utilisation.

[1] Request electric vehicle chargepoints | London Borough of Bromley

[2] *Priority cases are those where there is an obvious immediate need for residents to have access to charging infrastructure. The is ultimately at Bromley's discretion, but examples might include residents who have been brought to the attention of Enforcement Officers for trailing cables across the highway, or residents who may do so without further intervention, or residents with disabilities who need an easy route to home-charging.*

for one year and **include 45 chargepoints and 14 gullies, installed across 12 wards,** see Fig. 1 and Appendix 2 for shortlist of locations including road name, postcode and ward.

3.8. By installing chargepoints on, or close to the locations suggested in Appendix 2, the installations will also address a minimum of 37 additional chargepoint requests from residents who are not participating directly in the pilot e.g. 'Secondary Utilisation' see Fig.1[3].

Gully Methodology

3.9. A 'Gully Charging Trial' (as part of the pilot) was assessed by LBB Officers and the supplier Oxfordshire Direct Services (ODS), who have been trialling the gullies in Oxford.

3.10. Survey criteria for residents to be included in the LBB trial included:

- To have no access to off-street parking
- To be in a priority location, hotspot area, or within a 6-minute walk of a priority location or hotspot area, as determined by the Council's chargepoint mapping analysis.
- Not to be living in flats or maisonettes
- Ownership of an electric vehicle already, or to be purchasing one within the next 6 months.
- A preference for home charging, opposed to charging via an on-street chargepoint
- The ability to self-fund the installation of a home-charger
- To have permission from the property to install an EV home-charger if required
- To consent to being part of the pilot

3.11. Post resident survey, a screening exercise was undertaken by LBB Highways Officers, as well as a site assessment by Arboriculture Officers to determine the technical feasibility of the initial gully requests. This included an assessment of:

- Existing parking restrictions (to determine whether residents can park outside their property)
- Length of grass verge between property frontage and kerbside (due to maximum length of gully being 2.5m)
- Tree root protection areas (due to depth of gully installation)

3.12. The 14 locations which passed this screening exercise have also been assessed by the suppliers (ODS) to ensure the locations are technically feasible from their perspective. No issues were raised.

3.13. Now that the proposed locations are deemed suitable from a technical perspective, LBB's legal team must be satisfied that the 'Gully' meets requisite health and safety standards and that it aligns with the Council's obligations as the Highways Authority.

3.14. In addition, residents will be asked to formally participate in the pilot, subject to terms outlined in a 'User Agreement'. Subject to additions and amendments made by LBB's Legal Team, this agreement will cover:

- Details of the ownership and installation (gullies to be owned by LBB, while installation is the responsibility of ODS, via a 'Streetworks License').
- Conditions of Device Use (including resident purchase and install of an approved home-charger by an accredited supplier, electrical safety, cable management, parking, maintenance).

[3] *'Secondary Utilisation correct as of 6th December 2021 i.e., the last day for online chargepoint requests to be included in the residential survey for engagement in the pilot.*

- Conditions of Pilot Scheme Engagement (including cooperation in research, photographs and information to be used for Council reports, records and communications)

3.15. As the Gully is being laboratory tested and trialled on the public highway in Oxfordshire, the Gully is awaiting commercial approval. A full commercial offering is unlikely to be available until summer 2022, however LBB may choose to purchase and install the gullies, once ODS receive the accreditations and certification that indicate the Gully is safe to use.

3.16. Pending safety certification, the full legal process and detail surrounding the use of the gullies will be determined post committee. It is a novel technology, therefore due care and consideration must be taken to ensure that it can be installed on the public highway safely.

3.17. The supplier anticipates receiving safety certification in spring 2022, however LBB may choose not to continue pursuing the gully option if the Council deems it cannot adequately protect itself, participants of the pilot, or other highways users from adverse effects, which could be associated with gully installation e.g., trip hazards.

3.18. LBB's insurers, Aviva, have raised no objections to the 'Gully' as a part of the pilot project, provided that the Council have completed risk assessments; ensure that existing footpath inspection policies are updated to reflect the additional hazards; and that formal legal advice is sought by the Council in relation to the proposed 'User Agreement' with homeowners.

3.19. In case the gullies are removed at the end of the pilot, residents will still be able to charge their vehicles, as each gully has also been assigned a chargepoint in the shortlist of locations (Appendix 2), to serve as a backup option.

3.20. Over the course of the year-long pilot the Council will measure the success of the gullies and chargepoints across four key categories, with a variety of subsidiary key performance indicators. The three key categories participating residents will have to report on, to support the Council in measuring success include:

- Installation – success metrics related to understanding how easily the technology integrates into the streetscape, reliability, maintenance considerations.

- Usage – success metrics related to ease of access and ease of usage.

- Financial – success metrics related to price and willingness to pay, data and billing.

3.21. The final category that the Council seeks to measure is labelled 'Environmental and Social Impact'. This will include feedback from participating residents, the feedback of residents not directly participating and the Council's own analysis. This may include measuring the frequency and type of neighbour feedback, and estimated borough-wide carbon savings through resident transition to electric vehicles.

3.22. Please see Appendix 3 'Draft Test Plan' for more detail on how the Council will measure the success of the pilot, the suggested means for engaging with residents and how often the Council intends to collect data.

Chargepoint Methodology

3.23. Survey criteria for residents to be included in the trial included:

- To have no, or limited access to off-street parking (exceptions were made for those with off-street residential parking in flats where chargepoints could be installed on nearby publicly accessible highways).

- To be in a priority location, hotspot area, or within a 6-minute walk of a priority location or hotspot area, as determined by the Council's chargepoint mapping analysis.
- To consent to being part of the pilot

3.24. The proposal is for 45 chargepoints to be installed as part of the pilot, on or near to the suggested roads detailed in Appendix 2. This includes:

- 39 suitable requests based on the survey replies
- Six more chargepoints assigned as 'back up' on-street chargepoints for gully participants if the gully trial is unsuccessful.

3.25. 45 chargepoint installations is towards the maximum end of anticipated installations for the pilot. This means chargepoint operators will be asked to install 10-15 chargepoints each, rather than the 5-10 suggested at November PDS. This approach is suggested as:

- 45 chargepoints meet 90% of demand as of December 2021. Since the cut off date for inclusion in the resident survey (6th December 2021) the Council has received an additional 27 requests. These are likely to be in or near priority locations, so will be able to use charging infrastructure installed as part of the pilot, however the intial 5-10 suggested in November is not enough.
- 45 chargepoints provides a good sample size to trial a minimum of three different on-street charge point options.
- It is comparable to Oxford's 2019 trial, in which they trialled 41 chargepoints.
- A larger pilot would be unmanageable with existing resources. The Council do not have dedicated EV Officers. Managing a pilot including 56 residents, 3-4 suppliers, 45 chargepoints and 14 gullies is resource intensive and the project will continue to be managed between existing teams.

3.26. Emulating the pilot project in Oxford (Appendix 4 – Oxford Trial) at least two different charging options, ideally three, should be explored to allow for a good comparative assessment of available technologies and approaches to electric vehicle charging. This supports the Council to make informed decisions about the future expansion of the charging network in Bromley.

3.27. Informed by Table 1, preferred charging options for inclusion in the pilot are (see Appendix 5):

- Bollard chargers (using shared lamp column electricity supplies)
- Retractable chargepoints (using dedicated electricity supplies)
- Compact standalone chargepoints (using dedicated electricity supplies)

3.28. These options are suggested to minimise the installation footprint and therefore the impact on the streetscape. They have also been chosen because they offer 3kW to 7kW charging capacity for shared electricity supply chargepoints and 7kW to 22kW charging capacity for dedicated power supply options. This is typically equivalent to a charging time of 6 to 8 hours (dependent on battery size), more suitable for long stay residential charging behaviour.

Soft Market Testing and Chargepoint Procurement

3.29. Using the Crown Commercial Services Dynamic Purchasing System Framework (CCS DPS), the Council conducted a soft-market testing exercise in January 2021. This determined whether chargepoint operators could meet the Council's basic criteria for chargepoint installation (see Table 1)

3.30. Despite the suggested charging options in section 3.27, the Council took a technology agnostic approach to the exercise, which put no stipulations on the type of charging technology that suppliers could offer. The preference for chargepoints to be manufactured in the UK was also not included in the soft market testing exercise. Both aforementioned points prevent the Council missing out on other novel charging solutions not yet considered.

Table 1. LBB high-level principles for installing charging infrastructure in the borough. Source LBB EV Charging Strategy 2021

Principles	Outcomes
Environmentally Sustainable	• Avoidance of additional street furniture where practicable.[4] • Evidence of future-proofed solutions e.g., interoperability, interchangeability and smart charging. • Evidence of low embodied carbon and circular/ sustainable product design • Provision of green electricity to chargepoints, supporting emissions reductions to achieve net zero.
Socially Equitable	• Right chargepoint, right location to increase accessibility for key stakeholder groups, but not in locations that encourage additional car use, or permanently diminish usage of the highway for other users e.g., cyclists, or residents with disabilities. • Commitment to cross-subsidisation and/or to ensure a number of chargepoints in areas of high profitability are matched with ones in an area of low profitability. This will support a strategic spread across Bromley, improving accessibility.
Economically Beneficial	• The best average price per kilowatt hour (kWh) charged to customers for use of chargepoints on a pay as you go basis • Low risk business models, including the ability for the CPO to cover the costs of installation, maintenance and operation of the chargepoints (e.g., fully funded concession or licensing arrangements). • Revenue share offer to the Council for facilitating installations on the highway • Risk minimisation through shorter license agreements and/or favourable exit terms e.g., coverage of decommissioning costs at the end of the license agreement or low-cost transfer fee of the chargepoints and electrical connection point (if the supplier has ownership of it). • UK sourced manufacturing of CPs and/ or evidence of employment opportunities provided by the contract works.

3.31. Nine chargepoint operators returned the soft market testing questionnaire. One has been excluded from further consideration, as they only offer rapid charging i.e., more than 22kW, not suitable for long-stay residential charging .

[4] *Following site visits with a charge point operator (CPO), installing satellite charging posts close to the road, which are fed by the electrical supply from lamp columns are a viable option in Bromley. Due to the age of Bromley lamp column assets and their placement on the footway, fully integrated lamp column charging options were ruled out by the CPO.*

3.32. Table 2 details answers to some of the key questions.

Table 2. Sub-set of answers from chargepoint operator soft market testing exercise. Information correct as of 24th January 2021. Subject to change and intended only to provide guidance. Rows coloured orange are only feasible with the support of Government grant funding.

Operator	Minimum Length of Lease (years)	Supplier Funding (%)	Revenue Share (%)	Customer price £ per kWh	Parking Bay Advised
BP Pulse	7	ORCS 75% : Supplier 25%	50%	0.35	Yes
EB Charging	10	100%	Variable	0.34	Yes
Joju	15	100%	10%	0.28	Yes
Liberty Charge	15	100%	10%	0.30	Yes
SMS Energy	15	100%	Variable	0.30	Yes
Swarco	10	100%	Variable	0.30-0.35	Yes
Urban Electric Networks	15	100%	£1 connection fee surcharge	0.30-0.35	Yes
Ubitricity	10	ORCS 75% : Supplier 25%	5%	0.27	Yes

3.33. The CCS DPS Framework has been chosen for the soft market testing and is the proposed framework for the forthcoming tender process to appoint chargepoint operators. This is because it offers a dynamic purchasing system, meaning new suppliers can join at any time. This gives the Council exposure to the newest charging technologies, as commercial opportunities develop.

3.34. Unlike other Frameworks, such as the TFL Framework, it will also support the tender for chargepoints under different Lots, or categories. Within a supplier funded, operated and maintained business model, this will support the Council to receive bids from chargepoint suppliers with markedly different technologies. The suggested categories for suppliers to submit bids under are:

- Shared power supply options - a chargepoint which draws electricity from a shared electricity source, for example (but without limitation), a lighting column.
- Dedicated power supply options - a chargepoint which is comprised of an on-street charging cabinet that draws electricity from an electricity feeder pillar together with the electricity feeder pillar.

3.35. Suppliers will be able to submit bids for both Lots, if they supply that breadth of technology.

3.36. For each Lot, suppliers must submit two pricing schedules. Each pricing schedule will list 15 shortlisted chargepoint locations, grouped by LBB. This is to ensure that when submitting bids all locations are eventually assigned to winning suppliers.

3.37. Supplier funded options which meet the criteria (Table.1), the suggested charging options (section 3.27) and work with our preferred approach to procurement (section 3.33 to 3.36) are clearly available via the CCS DPS Framework, but the Council have less room to negotiate on the concession or license arrangements. For example:

- Supplier-funded options require the Council to dedicate parking bays to electric vehicle charging, so that operators can recoup their costs.
- Fully supplier-funded options require a longer license period to recoup costs e.g., 10-15 years.
- Profit or revenue share options differ greatly and depend on chargepoint utilisation, which depends on location of the chargepoint and the corresponding demand.

3.38. These chargepoints will remain in the ground until the end of the agreed license period (usually 10-15 years), exceeding the timeframe of the pilot.

3.39. The Council has already set a precedent in using supplier-funded license arrangements, due to our existing agreement with Source London (now owned by Total). The key difference to the license terms within the pilot is that suppliers will be legally bound to share information with the Council to help measure the success of the pilot e.g., maintenance issues raised with them by residents, or data on utilisation rates of the chargepoints.

3.40. Resident engagement surrounding the use of chargepoints uses the same process as that described for the gullies. A variation on the 'User Agreement' noted in section 3.14 will be signed by participating residents and they will be asked to record their experience of using the chargepoints in the same way as residents trialling the gullies (see section 3.20 to 3.22 and Appendix 3 – 'Draft Test Plan'.

4. Funding

Chargepoint Options

4.1. There are two main supplier funded options, which the Council can pursue. This includes:
- Fully supplier funded (100%)
- Part supplier funded (25%) and part funded by the On-Street Residential Chargepoint Scheme (ORCS) (75%)

4.2. Revenue share to the Council will be dependent upon which option is pursued by the Council and the final contractual terms agreed with chargepoint suppliers. This will be determined during the tender process on receipt of fully costed proposals.

Option 1

4.3. Noted in section 3.32, the supplier funded installation, maintenance and operation of chargepoints will be cost neutral to the Council, on the condition that chargepoints are not removed before the end of the agreed license period.

4.4. As the Council is still procuring a service, albeit cost free, the installation, maintenance and operational costs cannot be obtained by LBB until suppliers have submitted a pricing schedule(s) for the chargepoints which they are interested in providing. This is because costs are dependent on location, in particular how close a preferred location is to an existing electricity supply. Upgrading, or creating a new electricity supply is a considerable additional cost that the supplier must factor into their proposal.

4.5. In their bid, CPOs will also be asked to provide detail on their approach to moving a chargepoint during the license period, as well as associated costs. This enables the Council to understand the size of the financial risk to LBB, if a chargepoint has to be moved.

Option 2

4.6. To have more control over the terms of the license arrangements (mentioned in section 3.36), LBB should apply for the next round of On-Street Residential Chargepoint Funding (ORCS).[5] If another funding round opens, this will cover 75% of the costs of chargepoint installation, while suppliers commit to covering the remaining 25%. It will give the Council more control over the commercial terms within license agreements. Depending on the supplier, this could enable the Council to:

- Not have to dedicate bays
- Enable shorter license agreements
- Support a greater revenue share for the Council

4.7. Subject to approval of the pilot design (including locations) and the accompanying costed proposal from suppliers, the Council will be in a good position to apply for future rounds of ORCS funding (if they become available). This is because applications require site specific information and associated install costs to bid for the grant.

4.8. Project monitoring and management during the pilot will be covered by existing staffing budgets from the Carbon Management Team, Traffic and Road Safety and Highways.

Gully Options

4.9. Cost of each gully unit and the installation service from ODS is £712.93.

4.10. With the amount for 14 installations totalling £9981.02 and the lack of market competition due to the novelty of the charging solution, the proposed approach to procurement is through direct award (an exemption from competitive tendering), requiring sign off by the Chief Officer. This will be included in an Officer gateway report.

4.11. As the Council are trialling a novel charging option, which may be removed if unsuccessful, the preferred funding route is to use the Council's S106 Carbon Offset Fund (COF) to cover the installation costs. This is the preferred funding route, as participating residents will be meeting the Council halfway by ensuring they have paid for and installed a home-charger to accompany the gully, costing on average £700-£900.

4.12. Projects are appraised by the cost to reduce one tonne of carbon (currently benchmarked at £60 per tCO_2 per year). COF financing would primarily be concerned with the cost of the Gully preventing one tonne of carbon being emitted, by supporting a resident's transition from petrol or diesel to a battery electric vehicle.

4.13. Table 3 shows the anticipated carbon savings for the first year of gully installation and the lifetime carbon cost effectiveness for a resident who chooses to switch to an electric vehicle because the gully enables that behaviour change to occur.[6] The switch from petrol or diesel to full battery electric comes well below the £60 threshold, therefore COF can finance the project.

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[5] Submitting an application for the existing round of ORCS is no longer a realistic option, as the current budget must be allocated by March 2022 and installations must be completed by March 2023, therefore timeframes are too short.

[6] Residents involved in the Gully pilot either already have access to an electric vehicle, or are intending to purchase one in the next 6 months. If the pilot is successful the carbon benefit can be attributed to non EV car owners and users across Bromley who switch to electric because the gully enables this behavioural change.

Table 3. Carbon savings and carbon cost effectiveness, per gully unit

Car Type	First year carbon savings from switch to electric (tCO2e)	Lifetime cost effectiveness (£/tCO2)
Medium Diesel	1.3	18.4
Medium Petrol	1.5	15.6

4.14. COF financing of the project satisfies the additionality criteria, as it would be too high an individual financial risk for a resident, if the Council were to ask them to fund both the home charger and the gully, in the knowledge that the gully may have to be removed if the trial is unsuccessful. If successful, the gullies will facilitate and support the transition to electric vehicles in Bromley. It is not required to meet national legislation, as there is no legislation which puts a blanket ban on the use of petrol and diesel vehicles by a designated target date.

4.15. In the unlikely event that the gullies need to be removed during or immediately following the conclusion of the pilot, these costs, quoted at £396 per unit (£5,544 in total), would be funded from existing Highways budgets.

4.16. Project monitoring and management during the pilot will be covered existing staffing budgets from the Carbon Management Team, Traffic and Road Safety and Highways.

Timescales

4.17. Broad timescales for the progression of the pilot are detailed below.

Activity	Start	End
ECS PDS Approval	Spring 2022	Spring 2022
Preparation of Tender Documents	Spring 2022	Spring 2022
Chargepoint Tender	Spring 2022	Summer 2022
ORCS Application *if possible	-	-
Gully Procurement	Summer 2022	Summer 2022
Installation of Chargepoints & Gullies	Autumn 2022	Autumn 2022
Pilot Reporting	Winter 2022	Winter 2023
Post Pilot Report and Recommendations	Winter 2023	Spring 2024

5. IMPACT ON VULNERABLE ADULTS AND CHILDREN

5.1. Positive impact on users of the highway in relation to air quality improvements.

5.2. Any additional street furniture required to support expansion of the charging network will be installed in accordance with the Highways Act, to prevent trip hazards and trailing cables, therefore maintaining safety and accessibility.

6. POLICY IMPLICATIONS

6.1. The most significant policy drivers for the project are:

- LBB's Electric Vehicle Charging Strategy
- National Net Zero by 2050 target and the intermediary 78% reduction in emissions by 2035 compared to 1990 levels;

7. FINANCIAL IMPLICATIONS

7.1. The main cost to the Council from this pilot will be the installation of gullies, which for 14 sites is estimated at £9,981. It is proposed to fund this from the Council's existing Section 106 carbon offset contributions. If the pilot led to a wider roll-out in the Borough, the future installation costs would be a charge to householders.

7.2. It should be noted that in the event that these gullies need to be removed during the pilot, this would be an additional cost of £396 per site which would need to be met from within the existing Highways revenue budget.

7.3. The report anticipates that the cost of supplying and installing on-street chargepoints will be at no cost to the Council as these would be supplied, maintained and operated by the contractor for use by residents. However, this will need to be confirmed by the tender exercise and members would need to be advised if the tender results in potential costs to the Council.

7.4. There is the potential to apply for the On-Street Residential Chargepoint Scheme, a Government grant, which will in effect subsidise 75% of the supplier's costs to install chargepoints, while suppliers commit to covering the remaining 25%.

7.5. On receipt of the 75% grant award, the Council would receive three quarters of the grant money to fund chargepoint installations and the remaining quarter once all chargepoints had been installed, therefore the Council would bear some of the cost risk until all of the grant award is received. This is unless an agreement is reached with chargepoint operators for them to cover the difference.

7.6. The tender exercise will also determine potential revenue share options, which would represent an additional income stream to the Council. Revenue share to the Council will be dependent upon which option is pursued by the Council and the final contractual terms agreed with chargepoint suppliers.

8. LEGAL IMPLICATIONS

8.1. **The London Local Authorities and Transport for London Act 2013 (Section 16) specifically deals with the implementation and granting of permission for electric charging points.**

8.1.1. Section 17 requires a local authority to provide notices before exercising powers under section 16.

8.1.2. Section 18 requires a local authority to consult and obtain permission from other authorities that may be relevant.

8.1.3. In order to secure implementation of the charging infrastructure, for Charging Points, it will depend on the application of the strategy to any given site or location considering the benefits, costs, income and financial/commercial structure.

8.1.4. There are likely to be a number of different procurement solutions available to meet the Council's specific requirements where good value must be demonstrated.

8.1.5. These will include tendering for goods and services, concession contracts, available frameworks.

8.1.6. As stated elsewhere in this report, compliance with the Council's Contract Procedure Rules and Procurement law will be ensured, if applicable.

8.1.7. In addition to this, land-based solutions (lease or license) may be preferable and for certain lease disposals, best consideration under section 123 of the Local Government Act 1972 must be demonstrated.

8.2. S.111 Local Government Act 1972

8.2.1. The Council has power to do anything calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

8.3. Disposal of land

8.3.1. Local authorities have power under s.123 of the Local Government Act 1972 to dispose of land for best consideration that can reasonably be obtained (usually based on open market value).

8.3.2. s.123 of the Local Government Act 1972 confers power to the Secretary of State to give general consent for the purposes of land disposals by local authorities carried out under their powers in Part 7 of the 1972 Act.

8.3.3. The Local Government Act 1972: General Disposal Consent 2003 removes the requirement for authorities to seek specific consent from the Secretary of State for any disposal of land where the local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the well-being criteria in the Local Government Act 2000:

i. the promotion or improvement of economic well-being;
ii. the promotion or improvement of social well-being;
iii. the promotion or improvement of environmental well-being; and the "undervalue" (i.e., the difference between the unrestricted value of the interest to be disposed of and the consideration accepted) is £2,000,000 or less.

8.3.4. Applications for specific consent should be sent to the DCLG and include the following information:

i. Written description of the land and buildings, the location
ii. Written description of how the land is currently held by the Council
iii. Details of any leases, encumbrances such as easements
iv. Summary of the proposes disposal/transaction

8.4. Disposal of Land considered as Open Space

8.4.1. Section 123 (2A) of the Local Government Act 1972 states that if any disposal of land is considered as open space (any land, enclosed or not, on which there are no buildings, and

the whole of the remainder of which is laid out as a garden or is used for recreation purposes or lies waste and unoccupied) requires the local authority to give notice of its intention to dispose of the land for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and they must consider any objections to the proposed disposal which may be made to them.

9. PROCUREMENT IMPLICATIONS

9.1. The decision to proceed to procurement for both chargepoints and gullies indicated in this report fall under Chief Officer Approval.

9.2. Any forthcoming procurement must be approved in accordance with the Council's Contract Procedure Rules.

9.3. In accordance with Clause 3.5 of the Contract Procedure Rules, the Head of Procurement must be consulted regarding the use of any Framework. In accordance with CPR 2.1.2, Officers must take all necessary professional advice

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Appendix 1 – Mapping Analysis Appendix 2 – Shortlisted Locations Appendix 3 – Draft Test Plan Appendix 4 – Oxford Trial Appendix 5 -Preferred Charging Options LBB Electric Vehicle Charging Strategy