



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	<b>Cabinet: Wednesday 17 February 2021</b>
Report Number	<b>Agenda Item No. 9</b>
Subject	<b>Oxfordshire Park and Charge Project - Legal Agreements</b>
Wards affected	ALL
Accountable member	Cllr David Harvey, Cabinet Member for Climate Change Email: david.harvey@westoxon.gov.uk
Accountable officer	Ness Scott, Climate Change Manager Tel: 01993 861344 Email: vanessa.scott@publicagroup.uk
Summary/Purpose	<p>This report sets out:</p> <ul style="list-style-type: none"><li>a) A request for the Chief Executive to be authorised, in consultation with Group Manager for Commissioning, Group Manager for Business Support Services and the Solicitor for the Council, to enter into Legal Agreements with the proposed Charge Point Operator (CPO) and utility company providing electricity to charge points based in the Council's car parks as part of the Oxfordshire Park &amp; Charge project.</li><li>b) An update on the Oxfordshire Park &amp; Charge project next steps.</li></ul>
Annex	<p><a href="#">Annex 1</a>: Report from April 2020 for approvals to enter into a partnership with the Oxfordshire Park and Charge project.</p> <p>Annex 2: Legal review and comments (exempt – for councillors only).</p>
Recommendations	<ul style="list-style-type: none"><li>a) That the contents of the Oxfordshire Park &amp; Charge document provided in Annex 1 be noted;</li><li>b) That the risks identified within the report and in Annex 2 be noted, and the Chief Executive be authorised, in consultation with Group Manager for Commissioning, Group Manager for Business Support Services and Solicitor for the Council, to enter into Legal Agreements with the proposed Charge Point Operator (CPO) and utility company providing electricity to charge points based in the Council's car parks as part of the Oxfordshire Park &amp; Charge project; and</li><li>c) That the project next steps and legal review underway be noted, as referenced in the exempt Annex 2.</li></ul>
Corporate priorities	<ul style="list-style-type: none"><li>• <i>To protect the environment whilst supporting the local economy</i></li><li>• <i>Working with communities to meet the current and future needs and aspirations of residents</i></li><li>• <i>To provide efficient and value for money services, whilst delivering quality front line services</i></li></ul>

Key Decision	Yes
Exempt	Annex 2 to this report is exempt and not for publication.
Consultees/ Consultation	<p>Internal: This report has been developed in consultation with the Group Manager for Commissioning; Group Manager for Business Support Services, Solicitor for West Oxfordshire District Council and Parking Manager: These Officers, work alongside the Climate Change Manager as part of an internal project team that has been set up to oversee the delivery of the Oxfordshire Park &amp; Charge project.</p> <p>Lead partner: The Council has been working closely with Oxfordshire County Council as the lead partner and project coordinator for the installation of EVCP in West Oxfordshire.</p> <p>External: Active and low-carbon travel infrastructure was identified as a key priority following the Climate Action Survey and public consultation carried out by the Council in May 2020. EVCPs have subsequently been embedded within the Council's Carbon Action Plan (October 2020) and Climate Change Strategy (emerging). The Oxfordshire Park &amp; Charge project provides an important mechanism for collaborative delivery across the County.</p>

## **I. BACKGROUND**

- I.1. The Council is a partner in the Innovate-UK funded, Oxfordshire Park & Charge Electric Vehicle Charging Point (EVCP) project. The partnership secured £3.4 million funding through Innovate UK and has embarked upon a project target to install 300 EVCP across Oxfordshire. The total value of the Oxfordshire Park and Charge Project, including commercial partner contributions, is estimated to be £5.2 million.
- I.2. Approvals for the Council to participate as partner were obtained in April 2020 through virtual means of consultation with Cabinet Members in the circumstances that the meeting of the Cabinet which would have taken place that month did not take place because of the pandemic. Please note the contents and project overview provided in what would have been a report for Cabinet, included as [Annex 1](#).
- I.3. During 2020, the Council has worked extensively with the Oxfordshire Park & Charge team to assess the viability of car parks within the Council's stewardship. Six car parks are now selected as part of Tranche One for EVCP being installed in West Oxfordshire during the spring and summer of 2021. The [report considered by Cabinet on 18 November 2020](#) provides further details. Council car parks selected include:
  - Hensington Road, Woodstock
  - Back Lane, Eynsham
  - Woodford Way, Witney
  - Woodgreen Offices, Witney
  - Black Bourton Road, Carterton
  - New Street, Chipping Norton

## **2. OXFORDSHIRE PARK AND CHARGE PROJECT, NEXT STEPS**

- 2.1. The Council has recently received draft Legal Agreements for the Oxfordshire Park & Charge project which are now subject to review by the Council's Legal Team, in consultation with the WODC's Park & Charge project team. These Legal Agreements include:
  - i) Land Lease Agreement per car park between the Council and utility company, SSE Utility Solutions Ltd, allowing for the provision of electricity to the EVCP installed within each of the selected Council car parks.
  - ii) Compensation and Indemnity Agreement between the Council and utility company, SSE Utility Solutions Ltd.
  - iii) Dead of Easement between the Council and District Network Operator, Southern Electric Power Distribution.
  - iv) Charge Point Operator (CPO) Contract between the Council and the EVCP provider/operator: EZ-Charge.
- 2.2. Each Legal Agreement is being put in place to ensure the necessary legal protection is provided to each party involved in the Park & Charge project.
- 2.3. A summary of the main points noted as part of a legal review of contracts to date are provided in Annex 2 for reference (tabled as confidential.) The Land Lease Agreement and Compensation and Indemnity Agreement have been the focus of recent discussion between the Council's solicitor, the Council's project officers, SSE Utility Solutions Ltd's legal team and programme lead. Conversations will continue with the intention of next signing a Letter of Intent to SSE Utility Solutions Ltd confirm the Council's support in principle.
- 2.4. The CPO Contract will be reviewed by the Council's legal team as the next priority to ensure all contracts are being considered concurrently and as part of suite of legal documents that are each interrelated.

- 2.5. Approvals are now sought from Cabinet for authority to the Chief Executive so that he can - in consultation with Group Manager for Commissioning, Group Manager for Business Support Services and Solicitor for the Council - enter into Legal Agreements with the proposed Charge Point Operator (CPO) and utility company providing electricity to charge points based in the Council's car parks as part of the Oxfordshire Park & Charge project.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. The Council is receiving resource funding to complete negotiations, support the initial installation and embedding of the contracts. This is 100% Innovate-UK funded. The Council therefore has no direct capital outlay as part of the project: this has been covered by the project and through in-kind support from the commercial partners.
- 3.2. Within Legal Agreements, there are potential, financial implications for the Council which Officers are reviewing and go on to outline, for the legal documents now reviewed, in Annex 2. These are considered low risk financially when compared to the capital and EVCP running costs the Council has saved by entering into the Oxfordshire Park & Charge project and having 35 units installed and operated with no capital outlay.
- 3.3. The Council's primary contribution to this EVCP infrastructure is provision of land through a lease agreement. The capital costs are covered by the grant funding and the ongoing revenue costs will be borne by the contractor and recovered through the fees they charge to customers. The Council will need to cover any future capital replacement costs of these EVCP units but once the initial contract and lease agreements have been discharged, the Council could enter into agreements on its own terms and seek to recoup both revenue and capital replacement costs through fees for charging, unless it was able to secure another similar lease arrangement.
- 3.4. There should be no implications on the parking team or budget in the short term. The Enforcement Team already patrol these car parks so EVCP should not make any difference to the time required for enforcement.

### **4. LEGAL IMPLICATIONS**

- 4.1. Legal Agreements including Charge Point Operator (CPO) Contract, Land Lease Agreement, Compensation and Indemnity Agreement have been received by the Council in draft form and are now the focus of review and negotiation with the CPO and electricity provider, SSE Utility Solutions Ltd.

### **5. RISK ASSESSMENT**

- 5.1. The Council's solicitor is advising on the legal implications of entering into agreements to deliver EVCP through the Oxfordshire Park & Charge project. There are some potential financial and reputational risks to the Council in Annex 2 which are presented alongside the estimated financial benefits of the project, as a balanced overview.

### **6. EQUALITIES IMPACT**

- 6.1. The impacts of implementing the Oxfordshire Park and Charge Project will have an equal and positive benefit to all customers in the District who already drive electric vehicles or wish to transition to an electric vehicle in the near future. The project's main focus is on EVCP supply to residents and customers who do not have their own off-street parking or EVCP at home.

### **7. CLIMATE CHANGE IMPLICATIONS**

- 7.1. The proposals within this report will have a direct, positive impact on the Council's objective to reduce carbon emissions and improve air quality in line with measures for climate change mitigation and adaptation across the District.


- 7.2. This project helps to deliver commitments within the Council's Carbon Action Plan (October 2020) and Climate Change Strategy (emerging).

## **8. ALTERNATIVE OPTIONS**

The alternative strategy to delivering EVCP infrastructure in West Oxfordshire through the Oxfordshire Park and Charge Project is for the Council to carry out the installation and operation of 35 EVCP in six Council-owned car parks at the Council's direct cost. Taking no action to install EVCP is not considered an alternative given the Council's declaration of a climate and ecological emergency and its commitment to responding and delivering targeted climate action across the District.

## **9. BACKGROUND PAPERS**

Cabinet Report presented on Wednesday 18 November 2020: "Oxfordshire Park & Charge and Off-Street Parking Order."

 <b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>	<b>WEST OXFORDSHIRE DISTRICT COUNCIL</b>
Name and date of Committee	<b>Urgency Decision</b>
Report Number	
Subject	<b>Oxfordshire Park and Charge Project</b>
Wards affected	ALL
Accountable member	Cllr David Harvey, Cabinet Member for Climate Change Email: david.harvey@westoxon.gov.uk
Accountable officer	Ness Scott, Climate Change Manager Tel: 01993 861344 Email: vanessa.scott@publicagroup.uk
Summary/Purpose	<p>This report sets out:</p> <ul style="list-style-type: none"> <li>a) The partnership structure and project objectives for the Innovate-UK funded, Oxfordshire Park and Charge Project which aims to increase Electric Vehicle Charging Point (EVCP) capacity and infrastructure in Council-owned car parks across Oxfordshire; and</li> <li>b) Proposals for a collaborative approach with partners of the Oxfordshire Park and Charge Project as the route to delivering Phase 2 of this Council's EVCP project.</li> </ul>
Annex	None
Recommendations	<p>It is recommended that Cabinet:-</p> <ul style="list-style-type: none"> <li>a) Approves the proposals to participate in the Oxfordshire Park and Charge Project with a view to the installation of Electric Vehicle Charging Points (EVCP) in Council-owned car parks, as the second phase of the delivery of EVCP infrastructure in the District.</li> <li>b) Agrees to the Council's Off-Street Parking Order being varied to include provisions to enable the management and enforcement of the charging bays and that the consultation required in connection with this is carried out as part of the renewal of that Parking Order agreed to by Cabinet at its meeting on 18 December 2019 (Minute 74 refers).</li> </ul>
Corporate priorities	<ul style="list-style-type: none"> <li>• <i>To protect the environment whilst supporting the local economy</i></li> <li>• <i>Working with communities to meet the current and future needs and aspirations of residents</i></li> <li>• <i>To provide efficient and value for money services, whilst delivering quality front line services</i></li> </ul>
Key Decision	Yes

Exempt	No
Consultees/ Consultation	

## I. BACKGROUND

- 1.1. The Council has adopted a dual approach to the implementation of Electric Vehicle Charging Points in the district with phase 1 being a direct delivery approach for priority projects and Phase 2 a collaborative approach with county partners to utilise government funding streams.
- 1.2. This report focuses on the county partnership approach and sets out:
  - The partnership structure and project objectives for the Innovate-UK funded, Oxfordshire Park and Charge Project which aims to increase Electric Vehicle Charging Point (EVCP) capacity and infrastructure in Council-owned car parks across Oxfordshire.
  - Proposals for a collaborative approach with partners of the Oxfordshire Park and Charge Project as the route to delivering Phase 2 of West Oxfordshire District Council's (the Council's) EVCP project.

## 2. OXFORDSHIRE PARK AND CHARGE PROJECT

- 2.1. The iHub Innovation Team at Oxfordshire County Council (OCC) is the strategic partner in a County-wide, Oxfordshire Park and Charge Project. Partners from the County Council, commercial sector and Oxford University have worked together to develop a project that will install, off-street EVCP in Council-owned car parks across Oxfordshire, providing residents without the facility of off-road charging the means to charge their electric vehicles. The partnership has secured £3.4 million funding through Innovate UK and embarked upon a project target to install 300 EVCP across Oxfordshire by 31 March 2021.
- 2.2. The commercial partners of the Oxfordshire Park and Charge Project will be established as either Joint Venture or Partnership. As a legal entity, their role will be to manufacture the EVCP; complete the ground works and installation of EVCP; manage the operation of the EVCP over the course of the next five years; run the back office and monitoring of EVCP in operation; and provide a client interface.
- 2.3. A breakdown of funding allocated to the partnership is set out below. University of Oxford and OCC receive 100% funding from Innovate UK whilst the commercial partners: Zeta Group, SSE Enterprise Ltd and [ui!]uk receive part-funding. The total value of the Oxfordshire Park and Charge Project, including commercial partner contributions, is estimated to be £5.2 million.

### Park and Charge Project Funding Breakdown.

	IUK Funding (£)	Contribution (£)	Total (£)
Zeta Group	1,145,143	490,776	1,635,918
University of Oxford	363,118	0	363,118
Oxfordshire County Council	758,800	0	758,800
SSE Enterprise Ltd	798,483	1,197,724	1,996,206
[ui!]uk	312,876	134,090	446,966
<b>Total</b>	<b>3,378,420</b>	<b>1,822,589</b>	<b>5,201,009</b>

- 2.4. The terms of Innovate-UK funding require that all 300 EVCP are successfully installed and invoices submitted by the cut-off date of 31 March 2021.



- 2.5. OCC and commercial partners have been working with the District Councils to extend the reach of the existing partnership in order to facilitate the installation of EVCP county-wide. The Oxfordshire Park and Charge Project is targeting a network of 300 EVCP across the County with infrastructure provided in all Districts.
- 2.6. To deliver this commitment in partnership with the District Councils, OCC's funding from Innovate UK incorporates an allowance for each of the Districts, as a revenue stream for the project management and legal fees, allowing for the installation of EVCP to be overseen in each area. A breakdown for how these funds have been allocated is shown below. As the partner receiving Innovate-UK funding, there is flexibility for OCC to either appoint a Project Manager centrally on behalf of the Council or sub-contract this element to the Council to recruit and appoint a Project Manager.
- 2.7. Officers from the Council have been actively engaging in the Oxfordshire Park and Charge Project to:
- i) Discuss potential, viable car parks locations in West Oxfordshire.
  - ii) Review draft documents including Heads of Terms and Financial Agreement between OCC and the Council.
  - iii) Engage with the commercial partners.
- 2.8. This work has been completed to collaborate County-wide and fully understand the project's objectives, governance and delivery timeframes in order to put forward the enclosed proposals to Cabinet.

#### Local Authority Sub-Contracting Funding Breakdown

Allocation	District Council Support (staff resource etc.) (£)	District Council Legal Fees (£)	Total (£)
South Oxfordshire District Council	63000	Approx. 5000 per car park included in project.	Dependent upon number of car parks included in project.  Example: District A installs chargers in 7 car parks.  Funding available is approx. £98,000
Vale of White Horse District Council	63000		
West Oxfordshire District Council	63000		
Oxford City Council	63000		
Total	252,000	175,000	427,000

- 2.9. To establish a delivery model for the Oxfordshire Park and Charge installation and operation of EVCP, legal documents will need to be developed between the commercial-partner legal entity and each District Council. The Council would need to enter into a five-year agreement with the commercial partners on the project. Since it is planned that the equipment installed will continue to be operated beyond the actual period of the Innovate-UK funding (31 March 2021), there will need to be in place:
- i) A land lease or licence with the Council.
  - ii) A concession contract with EVCP operator.

- 2.10. Each District Council has been asked by OCC to ensure that they take the appropriate legal advice during the contract negotiations. Funding to the Council for the legal costs involved is provided through the Innovate-UK funding.
- 2.11. A summary of the roles and responsibilities of each partner within the Oxfordshire Park and Charge Project is shown below.

**Roles and Responsibilities of Oxfordshire Park and Charge Partners.**

<b>Organisation</b>	<b>Role</b>	<b>Workstreams and Deliverables</b>
Zeta Group	Project Lead Partner and EVSE Manufacturer	<ul style="list-style-type: none"> <li>• Project management lead</li> <li>• Design and manufacture of charge point hardware</li> <li>• Integration of charger with back office charge point management service (CPMS or back office)</li> <li>• The joint operation of charge points to March 2021</li> <li>• Joint development of private sector investment-led business model</li> </ul>
[ui!]uk	Digital Technology Partner	<ul style="list-style-type: none"> <li>• Development and integration of charge point management service (CPMS or back office)</li> <li>• Development of customer interface</li> <li>• Integration of charger with CPMS and Customer Interface</li> <li>• The joint operation of charge points to March 2021</li> <li>• Joint development of private sector investment-led business model</li> </ul>
SSE Enterprises	Operational Partner	<ul style="list-style-type: none"> <li>• Fund and deliver installation and operation of the electrical supply infrastructure for the project</li> <li>• Own and operate the electrical supply infrastructure commercially</li> <li>• Deliver installation of the charge points for the project</li> <li>• The joint operation of charge points to March 2021</li> <li>• Lead development of private sector investment-led business model</li> </ul>
University of Oxford	Academic Partner	<ul style="list-style-type: none"> <li>• Provide monitoring and evaluation of project</li> <li>• Joint development of private sector investment-led business model</li> </ul>
Oxfordshire County Council	Local Authority & Strategic Partner	<ul style="list-style-type: none"> <li>• Deliver location mapping tool</li> <li>• Recruit District Councils interested in project</li> <li>• Represent LA/Client perspective in development of product and business model</li> <li>• Act as funding coordinator for District Councils</li> <li>• Liaise with other local authority partners to aid the delivery of the project. (inc. developing template legal docs)</li> <li>• Procure and contract manage education and dissemination contractor, and contribute to delivery of education and dissemination work package</li> </ul>
West Oxfordshire District Council	Charge Point Host	<ul style="list-style-type: none"> <li>• Host Park and Charge Project EVCP in appropriate car parks</li> <li>• Develop and agree contracts with commercial partners for: <ul style="list-style-type: none"> <li>○ Hosting of electrical supplies to charge points</li> <li>○ Hosting charge points</li> </ul> </li> <li>• Liaise with Operational Partner to manage installation works and maintenance</li> <li>• Act as client under CDM regulations for installation works</li> </ul>

Organisation	Role	Workstreams and Deliverables
		<ul style="list-style-type: none"> <li>• Deliver any operational changes required in agreed car parks to facilitate installation and operation of charge points</li> <li>• Liaise with Oxon CC and education and dissemination contractor and contribute to delivery of education and dissemination work package</li> <li>• Liaise with other local authority partners to aid project delivery</li> </ul>
TBC – subject to procurement of sub-contract resource by OCC.	Education and Dissemination Contractor	<ul style="list-style-type: none"> <li>• Design and deliver education and dissemination work package with support from Oxon CC and Charge Point Hosts</li> <li>• Liaise with Oxon CC and charge point hosts on design</li> </ul>

### 3. PROPOSALS FOR WEST OXFORDSHIRE DISTRICT COUNCIL

- 3.1. On 12 February, a report was presented to, and approved by, Cabinet for authority to the Head of Paid Service to enter into a contract for 18 EVCP in West Oxfordshire.
- 3.2. A combination of rapid and fast EVCP, offering varying levels of charging speed, are currently being assessed for their suitability at different car park locations with final ratios and locations due to be informed by the results of site surveys and a review of utility provision.
- 3.3. The direct procurement of EVCP represents the Council's commitment to delivering EV infrastructure across the District, supporting and facilitating the uptake of electric vehicles as an alternative to petrol and diesel vehicles.
- 3.4. This stage of the EVCP installation project being led by the Council is referred to for the purposes of this report as Phase 1. BP Chargemaster is currently involved in carrying out site surveys and costing analysis on behalf of the Council, contributing to this first phase.
- 3.5. The Oxfordshire Park and Charge Project is an opportunity for the Council to now enter into a County-wide partnership delivering a subsequent and complementary phase to EVCP installation in Council-owned car parks in West Oxfordshire.
- 3.6. As part of the Oxfordshire Park and Charge Project, a viability matrix to assess the suitability of different locations for EVCP has been developed. The assessment criteria include, but are not limited to: population demographic, car ownership, percentage population without off-street parking, SSE utility. By engaging with OCC early on, officers have guided the final list of potential car parks being considered within the Oxfordshire Park and Charge Project. Subsequently, the car parks now being reviewed under the Oxfordshire Park and Charge Project complement rather than duplicate the car parks being considered by the Council as part of the first phase EVCP project. This list will continue to evolve as site surveys inform the final, selected locations for EVCP. For the time being, the following locations are being considered as part of the Oxfordshire Park and Charge Project for West Oxfordshire.

#### Potential Car Parks for Oxfordshire Park and Charge, EVCP.

Name	Location	Type	Total Spaces	Minimum EV Spaces
Black Bourton Rd	Carterton	Long stay	95	5
Back Lane	Eynsham	Long stay	74	4
Hensington Road	Woodstock	Long stay	116	6

Name	Location	Type	Total Spaces	Minimum EV Spaces
New Street	Chipping Norton	Long stay	141	7
Woodford Way	Witney	Long stay	255	12
Windrush Leisure Centre	Witney	Short stay	88	4

- 3.7. In addition to the list the viability of the car park at the front of the Council's Woodgreen offices is being considered. If concluded as viable and meeting the criteria of Innovate-UK funding, this location could provide staff and Councillors an opportunity to charge their own EV vehicles, or Council-owned EV vehicles and therefore assist in delivering the Council's target for carbon neutrality by 2030.
- 3.8. A partnership with the Oxfordshire Park and Charge Project is recommended as a route to delivering the Council's existing plans for EVCP infrastructure in Council-owned car parks. As such, it is proposed as a fast-track mechanism for implementing the second phase of EVCP installation in West Oxfordshire.
- 3.9. Innovate-UK funding has been made available to the Districts with the EVCP hardware and software all supplied by the commercial partners under the framework of the project. A network of partners working to a common goal will bring within the Council's sphere of knowledge, a network of experienced experts from a sector that is fast evolving. In addition, there is added value in working across Councils at County level to achieve wide-scale EVCP infrastructure as a common goal.
- 3.10. In summary the Oxfordshire Park and Charge Project offers a source of capital and revenue funding to the Council for the installation of EVCP in Council-owned car parks, facilitating a second and complementary phase to the Council's existing EVCP installation project currently underway.
- 3.11. The anticipated outcome of bringing together the Oxfordshire Park and Charge Project with the Council's Phase I EVCP project is, potentially, nine Council-owned car parks equipped with EVCP by March 2021.
- 3.12. The primary constraint on the Oxfordshire Park and Charge Project is the delivery timeframe for the large-scale and widespread installation of EVCP. March 2021 is the cut-off for all installations, representing a period of just twelve months to deliver the entire capital programme.
- 3.13. In recognition that timescales are highly constrained, it is proposed that the Council formally agree their commitment to collaborating with OCC and commercial partners to deliver the Oxfordshire Park and Charge Project in West Oxfordshire. The legal frameworks and concession agreement, setting out the terms of delivery and longer-term EVCP maintenance and operation, will need to be determined in due course through consultation with the project partners. Therefore, and for the purposes of this report, the recommendation is that the Council formally agree to be a partner in the project enabling Officers to implement the next steps required to facilitate its delivery in West Oxfordshire.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1. The funding allocation available to the Council under the Innovate-UK framework is set out at paragraph 2.8 above. This funding is a revenue stream to cover project management and co-ordination carried out by the Council to oversee the EVCP installation in West Oxfordshire. There is further allocation to cover the cost of legal fees. As OCC are the partner receiving Innovate-UK funding, there is flexibility for OCC to either appoint a Project Manager on behalf of the Council or sub-contract this element to the Council to recruit and

appoint a Project Manager. The first option is lower risk to the Council, whilst also offering the benefit that someone working centrally within the OCC team will be closer to the delivery partners and therefore has the potential to more effectively manage a condensed work programme.

- 4.2. There will be an in-kind, officer contribution from the Council to oversee implementation of the Oxfordshire Park and Charge Project in West Oxfordshire, ensuring the programme is on track. Additional officer time will also be required to review and advise, where appropriate, on specific issues relating to legal, finance, commissioning, parking management.
- 4.3. The ongoing costs associated with the project are assumed to be revenue neutral with the users paying to meet the maintenance and energy costs of the service.
- 4.4. A successful delivery of this programme will release earmarked capital resources from the medium term financial strategy and reduce any revenue costs associated with borrowing funds to meet the EVCP strategy.

## 5. LEGAL IMPLICATIONS

- 5.1. Legal documents will need to be agreed prior to the Council formally entering into a contract with the commercial partners of the Oxfordshire Park and Charge Project. Standardised elements of a concession agreement for the EVCP element of the project between the commercial partners and District Councils are currently being developed by OCC so that each District Council can review and propose any specific requirements for their local area. This will need to set out a five-year agreement for the operation and management of EVCP once installed. A budget allocation of approximately £5,000 per car park, under the Innovate-UK funding, has been made available to the District Councils so legal fees incurred can be claimed and then reimbursed as long as they do not exceed the allowance.

## 6. RISK ASSESSMENT

- 6.1. The financial risks to the Council are considered to be low given OCC are in a position to centrally appoint a Project Manager on behalf of the Council using 100% Innovate-UK funding.
- 6.2. The primary risk to the Council relates to a commitment in partnering in an EVCP project highly constrained by time. The successful implementation of the Oxfordshire Park and Charge Project is dependent on many partners working effectively on a condensed work programme.
- 6.3. The operational risks of the project on Council-owned car parks are identified below:-

### Operational Impacts to Council-Owned Car Parks.

EVCP installation phase	
	<ul style="list-style-type: none"> <li>• Disruption to car parks and temporary loss of additional car parking spaces during installation works.</li> <li>• Duration and extent of works is expected to vary between sites and may be dependent upon availability and location of electrical connections, the amount of excavation and cabling required, and the position and location of EVCP to be installed. The commercial partners would need to aim to minimise the extent and duration of works and subsequent wherever possible.</li> <li>• The Council may wish to insert terms and conditions into their agreement with the joint venture responsible for installing and commissioning the apparatus to manage the disruption; e.g. works to be carried out outside of operational hours.</li> </ul>

Operational phase	
	<ul style="list-style-type: none"> <li>Reduction of car-parking spaces available to standard vehicle drivers (total number to be agreed).</li> <li>Impacts on car park enforcement: <ul style="list-style-type: none"> <li>Car park rules of use would need to be updated to allow for enforcement against misuse of EVCP bays. This would include changes to the Council's Parking Order, and additional lines and signs for each bay.</li> <li>It is expected that the EVCP once in place will have a small impact on the existing enforcement regime, which will be managed with changes to patrol patterns.</li> <li>Enforcement of the EVCP bays can be carried out by the existing in-house team.</li> <li>Enforcement officers will be briefed to identify whether a vehicle is using the EVCP bay appropriately.</li> <li>It is not expected that there will be a requirement for additional enforcement patrols.</li> </ul> </li> <li>Failure of charging equipment: <ul style="list-style-type: none"> <li>The chargers installed by the project would be operated as a concession by the Joint Venture acting as Charge Point Operator (CPO)</li> <li>The CPO would be responsible for all costs and activities associated with the operation and maintenance of the chargers and any barriers signage etc.</li> <li>Service Level Agreements with the CPO should be agreed regarding the maximum length of time between a report of a fault and a repair being completed.</li> </ul> </li> </ul>
	<b>Customer Enquiries</b> <ul style="list-style-type: none"> <li>The CPO would be responsible for all customer enquiries or complaints relating to the EVCP and would need to have in place appropriate customer service facilities to manage these.</li> <li>The CPO would need to display signage on the EVCP directing to their customer services.</li> </ul>
	<b>Vandalism and Antisocial Behaviour</b> <ul style="list-style-type: none"> <li>Occupancy of EVCP bays outside of daytime operational hours provides 'legitimate use' of previously underused assets. This has been shown to have a positive benefit by discouraging antisocial behaviour.</li> <li>High value vehicles may be more prone to vandalism or theft if not stored in secure premises. There is a perceived increase in this risk if high value vehicles are parked out of sight of the owner's property.</li> <li>District authorities may wish to review insurances and liability terms in the car park conditions of use.</li> </ul>

## 7. EQUALITIES IMPACT

- 7.1. The impacts of implementing the Oxfordshire Park and Charge Project will have an equal and positive benefit to all customers in the District who already drive electric vehicles or wish to transition to an electric vehicle in the near future. The project's main focus is on EVCP supply to residents and customers who do not have their own off-street parking or EVCP at home.

## **8. CLIMATE CHANGE IMPLICATIONS**

- 8.1. The proposals within this report will have a direct, positive impact on the Council's objective to reduce carbon emissions and improve air quality in line with measures for climate change mitigation and adaptation across the District.

## **9. ALTERNATIVE OPTIONS**

- 9.1. The alternative strategy to delivering EVCP infrastructure in West Oxfordshire through the Oxfordshire Park and Charge Project is for the Council to implement Phase 2 of their EVCP project through the direct procurement route.

## **10. BACKGROUND PAPERS**

- 10.1. None.