

COUNCIL – 28TH MARCH 2023
MEMBER QUESTIONS

RECEIVED FROM COUNCILLOR STRUTTON TO COUNCILLOR ANDERSON

Please can Cllr Anderson provide us with the following answers to how the use of the Electric Vehicle chargers at our Corporate site and the lower floor of Herschel Car Park are recorded and assigned as to the electric charged to vehicles that have used them since they were installed and as I had been previously informed were either for our own fleet of electric cars and not those belonging to Officers, Cllrs or Contractors since 2016; As I have seen private cars and vehicles using these points over this time frame and especially during and since covid I have seen both private & our contractor vehicles using them?

Reply

The basement car park is not a public car park. It is a car park for our Observatory House Offices and is intended to only be accessible via the access barrier at the side of Observatory House. Harris fencing was in place to separate the basement car park from the public car park, but this was removed in error. Arrangements have been made to resecure the private car park so that it is used solely for designated staff. Meanwhile it is used as a storage area and car park for building maintenance contractors' vehicles pending the decision of when / whether to sell Observatory House. The public entrance ramp to the Hershel MSCP enters at Level 3 and the ramp goes up so most paying customers park on the upper floors, very few people realise that there are lower floors. It appears it has mainly been Councillors who have parked in the basement. Any usage of the electric vehicle (EV) charging points will have been free, as is the case with all EV charging points in Hershel MSCP and Hatfield MSCP – also see response to Q2. When purchasing Observatory House, the basement car park was intended to house a fleet of electric pool cars which were to be purchased for use by Council Officers. This was to replace the employee cost per mile scheme for use of a private car for business usage and would have brought cost savings to the council while reducing our carbon footprint. The implementation of this scheme was delayed due to Covid lockdown and has been suspended indefinitely due to the s114 notice and the need to minimise the Capital Programme.

We have two bays served by rapid EV charging points accessible from the access/egress road to the basement carpark at Hershel. These were intended to be used by SBC Building Management electric vehicles and no tariff is charged. The implementation of this scheme was delayed due to Covid lockdown but is now being revisited. The Councils Building Maintenance contract, currently operated by Bouygues, is to return to become an in-house service in February 2023 and this will need vans to be procured by the Council for use by directly employee officers.

How is such a benefit in kind detailed to our accounts team and payroll teams in regards of such benefit in kind especially in regards the lower ground floor PodPoint Chargers which I have ask question regarding their use and availability over the last 4 years having now been told that these have been available for use for sometime but are not as yet had the software as is the case for the ones in our car park compound at 25 Windsor Rd to enable effective recording of what cars / drivers connect to them so as to apply any cross charging or even at point of use charging via a simple software app that Pod Point at similar sites such as Tesco's have

installed. Why has this not been done even though this was pointed out previously was promised to be addressed?

Reply

The EV charging units in the basement became available for use during 2021 following delays due to issues with the contractor. They were intended for Council use to charge a fleet of electric pool cars to be used by Council Officers on Council business.

Notwithstanding that use as a public car park was not intended for the basement car park, Council staff with their own electric vehicles ('EVs') can use the Council's EV charging points and it is **NOT a benefit in kind** providing that the following four HMRC qualifying conditions are satisfied, namely: -

1. The charging facilities are provided at or near the employee's workplace.
2. Charging is available to all of our employees generally.
3. The benefit is not offered in conjunction with an optional remuneration arrangement.
4. Charging facilities are for a battery of a vehicle in which the employee is either the driver or a passenger.

EV chargers are available to the public free of charge on the top floor of Herschel MSCP, on the ground floor of Hatfield MSCP and, temporarily and unintended, in the basement of Hershel MSCP.

With respect to Bouygues and other building maintenance contractors, it is for the employee and the employer of any contractor to determine whether free use of a public charging point for a company van and/or free use of a charging point for a company van in a private car park to which they have access is a benefit in kind.

Given the huge increase of SBC's electric bills due to cost increases of supply and this authorities huge financial burden this cannot be acceptable especially given previous messages to me re this lower floor was not open to public (as was due to making rental off floor space more attractive to renters of our HQ building) until as I am being now informed has been accessible since early summer 22 but not advertised to the public as to their availability and parking spaces to be used. It could be seen as somewhat concerning regarding transparency and delivering value for money to residents and tax payers of Slough given that it seems at present only to have been being used by Officers and odd Cllrs in the know! How do you and the Council Leader explain this?

For transparency since finding this out I have on 3 occasions parked and used the PodPoints on lower floor since 12th Jan 23 when the lead Cllr for Health informed me to my surprise at an evening training session at 25 Windsor Rd.

Reply

The basement car park is a private car park, also see response to Q1.

The commentary below shows that our EV charging network is poorly used and as such the costs and the incomes (where we have a tariff) are small. The number of unique users is low and occupancy is heavily influenced by a handful of users.

EV charging points at Herschel MSCP and Hatfield MSCP are currently free to use but require that you pay to use the car park irrespective of whether your vehicle is electric. Both car parks are poorly occupied and free EV charging both encourages electric vehicle usage and provides an incentive to electric vehicle owners to use our car parks rather than those of our competitors. EV bays were occupied for 12% (Herschel) and 17% (Hatfield) of the time that the car parks were open in 2022. Car Park charges at both car parks are: -

- Up to 1 hour - £1.00
- Up to 2 hours - £2.00
- Up to 3 hours - £3.00
- Up to 4 hours - £4.00
- 5 hours and over - £5.00

There were 566 charging events from 68 different users at Herschel Car Park in 2022 which consumed 11,982 kwh of electricity. These were spread over the year with different cost at different times of the year. We are waiting for the bill but worst case if we assumed the highest rate all year then $£0.44 \times 11,982 = £5,272.08$. This compares with the car parking income if all users paid for 5 hours car parking of $566 \times £5 = £2,830$. It can be seen that, although the numbers are small, we must now apply a tariff for all of our public EV charging points to avoid subsidising car parking / EV charging given the increased cost of electricity.

It would be relatively straight forward for our technology at Hershel and Hatfield to be reset to charge users a tariff and the steps and costs needed to do this are being confirmed with the operator. The costs of implementing and administering the system will be considered against the relatively low costs which will be monitored.

Free parking is provided at all the Council's leisure sites subject to maximum stay periods. Most of the EV charging points at these locations require payment of a tariff and occupancy rates are very low – see table below.

Site		No. of bays	Opening hours/ constraints	Occupancy (across 2022)	Occupancy (when available)
The Centre	Fast chargers	10	Only 8 bays in use in 2022 Parking stay restriction (3hrs), Charging restricted to 2 hrs	2.8%	3.50%
	Rapid charger	1		22%	22%
Langley Leisure Centre	Free	6	Reliability issues in 2022: Parking stay restriction (3hrs),	1.4%	2.2%

Site		No. of bays	Opening hours/ constraints	Occupancy (across 2022)	Occupancy (when available)
			Charging restricted to 2 hrs		
Ice Arena	Free post	1	Only worked Jan to Apr 2022 (2 nd socket is 3-pin)	14%	42%
	Tariff-based post	2	Reliability issues in 2022: only available for 9 months	8.9% (for all 3 bays)	17%
Salt Hill	Free post	1	Not operational since June 2021 (2 nd socket is 3-pin)	0%	0%
	Tariff-based post	2	Reliability issues in 2022: only available for 5 months	0.5%	1.3%
Britwell Community Centre	Free	2	Reliability issues in 2022: only operational in June & July 2022	1.8%	11%
Cippenham Library	Free	2	Car park is only open when library is open.	4.5%	65% *

Income from EV Charging Points at Leisure Sites:

Year/ Month	Langley Leisure Centre	Montem Ice Arena	Salt Hill Activity Centre	The Centre
2021				
November	£28.53	£42.44	£7.46	£576.24
December	£58.09	£120.25	£0.38	£1,198.90
2022				
January	£68.99	£32.68	£0.00	£1,464.06
February	£43.35	£80.30	£0.00	£1,751.23
March	£35.90	£104.78	£0.00	£1,743.29
April	£8.19	£61.05	£0.00	£502.96
May	£0.00	£0.00	£0.00	£734.83
June	£0.00	£0.00	£0.00	£1,086.72
July	£5.45	£0.00	£0.00	£1,013.63
August	£7.24	£31.50	£3.80	£721.14
September	£90.56	£45.53	£5.27	£1,079.79
October	£157.52	£44.81	£3.79	£1,006.19
Total	£503.82	£563.34	£20.70	£12,878.98

Low occupancy rates mean low energy costs and small incomes. If we introduce tariffs where we don't currently apply a tariff then occupancy rates are likely to fall further. If we increase charges where we currently apply a tariff then occupancy rates are likely to fall further.

The cost to the Council in 2022 for electricity used at our EV chargers started the year at 22p/kWh but climbed to 44p/kWh by the end of the year. There is also a 19p / transaction fee levied by the operator for each occasion that a charge point is used.

You were both happy to promote the Privately owned RAW/ ChargeMaster Rapid Charging Station just down from 25 Windsor Road but not our own facilities; Why? An explanation is needed for the Tax-Payers of Slough.

A electric vehicle using these point could get upwards of 25kw of electric in an 6 hour parking session which would cost £5 in parking but at a similar rate for a 7/25KW charging PodPoint at Tesco's would cost an extra £7 or more for the electric supplied. With Charges form £0.30p to £0.65p per kw being charged for the electric plus parking fees especially after 1st 1 to 3 hours at most public car parks.

Reply

Our 7kW chargers are designed for people to plug in for several hours to go to work, gym or the shops. The privately owned RAW / ChargeMaster Rapid Charging Station on Windsor Road has rapid and super rapid chargers designed to charge large batteries is less than an hour, the tariffs are higher but are focussing on a different EV market. Tesco recently moved from free to use on their 7kw network to a tariff of 28p/kwh.

Our EV charging points are advertised on the operator's app and website. We also use ZapMap to promote our EV charging points. ZapMap – is the market leading website and app providing searchable maps of EV charge points across all charge point operators. The following SBC charge points are present on ZapMap: -

- Hershel Top Floor
- Hatfield ground floor
- Centre
- Langley Leisure
- Salt Hill
- Ice rink
- Britwell

Cippenham Library and Chalvey Community Centre are not currently on ZapMap.

It is free to add a public charging point to the map. www.zap-map.com/live/ - [Map of electric charging points for electric cars UK: Zap-Map](#).

Local promotion via free online channels could be established to supplement promotion via the charge point operator's app/ website and ZapMap

Officers are working on a new Car Park strategy and a new EV Charge Point operating model to make savings in 2023. This will investigate, review and balance a wide range of factors including: -

- Whether there is benefit in charging for parking at all our car parks.
- Interrelationship with our Leisure Centre contract.
- The opportunity to sell some or all our car parks.

- Whether and where to apply a tariff for EV charging points, and what the tariff should be.
- Whether to upgrade our charging points to make them more attractive to customers by giving a full charge in less time than currently.
- Whether we should sell our EV charging network to a commercial enterprise.
- Whether we should lease car parking bays with EV charging points to companies or residents as part of our car park strategy.
- How best to promote our car park and EV charge point network.

RECEIVED FROM COUNCILLOR GREWAL TO COUNCILLOR MANN

A number of recent cases to have highlighted that Slough Borough Councils Planning Enforcement seem to have adopted a punitive rather than a corrective/informative approach when dealing with planning breaches. My understating, from recent cases that I have dealt with, is that residents are sent a legal notice in the first instance rather than a letter highlighting the breach and offering advice on the options available, allowing the residents time to remedy the breach. This inevitably has financial implications for a Council that already faces financial issues, as legal action costs money.

Further, I understand that legal proceedings are continued even after the premises are inspected and found to be compliant. This approach, with the threat of legal action looming, appears to be negatively impacting the residents both physically and mentally, although they may have fallen into the trap of becoming non-complaint unknowingly.

I have looked at the general approach taken by other Councils which appear to indicate that a preferred approach is to issue a standard letter in the first instance which gives a clear explanation of the breach and the options that may be available for the resident to pursue. More importantly residents are allowed sufficient time. Whilst I understand that this course of action may be at the discretion of the enforcement officer (and allowed through SBC policies), would you agree that it would be more prudent to allow the resident to remedy the breach through the issuance of a general letter rather than to pursue legal action immediately upon identification of a breach of planning?

Reply

I thank Cllr Grewal for his question but must note that he is incorrect in the assertion that 'residents are sent a legal notice in the first instance' or that enforcement officers immediately pursue legal action.

It may be helpful to start at the beginning and set out the council's approach for dealing with enforcement. Firstly, it should be noted that once a complaint has been received, the council is legally obligated to investigate it. Furthermore, the Planning Act is very clear that naivety and lack of awareness is no defence on this matter and the onus is on the landowner to be aware of, seek appropriate advice on and adhere to planning controls. Notwithstanding this onus, as a council we do still seek to work in a collaborative manner with residents. As a general rule, initial breaches of planning are dealt with informally, working with residents to advise them, remedy any breaches and informally resolve the matter.

Only after this informal approach has not worked, or if the breach is extremely severe would we move to direct enforcement action. This is in line with the council's enforcement charter. The council offers a pre-application service for residents to assist with any prospective proposals to ensure they do not result in any planning breaches and the council's Enforcement Officer would similarly be happy to advise when approached whether something would constitute a planning breach. Given these services exist to assist homeowners, there is no excuse for breaches to occur – breaches that can often be distressing and cause real harm to neighbours and other residents.

A caveat to the above response is when there is already an enforcement notice on the site and where there has been repeated breaches over a protracted period of time. In these cases, we may take direct action quicker – an approach that I believe the majority of resident's support. In many cases, this helps to lead of compliance with the notice.

Without wanting to go into the specifics of a case, I believe that a case you may be referring to relates to a site where there have been previous breaches of planning, including where the Council has successfully prosecuted the homeowner years earlier. In this instance, despite successful prosecution of an earlier breach the homeowner later acted similarly which has resulted in a further breach over a protracted period of time. Under such circumstances the Councils decision to undertake a legal route to compliance would be appropriate and a justified course to take. I would be happy to discuss this in further detail with you.