



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

19th March 2025

Report of the Head of Streetcare – Mike Roberts

Matter for Decision

Wards Affected: All Wards

Electric Vehicle On-Street Home Charging

Purpose of the Report:

To provide Members with an update on the current position regarding on-street electric vehicle charging from home electrical supply and actions required.

Executive Summary:

An Electric Vehicle On-Street Home Charging report was approved by Environment, Regeneration and Streetscene Cabinet Board on 17th November 2023. The report outlined the position at that time with recommendations approved to continue to decline requests for on-street home charging, and to consult with Welsh Government to seek model guidance and licence requirements. Since this report, several trials for various on-street charging solutions have been undertaken at a number Welsh and English councils.

The UK Government policy is currently that the sale of all new petrol and diesel cars will end in 2035 having previously been due to end in 2030, now in line with the deadline for hybrid vehicles. However, the zero emission vehicle mandate still requires 80% of new cars and 70% of new vans sold to be zero emission by 2030, increasing to 100% from 2035. It is anticipated that the current Government will revert to the previous timeframe of the sale of new petrol and diesel cars ending in 2030.

Demand associated with on-street parking is only going to grow as the use of plug-in battery electric vehicles becomes the norm and an increase in requests from the public to undertake such a practice has been noted since the previous report was approved. The proportion of registered new BEV cars in 2024 to the end August increasing to a 17.2% market share according ZapMap, an increase from 6.6% in 2020 (<https://www.zap-map.com/ev-stats/ev-market>).

Following the approved recommendations of the previous report, the Council currently has a moratorium placed on electric vehicle on-street home charging. It is proposed that this is changed to allow the option to trial a pilot scheme as deemed appropriate by officers and pending positive feedback from existing trials taking place elsewhere.

Background:

An Electric Vehicle On-Street Home Charging report was approved by Environment, Regeneration and Streetscene Cabinet Board on 17th November 2023.

Home charging is a popular form of charging an electric vehicle due to the convenience, and ability to benefit from discounted domestic Electric Vehicle (EV) tariffs for electricity which can significantly reduce running costs. Home charging can cost as little as 7p per kWh compared with up to 91p per kWh at a public rapid charger, although this price varies by provider. This is not a problem where a resident has off-road parking such as a driveway, but presents issues

for the Council as Highway Authority where they do not and have to park on-street.

Councils across Wales, including Neath Port Talbot are receiving correspondence regarding requests to trail cables across the highway in order to charge vehicles on-street, outside of houses. However, the trailing of cables poses a tripping hazard for the elderly or disabled, or partially sighted/blind pedestrians, and would likely be in contravention of section 178 and/or section 162 of the Highways Act (Details provided in Appendix A).

Risks associated with the trailing of cables can be mitigated to an extent by the use of a high visibility cable mat protector, but this would still result in a trip hazard, a potential problem/inconvenience for wheelchair/mobility scooter users and those with pushchairs/prams etc. Notwithstanding these problems some Councils, such as Hampshire County Council, have been allowing the trailing of some cables with a cable mat protector (See their guidance for <https://www.hants.gov.uk/transport/electric-vehicles/ev-charging-guidance>). However, Oxfordshire City Council in comparison do not allow cable mat protectors under any circumstances (See their guidance) <https://www.oxfordshire.gov.uk/residents/environment-and-planning/energy-and-climate-change/electric-vehicles>).

There are several potential solutions designed by private companies which are in the process of being trialled by a number of English and Welsh Local Authorities, as shown in Appendix B.

It is anticipated that the installation of a cable channel in the footway if approved, would be undertaken by the Council or an approved contractor and supplied under licence with the householder required to provide evidence of suitable public liability insurance, and an agreement that the apparatus would not be maintainable at public expense. A trial of such a cable channel system has recently been expanded in Milton Keynes following initial success (<https://www.milton->

keynes.gov.uk/news/2024/home-electric-car-charging-be-expanded-milton-keynes).

As noted in the previous report, any solutions to convey a cable safely and appropriately from a property across an adopted footway would not resolve all the issues however as many homes within the County Borough are terraced houses or multi occupancy tenement buildings which do not have access to off-street parking, and parking directly outside a specific property cannot be guaranteed. Even where there is a Residents' Parking Scheme, such schemes only increase the probability of being able to park in an area, not in a specific place.

If on-street charging were to be approved, it would likely highlight parking issues for those residents looking to park outside their property in order to charge a vehicle. It may also increase the demand for residents parking type schemes. However, if specific parking spaces were made available to individual properties it would remove parking opportunities from others, therefore this may not be considered a viable solution. The likelihood of increased parking issues and subsequent possible neighbourhood disputes will therefore need to be considered when approving an application.

A licence system would be required to clarify the obligations and liabilities of the homeowner. Such a licence system, for example, could though include a requirement to fit a suitable Residual Current Detection device at the start of the charging cable. Also, where licences are granted, these could be added to the Council's GIS records for public lighting infrastructure as a means of making the information available to statutory undertakers planning works. It is suggested a typical licence might look something like that shown in Appendix C.

The majority of EV models on sale today have the potential to cover distances of 120-350 miles on a full charge and this is set to potentially increase as technology evolves, along with faster charging speeds for vehicles charging on public rapid chargers. Assuming homeowners buy a vehicle which suits their typical needs, it might therefore reasonably be

assumed that most EV owners would not necessarily need to recharge their vehicles at home on a very frequent basis thereby reducing the necessity for home charging, but use the vehicle in a similar way to an internal combustion engine car, only needing to charge (refuel) once a week or every few days using a public rapid charger, workplace, shopping/destination chargers, or local community charging hub, albeit the cost might not be as advantageous as overnight home charging tariffs.

At present there are a total of 11 x 50kW+ rapid chargers in the County Borough across 5 locations in Jersey Marine, Neath, Baglan Moors, Aberavon and Glynneath, which is unchanged from the date of the previous report, along with 34 destination chargers in various locations ranging from 7-22kw showing as publicly available on Zap Map, an increase from 14. As the uptake of electric vehicles increases, the demand on the charging infrastructure will increase. As part of its strategies, the Council will need to determine the extent of its role in providing workplace charging provision for employees and increasing the roll out of publicly available charge points.

In summary, for the purpose of this report, the key issue is that with the proliferation of plug-in battery electric vehicles then, with or without a proliferation of public charging points throughout the County Borough, the demand for home on-street charging is likely to increase exponentially in due course. To be proactive in assisting to address this matter along with other Councils and Welsh Government, it is proposed to modify the Council's current ban on-street charging involving trailing cables over adopted footways (accepting on-street charging by connecting to designated supply 'bollards' etc. would be OK), to Allow for the option to trial permit systems and devices. If agreed, this would be undertaken in conjunction with any guidance from Transport for Wales and Welsh Government to ensure a consistent approach across Wales.

Financial Impacts:

No negative implications (Possible income generation from installation/licence charge)

Integrated Impact Assessment:

The ongoing refusal of on-street charging requests by Councils in Wales, including Neath Port Talbot, is based on health and safety considerations and protecting the position of the Council as Highway Authority. It is assumed any policy change in the form of national guidance which aims to facilitate suitable on-street home charging would be subject to assessment at the time of drafting by Welsh Government. Trials will have determined the full assessment of impacts and any trial will be subject to screening assessment before implementation

Valleys Communities Impacts:

The opportunity for charging issues surrounding home charging with respect to terraced housing etc. to be somewhat alleviated will impact on valleys communities as elsewhere. Indeed, the implications for on-street home charging may be more beneficial in future where there are no public transport alternatives to the use of a car for example, and likely fewer local public charging locations.

Workforce Impacts:

Employees who do not have off-street parking provision and alternative means of transport may well currently experience issues around the restriction with on-street home charging, although the council has potential to mitigate this through workplace charging opportunities. An option to trial on-street home charging would have the potential to reduce or remove these issues and restrictions.

Legal Impacts:

Legal advice indicates liability for any incident involving a cable trailed over the footway without permission would lie with the property owner. However, if a licence system was to be introduced where permission is given by the council for cables to be trailed, the council may open itself to some level of risk of litigation as there is currently no existing case law for this scenario.

Risk Management Impacts:

Without a licence system in place, or adequate financially competitive local community charging hubs, un-regulated on-street charging is likely to occur and increase.

Consultation:

There is no requirement for external consultation on this item.

Recommendations:

It is recommended that:

- a) The current moratorium on on-street charging is modified to permit a limited trial of on-street home charging;
- b) That the Director of Environment & Regeneration be delegated authority to agree the location and details concerning any pilot;
- c) Officers to continue discussions with Welsh Government through Transport for Wales and the WLGA to ensure a consistent approach across Wales.

Reasons for Proposed Decision:

Given the uptake of electric vehicles which is likely to accelerate as the date for the EV mandate draws closer, and the increased requests from residents for home on-street charging, the option to undertake an initial limited local trial, pending positive feedback from

existing trials underway elsewhere, will allow the opportunity to gain a first-hand understanding of any issues which may arise.

This would be undertaken in conjunction with continuing to liaise with Transport for Wales and Welsh Government to pursue guidance and ensure a consistent approach across Wales.

A licenced trial will, given the legal implications for the Authority with the potential safety issues arising from residents trailing a cable across the highway, aim to reduce the likelihood of unprotected and unmonitored cable trailing.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period

Appendices:

Appendix A – Highways Act Sections 162 & 178

Appendix B – Examples of on street charging from home

Appendix C – Examples of what a model licence agreement might contain with respect to on-street home vehicle charging

List of Background Papers:

The Road to Zero – UK Government - [The Road to Zero \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

Electric vehicle Charging Strategy for Wales – Welsh government [Electric Vehicle Charging Strategy \(gov.wales\)](https://www.gov.wales)

Action Plan – Electric Vehicle Charging Strategy for Wales – Welsh Government - [Electric vehicle charging strategy for Wales: action plan \(gov.wales\)](#)

Zero Emission Vehicle (ZEV) Mandate - <https://www.gov.uk/government/consultations/a-zero-emission-vehicle-zev-mandate-and-co2-emissions-regulation-for-new-cars-and-vans-in-the-uk>

Electric Vehicle On-Street Home Charging report - Environment, Regeneration and Streetscene Cabinet Board, 17th November 2023.

Officer Contact:

Paul Thomas, Senior Assistant - Highways

☎ 01639 686120

✉ p.thomas3@npt.gov.uk

Steve Owen, Highway & Drainage Services Manager

☎ 01639 686304

✉ s.owen@npt.gov.uk

Appendix A



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Relevant Section of the Highways Act (Sections 162 & 178)

162 Penalty for placing rope etc. across highway.

A person who for any purpose places any rope, wire or other apparatus across a highway in such a manner as to be likely to cause danger to persons using the highway is, unless he proves that he had taken all necessary means to give adequate warning of the danger, guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.

178 Restriction on placing rails, beams etc. over highways.

(1) No person shall fix or place any overhead beam, rail, pipe, cable, wire or other similar apparatus over, along or across a highway without the consent of the highway authority for the highway, and the highway authority may attach to their consent such reasonable terms and conditions as they think fit.

(2) Subject to subsection (3) below, a person aggrieved by the refusal of a consent under subsection (1) above, or by any terms or conditions attached to such a consent, may appeal to a magistrates' court.

(3) No appeal lies under subsection (2) above against any term or condition attached by the Minister to a consent given by him under this section if he declares the term or condition to be necessary for the purpose of securing the safety of persons using the highway to which the consent relates or of preventing interference with traffic on it.

(4) If a person contravenes subsection (1) above, or the terms or conditions of any consent given under that subsection, he is guilty of an offence and liable to a fine not exceeding level 1 on the standard scale; and if the offence is continued after conviction he is guilty of a further offence and liable to a fine not exceeding £1 for each day on which the offence is so continued.

(5) This section does not apply to any works or apparatus belonging to any statutory undertakers, and for this purpose the Civil Aviation Authority, a person who holds a licence under Chapter I of Part I of the Transport Act 2000 (to the extent that the person is carrying out activities authorised by the licence), and a universal service provider in connection with the provision of a universal postal service and the operator of an electronic communications code network or a driver information network are to be deemed to be statutory undertakers.

Appendix B

Examples of on-street charging from home

Trailing cable



Cable protection mat



Cable channel



Swinging Overhead Arm



Appendix C

Example of Highway Licence

THIS DEED is made the day of 20

BETWEEN:

1. **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL** of the Civic Centre Port Talbot SA13 1PJ (“the Council”) acting in its capacity as the relevant highway authority; and
2. [] (“the Licensee”)

NOW IT IS AGREED as follows:

1. Definitions

In this Agreement the following expressions have the meanings given in this clause:

- 1.1 “Agreement” means this deed of agreement;
- 1.2 “the Legal Costs” means the sum of [] pounds (£[]) in respect of the Council’s legal fees in the preparation and administration of this Agreement;
- 1.3 “the Licence Fee” means the sum of [] pounds (£[]) in respect of the Council’s highways’ application fee;
- 1.4 “the Licence Period” means from the date of this Agreement until the date on which the Licensee’s rights under this Agreement are determined in accordance with Clause 4.1;
- 1.5 “the Plans” means the plans numbered [] attached to the Schedule to this Agreement; and

2. The Licence

2.1 This Agreement is made under section 178 of the Highways Act 1980.

2.2 In consideration of the Licence Fee and the provisions of this Agreement the Council gives the Licensee the right for the Licence Period to place the cable channel at the location specified at the Schedule to this Agreement being areas of highway maintainable at public expense for a period of _ years from the date of the agreement.

3. Licensee’s Undertakings

The Licensee agrees and undertakes the following:

3.1 The Licensee must maintain the cable channel, keep it in a good state of repair and in a clean and tidy condition;

3.2 The Licensee must not use the cable channel for any purpose other than for charging an electric vehicle;

3.3 The Licensee must not use the cable channel in such a way as to cause a nuisance, damage, disturbance, annoyance, inconvenience, or interference to the adjoining or neighbouring property or the owners occupiers or users of any adjoining or neighbouring property;

3.4 The Licensee must indemnify the Council and keep the Council indemnified against all losses claims demands actions proceedings damages costs or expenses or other liability arising in any way from this Licence any breach of any of the Licensee's undertakings contained in clause 3 or the exercise or purported exercise of any of the rights given in clause 2; and

3.5 The Licensee must ensure the cable has a suitable Residual Current Detection (RCD) device included.

4. General

4.1 The rights granted in clause 2.1 are to determine – without prejudice to the Council's rights in respect of any breach of the undertakings contained in clause 3:

4.1.1 immediately on notice given by the Council at any time following any breach by the Licensee of its undertakings contained in clause 3; and/or

4.1.2 on not less than twenty eight (28) days advance notice in writing given by the Council or the Licensee to the other party

4.2 The benefit of this Licence is personal to the Licensee and not assignable and the rights given in clause 2 may only be exercised by the Licensee.

4.3 The Council may require the cable channel to be moved to an alternative area of highway maintainable at public expense:

4.3.1 and moved immediately by the Council without the Licensee's consent should the Council or any other body including but not limited to the police, fire service, ambulance service, statutory undertakers and telecommunications code system operators require access to the highway; or

4.3.2 if practicable, by giving not less than fourteen (14) days' notice in writing to the Licensee for the Licensee to move the cable channel to an alternative location approved by the Council in writing. Should the Licensee not comply with such notice the Council may move the cable channel in default.

4.3.3 For the avoidance of doubt the decision as to any alternative location will be at the discretion of the Council.

4.4 The Council is not to be liable for the death of or injury to the Licensee or for damage to any property of theirs or for any losses, claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by them in the exercise or purported exercise of the rights granted by clause 2.

5. Costs

5.1 Upon the execution of this Agreement the Licensee shall pay to the Council the total sum of [] pounds (£[]) being the combined amount of the Legal Costs and the Licence Fee

THE SCHEDULE

Location of cable channel

[]

The Plans

(Location Plan to be included here)

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Licensee has executed this deed the day and year first before written

THE COMMON SEAL of)
NEATH PORT TALBOT)
COUNTY BOROUGH COUNCIL)
was hereunto affixed in the)
presence of:)

Proper Officer

[]

HIGHWAYS ACT 1980

SECTION 178 LICENCE APPLICATION PACK

**CONSENT TO RUN PRIVATE ELECTRIC VEHICLE CHARGING CABLE
THROUGH THE PUBLIC HIGHWAY USING A CABLE CHANNEL**

All Correspondence to:

[xxxx (the 'Council')] Highways Department

[Insert point of contact and contact details]

REQUIREMENTS:

1. DETAILS OF LICENSEE

Contact Name: _____

Address & Postcode: _____

Daytime Telephone Number: _____

Out of Hours telephone Number: _____

E mail _____

2. SITE PHOTO

Provide a photo of the front of your property, clearly showing the front of your property, the pavement, and where your car typically parks.

Paste the marked up photo here:

[Paste your marked up site photo here]

3. INDEMNITY AND INSURANCE COVER

You agree to indemnify the Council against any claim in respect of injury, damage or loss arising from the use of the cable channel.

We recommend you have relevant public/ third party liability insurance cover, through your car insurer, house insurer, or specialist third party insurer to cover cable trip claims.

4. LICENCE FEE

The one-off fee for this licence application is currently free for the trial period and no further charges will be applicable.

5. DECLARATION

Carefully read and fully complete the declaration on the next page. This should be completed by the licensee.

DECLARATION

To be completed by the licensee

I hereby apply for permission to run EV charging cable at the following location : Address:

I have read and understood the Notes for Guidance and Schedule of Conditions sections of this application and that the information I have provided is correct to the best of my knowledge.

I understand that it is a criminal offence to commence any works on the Highway until this fully completed application has been approved and permission has been granted, in writing, by the Street Authority.

I understand that I must follow the New Roads & Street Works Act 1991 and related codes of practice and that failure to do so could result in charges being made or legal action being taken against me or my company.

Where necessary, I also authorise the Council to extend the channel onto the footpath of my property, and in doing so make alterations to the footpath and/or steps on my property, and I hereby indemnify the Council against any claim in respect of injury, damage loss or third-party claim for the alteration work completed on my property that are necessary to complete the installation.

Signature: _____

BLOCK CAPITALS: _____

Date: _____



SCHEDULE OF CONDITIONS SUBJECT TO WHICH THE LICENCE IS GRANTED

Neath Port Talbot Council
Neath Port Talbot Council

Standard Conditions

1. The Council's Highways team will carry out the construction of channel. All other necessary equipment including chargers, cables, connections, and necessary arrangements to enable charging of the EV will need to be carried out by the applicant themselves.
2. The Licence does not give the Licensee the right to reserve the public parking space on the public Highway. The Licensee agrees not to place any 'EV charging' signs (or similar) outside of their home.
3. The Licensee or person working on their behalf must ensure at all times that no damage occurs to the public structures including any apparatus belonging to any statutory undertaker and access to their plant must be allowed at all times.
4. The Licensee agrees to adhere to the following after the cable channel has been installed:
 - a. When the Licensee wishes to charge their vehicle, they should lift the lid of the channel, insert the charging cable and ensure the charging cable is fully enclosed in the channel.
 - b. The Licensee should ensure the lid of the channel is flat and flush before, during, and after charging their vehicle.
 - c. The Licensee should ensure that there is no loose cable (between the exit of the channel and the car charging port and/or charger) that could cause a trip hazard to pedestrians on the road or pavement by making sure it is safely under the car or on private property away from pedestrians.
 - d. The charging cable should be removed from the channel when charging is complete, and should not be left in the channel for any time longer than is necessary.
 - e. The channel should be regularly inspected:
 - (i) to ensure that it remains in good working order and the lid is correctly in the closed position; and

- (ii) to remove any leaves, stones and other debris that may have built up in the bottom of the Channel.
- 5. The Licensee shall indemnify the council against any claim in respect of injury, damage loss or third-party claim with respect to the ongoing use of the channel.
- 6. While charging the EV, the Licensee shall ensure to minimise obstruction to vehicular and pedestrian traffic.
- 7. The Licensee will inform the Council if they are moving house so that the Licensee and the Council can agree transition arrangements to the new resident(s).
- 8. For electrical safety no cable will be used in the channel unless it is coming from a power supply with a local earth spike, or from a device with a PME-aware PEN fault detection and protection device that can isolate all three conductors in any fault condition such as recent smart chargers equipped with O-PEN protection.
- 9. The Licensee will report any issues or defects with the Channel to the Council.
- 10. The Council has the right to withdraw the licence issued if any of these conditions are not adhered to.