



**Havering**  
LONDON BOROUGH

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Approval to procure a provider to supply Electric Vehicle Charging Point Infrastructure across the borough.
<b>Decision Maker:</b>	Imran Kazalbash- Assistant Director Public Realm
<b>Cabinet Member:</b>	Councillor Barry Mugglestone Cabinet Member for Environment
<b>SLT Lead:</b>	Andrew Blake-Herbert Chief Executive
<b>Report Author and contact details:</b>	Daniel Douglas Team Leader Transport Planning <a href="mailto:daniel.douglas@havering.gov.uk">daniel.douglas@havering.gov.uk</a> <b>01708 433220</b>
<b>Policy context:</b>	Mayor's Transport Strategy 2018 Local Implementation Plan 2019 (LIP3) Havering Local Plan 2021
<b>Financial summary:</b>	The procurement of Electric Vehicle Charging Point infrastructure will not result in a financial cost to the Council. £0.346m (75%) of the cost of the infrastructure is being paid for through grant funding from the Office of Zero Emission Vehicles, and the remaining 25% will be paid for through the appointed provider.
<b>Relevant OSC:</b>	Places OSSC
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non-Key Decision

**Non-key Executive Decision**

**The subject matter of this report deals with the following Council Objectives**

People - Things that matter for residents x

Place - A great place to live, work and enjoy x

Resources - A well run Council that delivers for People and Place. x

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This paper seeks authority to:

Commence a procurement exercise to purchase Electric Vehicle Charging Point Infrastructure to be delivered in a number of Council owned car parks and up to 80 on street locations across the borough using the Electrical Vehicle Charging Points and Associated Services Framework created by Kent County Council via KCS Professional Services.

### AUTHORITY UNDER WHICH DECISION IS MADE

3.4 Powers of Second Tier Managers:

Second Tier Managers are those managers directly reporting to a SLT Director. Second Tier Managers all have delegated authority to act as follows within the assigned service, subject to the general provisions and limitations set out in section 3.1 above

#### Contract Powers

(a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services

### STATEMENT OF THE REASONS FOR THE DECISION

#### Background

1. The Government allocated £20m to support the installation of electric vehicle charge points, through the Office of Zero Emission Vehicles (OZEV).
2. Councils were able to bid for funding through the On-Street Residential Charge Scheme (ORCS) for charge points that will allow those who cannot charge at home (and visitors to the Borough) to charge an electric vehicle. The ORCS scheme is the most appropriate opportunity to deliver charge points in those settings using central Government funds.
3. Delivery of Electric Vehicle Charging Point Infrastructure is a priority for the Council and is identified in the Havering Local Plan, Air Quality Acton Plan and Adopted Climate Change Action Plan. The Council is currently developing an Electric Vehicle Charging Point strategy and implementation plan.

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4. Through the ORCS funding mechanism the Council has received two funding allocations to deliver Electric Vehicle Charging Point Infrastructure across the borough. Specifically this is:
  - £176,390 for 68 Electric Vehicle Charging Points (34 double socket chargers) to be installed in a number of Council owned car parks across the borough
  - £170,100 to deliver up to 80 on street charging points to be connected to lamp columns across the borough.
5. The funding the Council has received from OZEV accounts for a significant portion of the total value of the two projects. For both the car park and on street projects the appointed Charge Point Operator (CPO) will be required to provide the remaining costs.
6. The Council has received 75% of the funding allocated by OZEV to date, with the remaining 25% of funding to be received once the project has been delivered.

### **EVCP Projects**

7. The next stage in the project is to undertake a procurement process to appoint a provider.
8. The Council will be seeking tenders to supply, install, operate and maintain up to 148 EV charging points. These will be located on street (up to 80) and in Council owned car parks (68). In accordance with the terms of the funding the provider will be required to match fund at least 25% of the total cost of the charging infrastructure.
9. The award of contract would cover the equipment and installation of the charging point infrastructure. In addition, the Contract will also cover the operation and maintenance of the EV Charging Points for an initial 15 year period, with the potential of up to an additional five years which would be dependent on satisfactory performance against key performance indicators.

### **Procurement Process**

10. Now funding has been awarded a full procurement process will be conducted.
11. Officers will run a mini-competition through the Kent County Council (KCC) Electrical Vehicles Charging Points and Associated Services framework, to appoint a provider. Out of this framework Lot 1 Electrical Vehicle Charging Points & Associated Services will be used, which is the suitable Lot for this project.
12. There are 11 suppliers within this framework who will have the opportunity to tender for this project, and it is anticipated that this will provide the Council with value for money.

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13. The evaluation criteria for the tender will be based on the Council's pre-determined best quality and price ratio of 30% (Quality): 70% (Price).

14. The intention is to publish the tender in April 2023 and for the contract to be awarded by middle of July 2023.

#### **Next Steps**

15. Following approval of this Non-Key Executive Decision, the Council will finalise the tender documentation and progress to publication.

16. Based on the current programme of works, it is estimated that following completion of internal governance arrangements the Council will be in a position to formally appoint a provider in July 2023.

#### **OTHER OPTIONS CONSIDERED AND REJECTED**

17. Do Nothing – Not undertaking a procurement process will restrict the Council from being able to deliver an Electric Vehicle Charging Points programme, and at best value. The OZEV funding would also have to be returned. This option was rejected.

#### **PRE-DECISION CONSULTATION**

None

#### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Daniel Douglas

Designation: Team Leader Transport Planning

Signature:

Date: 12<sup>th</sup> April 2023



## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

18. Under the Greater London Act 1999 the Council is required to produce a Local Implementation Plan that sets out how it will deliver the Mayor's priorities at a local level. The Mayor has identified delivery of electric vehicle infrastructure as a key priority.
19. Section 16 of the London Local Authorities and Transport for London Act 2013 sets out the Council's power, as a London local authority, to provide and operate charging apparatus for electrically charged vehicles in any public off-street car park under the management and control of the traffic authority (S.16(1)(a)) or on any highway for which they are responsible as highway authority (S.16 (1 (b))).
20. This report seeks approval to undertake a procurement for the supply, installation, operation and maintenance of Electric Vehicle Charging Point infrastructure in Council owned car parks and on street locations across the borough.
21. The Public Contracts Regulations 2015 (as amended) (PCR) require relevant contracts over the relevant threshold must comply with the Regulations. This is a mixed contract for supply of goods, works, maintenance and operation. The predominant element is for the supply of goods and services for which the threshold is £213,477. The proposed contract is above the relevant threshold and therefore subject to the full rigours of the PCR.
22. The body of this report confirms that the procurement is compliant with Regulation 33 of the PCR.
23. The procurement complies with the Council's Contracts Procedure Rules (CPR 20.4)
24. Officers will liaise with the Council's legal services department in preparation of the contract.

### FINANCIAL IMPLICATIONS AND RISKS

25. ORCS funding mechanism has offered the Council two funding allocations, £176,390 for 68 Electric Vehicle charging points, £170,100 to deliver up to 80 on street charging point infrastructure across the Borough.
26. The OZEV grant award provides a proportion (up to 75%) of the total project cost for both projects, with the remaining project cost to be secured and confirmed from a Charge Point Operator (CPO) through the procurement process, so no

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Council funds will be required. Also, no expenditure against the OZEV grant funding award will be made until the remainder of the project cost is secured from the CPO.

27. A revenue share arrangement over the lifetime of the contract will be negotiated as part of the procurement process.
28. Any agreement with the charge point operator will be checked by the Legal team following the procurement process.
29. In time the charge points will themselves provide a low level income stream, subject to negotiation with the charge point operator chosen through the procurement process. That revenue will increase as EV ownership inevitably increases.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

30. There are no HR implications.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

31. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
  - (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
  - (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, sexual orientation.

32. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce.
33. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.
34. Delivery of Electric Vehicle Charging Points across the borough will support residents who have purchased Electric or Hybrid vehicles and encourage those residents wishing to switch to electric vehicles from Petrol or Diesel cars to do so.

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35. An equalities assessment has not been carried out as there are no implications at this time

**ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

36. Delivery of Electric Vehicles Charging Point infrastructure supports the Councils adopted Climate Change Action Plan and Air Quality Action Plan.

37. Increasing the number of publically available EV Charging Points will support the expected increase in electric and hybrid vehicles that will be operating in the borough in the future and helping to facilitate this increase will have positive impacts of local air quality.

**BACKGROUND PAPERS**

None

**APPENDICIES**

Non-key Executive Decision

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

*Delete as applicable*

Proposal NOT agreed because

**Details of decision maker**

Signed



Name: Imran Kazalbash

CMT Member title: Assistant Director Public Realm

Date: 19<sup>th</sup> April 2023

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_