



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Growth and Development
LEAD OFFICERS:	Strategic Director of Growth & Development
DATE:	Thursday, 12 December 2024

PORTFOLIO/S AFFECTED:	Growth and Development
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Yes

SUBJECT: Electric Vehicle Charging Provision - Capital Expenditure

1. EXECUTIVE SUMMARY

To seek the Executive Board's approval for the allocation of the grant funding when received from the Local Electric Vehicle Infrastructure (LEVI) application. The LEVI application is for £1.6million to aid the installation of Electric Vehicle (EV) charge points in the borough and commission a concession contract to appoint a Charge Point Operator (CPO) in accordance with the terms and conditions of the grant funding.

There will be a two-phase plan to install charge points throughout the borough in line with the recommendations set out in the approved Lancashire and Blackburn with Darwen Electric Vehicle Charging Infrastructure Strategy (BwDBC EVCI Strategy – see Appendix A).

2. RECOMMENDATIONS

That the Executive Board approves:

- A supplementary capital estimate of of £1.6million, funded by way of capital grant funding once it is awarded to the Council under the Local Vehicle Infrastructure Application.
- The phase one programme (2025-2027) to make additional parking for EV charging at locations specified by the BwDBC EVCI Strategy (approved by the Executive Member in July 2023) where nearby residents have no access to off-street parking.
- The phase two programme (2027-2031) to add EV charging directly on street, in locations highlighted by the Strategy where residents have no access to off-street parking.
- Delegates authority to the Strategic Director of Growth and Development, in consultation with the Executive Member for Growth and Development, to seek and accept tenders for works, subject to adequate budget provision and a concession contract to appoint a CPO.
- The proposed project aims to achieve our overall corporate priorities and follow the directives set out within the approved Strategy.

3. BACKGROUND

On the 6th July 2023 the Executive Board at Blackburn with Darwen Borough Council (BwDBC) approved the proposed BwDBC EVCI Strategy.

This Strategy found that the results of the demand modelling exercise indicated that an additional 259 chargepoints will be required in BwD by 2026, and 825 chargepoints by 2030.

Around 70- 75% of these should be 'nearby' chargers, which are those within a reasonable walking distance of a household (typically around 5 minutes) – many of these will be on-street and required in the areas of public need.

LEVI Fund and Objectives

The Local EV Infrastructure (LEVI) Fund supports local authorities in England to plan and deliver charging infrastructure for residents without off-street parking. The LEVI Fund has two main objectives:

- deliver a step-change in the deployment of local, primarily low power, on-street charging infrastructure across England
- accelerate the commercialisation of, and investment in, the local charging infrastructure.

Funding

£1.6 million from the LEVI Fund is our indicative allocation of funding which we are expecting, however the timescale for when the money will be received is currently not confirmed. Therefore, we are submitting this request to ensure that all correct approvals are in place for when the capital is available, so that we can move forward with the plans without delay.

Changes to Procurement Regulations

In February 2025 the UK government procurement regulations will significantly change. These changes will require various alterations to the content and format of the Invitation to Tender (ITT) document that we have spent many months preparing.

Colleagues from the Council's procurement team have strongly recommended that, if possible, we should try to submit our ITT before the new procurement regulations come into force to avoid any delays. Therefore, once the LEVI body confirms our funding allocation, we are proposing to issue our ITT before the procurement regulations change.

CPOs 'cherry picking'

Given the fact that almost every local authority in the country will be planning to launch their ITT out to the market within a similar timeframe, there is a perceived risk that the Charge Point Operator (CPO) companies may cherry pick the most lucrative location authorities and potentially not bid for smaller authorities like Blackburn with Darwen. It is therefore a priority that the ITT is issued as soon as practicable to gain the attention of the CPOs before the market is flooded.

Invitation to Tender

Once we receive the funding confirmation from the Government's LEVI body, the Council acting as the Highway Authority (HA) plan to submit the Electric Vehicle Chargepoint Infrastructure Invitation to Tender (EVCI ITT) on The Chest Northwest Procurement Portal.

In order to appoint a CPO, we will need to submit an ITT to allow CPOs to submit applications to provide, install and maintain up to 900 charge points.

The plan to do this will be broken down into two main phases:

- Phase one will plan for approximately 260 chargepoints to be installed at approximately 75 pre-selected, purpose-built sites at locations around the borough where residents don't have access to off-street parking – up to April 2027 (See Appendix B). The HA will use the LEVI funding to develop each of the sites, providing civils groundwork, signs, lines and Traffic Regulation Orders (TRO) to protect each of the sites. The CPO who wins the tender will provide, install and maintain the chargepoints plus arrange for Electricity North-West Ltd (ENWL) to provide the electrical connection.
- Phase two will plan for between 346 and 640 further chargepoints (depending on the numbers submitted by the CPOs during the tender) 90% to be installed directly on-street and 10% to be installed within Council Owned Car-parks – up to April 2033.

Over 900 potential streets have been identified by the Council's EVCI Strategy where residents don't have access to off-street parking (See Appendix C). These locations will form the pool which the HA and CPO will use to work together, to determine where phase two sites should be located. The Highway Authority will use the remainder of the LEVI funding to facilitate these locations with signs, lines and TROs where required. The CPO who wins the tender will provide, install and maintain all of the chargepoints as well as arrange DNO connection for the duration of the contract.

There are strict agreements within the ITT tender and contract that protect the Council and ensure that the CPO follows all EV charging regulations. There is also an agreement that the CPO will pay a management fee to cover the Council's costs for running the contract.

4. KEY ISSUES & RISKS

Site Selection

The phase one site selection has been guided by information generated within the Council's EVCI Strategy. Over 100 sites were initially selected and then sent to ENWL to check the electrical capacity and analyse how many 7kw and 22kw chargepoints could be facilitated at each site. A number of locations did not have any available capacity and therefore around 25 locations will not be viable to be used unless the electrical capacity is extended.

This responsibility to pay to increase the electrical capacity would fall as a choice for the CPO if there was a requirement, however the cost may not be commercially viable.

The site selection is therefore limited to a degree by what is possible based on the current electrical capacity provided by ENWL.

Furthermore, the site selection for phase one used either Council owned land or areas of the adopted highway that could be redeveloped, with a strict aim to reduce the impact on parking allocation for non-EV Petrol / Diesel vehicles. This directive was guided by evidence received from other local authorities, which found that directly switching the parking used by petrol / diesel vehicles to TRO restricted EV bays, caused severe conflict and push back from residents.

Our phase one scheme is designed to reduce the impact on petrol / diesel vehicles users and allow a smooth transition for residents who adopt EVs. Once the adoption of EVs becomes more widespread,

phase two will then aim to allow the installation of EV charging directly on street at a time when the Council's EVCI Strategy suggests that EV usage will be more established.

Future Changes

Any further changes to the approved approach will be reported, via the Executive Member for Growth and Development, to the Executive Board.

The equality impacts of each scheme are considered and assessed at the scheme design stage.

5. POLICY IMPLICATIONS

All schemes proposed directly accord with the Council's EVCI Strategy.

6. FINANCIAL IMPLICATIONS

The capital costs related to this project will be paid for by the £1.6 million funding provided by the LEVI fund as identified within section 3 of this report. Any ongoing revenue costs associated with the maintenance of sites will, where necessary, be met from within existing budgets.

Given the nature of this activity and that it is funded by grant, consideration will need to be given to whether there is a subsidy provided to the CPO; this will be subject to detail advice on the matter but should not prevent the implementation of the Strategy as set out in this report.

The programme will be closely monitored to ensure full spend and any further variations or amendments will be reported via the Executive Member for Growth and Development.

7. LEGAL IMPLICATIONS

The successful CPO will enter into a 15-year contract with the Council.

This contract documentation is being drafted with the help of the Council's Procurement / Legal and some external bespoke legal advice.

The procurement process will be in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

All schemes within the programme will be designed and implemented in accordance with relevant highway, transport, traffic and equality legislation; and any grant funding conditions.

8. RESOURCE IMPLICATIONS

All costs to put together the pilot scheme and LEVI funding application have been financed by the Growth teams previous budgets and the LEVI capability funding. All future costs for groundwork, TRO, signs and lines will be financed by the LEVI fund.

Management fees will be paid to THE Council by the appointed CPO to cover the cost of the project manager for the duration of the 15-year contract. Therefore, all prior resources for this project have already been provided and allocation for future requirements should not affect Council budgets.

External contractors will be procured to deliver schemes that cannot be delivered by internal resources. Procurement will be in line with current best practices.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Internal consultations have been conducted prior to submission of the funding application and prior to the awarding of the pilot tender.

Inter-departmental consultations have taken place between Highways, Parking Services and Property to secure permissions for disused Council owned land and bays within Council owned carparks that will be used for sites in phase one and phase two of this project.

Growth colleagues have been consulted at regular intervals to provide updates at various landmarks pre-application so that the process could be monitored, and future updates will be provided at key landmarks in both phase one and phase two of the project.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Joanne Byrne/Matthew Lambert/Paul Withington
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DATE:	01/11/2024
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BACKGROUND PAPER:	Appendix A – Electric Vehicle Infrastructure Strategy pdf Appendix B – Phase 1 Additional Parking Locations pdf Appendix C – Phase 2 Possible On Street Locations pdf
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