

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
<b>Title</b>	<b>Local Electric Vehicle Infrastructure (LEVI) Grant</b>
<b>Report of</b>	Deputy Chief Executive
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Policy & Resources Committee, 9 December 2021, Annual Procurement Forward Plan  Appendix A: Section 31 – LEVI Fund Grant Determination 2022
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### Summary

Following a funding proposal in early 2022, Barnet have been awarded £1,650,000 to support the rollout of one hundred electric vehicle charge points across the borough. The council has since been asked to sign the grant determination letter to confirm its commitment to securing this funding and rolling out the charge points. Following the approval of this funding, officers will undertake the necessary procurement processes.

### Decisions

- To approve Barnet’s acceptance of the capital grant payment of £1,650,000 for the provision of electric vehicle charge points and the signing of the Grant Determination letter**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 A funding proposal was made in early 2022 to install public electric vehicle infrastructure, which was subsequently presented to the Energy Saving Trust (EST) and Office for Zero Emissions Vehicles (OZEV).
- 1.2 LB Barnet was notified in September 2022 that this proposal was successful, and that funding will be provided as a non-ringfenced capital grant which must be used for capital expenditure. This will be used for the provision of one hundred charge points throughout the borough.
- 1.3 Acceptance of the award of this grant payment will be made by signing the Grant Determination, following which officers will begin the relevant procurement processes to secure a partner for the provision and rollout of electric vehicle charge points.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The acceptance of the grant would allow LB Barnet to rollout a further one hundred electric vehicle charge points across the borough, supporting the Labour manifesto commitment of increasing the number of publicly accessible charge points to 1,219 by 2030. It would also support Barnet residents in shifting to more sustainable modes of transport and work towards the borough's net zero target of 2042.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 A decision could be made to not accept the award of the grant payment; however, this would not only result in the loss of funding for LB Barnet but would also significantly impact our ability to secure further funding. This is therefore not recommended.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The procurement of a provider will be undertaken.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Investing in the rollout of electric vehicle charge points supports the new administration's commitment to supporting residents in the shift to more sustainable modes of transport, as well their climate emergency declaration and net zero target.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT,**

## **Property, Sustainability)**

5.2.1 Procurement will be undertaken through the relevant processes following the confirmation of the grant funding.

5.2.2 There are no finance, staffing, IT or property implications at this time.

## **5.3 Social Value**

5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to procurement of services contracts.

## **5.4 Legal and Constitutional References**

5.4.1 The allocation of the grant fund by the Department for Transport to the Council is being made pursuant to section 31 of the Local Government Act 2003.

5.4.2 Allocations of grants to the Council are outside of the Contract Procedural Rules (CPRs), however the subsequent payment of the grant to third parties by the Council are subject to the CPRs.

5.4.3 The Council must ensure that any subsequent agreements entered into with grant recipients protect the Council's position and reflect the Grant Conditions in Annex B of the LEVI Fund Grant Determination. Specifically, the agreement should include; the right to suspend, withhold or clawback the whole or part of any grant paid out if any of the grant conditions are contravened; and the requirement to provide regular reporting.

5.4.4 The Contract Procedure Rules state that: The Contract Procedure Rules apply to all Procurement activities, including expenditure of external funding on Procurement, such as grant allocation, received by the Council from external sources and may to apply CIL funding allocations agreed by area committees.

5.4.5 In accordance with the Councils Constitution, Contract Procedure Rules Table B, row E and given that the authorisation has been complied with through Annual Procurement Forward Plan and the allocation is within budget, the appropriate authorisation document is via an Officer Delegated Power Report.

## **5.5 Risk Management**

5.5.1 None

## **5.6 Equalities and Diversity**

5.6.1 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the

duties should precede the decision. It is important that Cabinet has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

5.6.2 A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.6.3 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.6.4 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.6.5 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Tackle prejudice, and
- b) Promote understanding.

5.6.6 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- a) Age
- b) Disability
- c) Gender reassignment
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief

- g) Sex
- h) Sexual orientation
- i) Marriage and civil partnership

## 5.7 Corporate Parenting

- 5.7.1 No direct or indirect impacts on looked after children or care leavers identified beyond those applicable to the population as a whole

## 5.8 Consultation and Engagement

- 5.8.1 Engagement with the lead members for Environment and Climate Change Committee was undertaken prior to the submission of the funding application.
- 5.8.2 Residents will receive notice in advance informing them of any forthcoming works

## 5.8 Insight

- 5.8.1 None

## 6. BACKGROUND PAPERS

- 6.1 Policy & Resources Committee, 9 December 2021, Annual Procurement Forward Plan (line 183):  
<https://barnet.moderngov.co.uk/documents/s69058/Appendix%201%20Annual%20Procurement%20Forward%20Plan%202022-23.pdf>
- 6.2 Appendix A: Section 31 – LEVI Fund Grant Determination 2022

## 7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision-making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations. The decision is compliant with the principles of decision making in Article 10 of the constitution.*

**Chief Officer: Cath Shaw**

**Signed:**



**Dated: 31 October 2022**