

	Cabinet 12 November 2024
	Report from the Corporate Director Neighbourhoods and Regeneration
	Lead Member – Cabinet Member for Environment & Enforcement (Councillor Krupa Sheth)
Authority to invite tenders in respect of appointing Charging Point Operator (s) to supply, install, operate and maintain electric vehicle charge points on behalf of Brent in relation to the Local Electric Vehicle Infrastructure (LEVI) Funding	

Wards Affected:	All wards
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Annekatriin Dennemann, Principal Transport Planner Spatial Planning 020 8937 3553 Annekatriin.dennemann@brent.gov.uk

1.0 Executive Summary

- 1.1 This report provides Cabinet with proposals to expand electric vehicle charging provision in Brent including a funding opportunity to further expand the charge point network in the borough. The Council, as part of a six strong London boroughs partnership, is seeking to invite tenders in respect of appointing a Charge Point Operator(s) to supply, install, operate and maintain up to 2,723 additional electric vehicle charge points in Brent. The report makes recommendations for Cabinet to approve accepting Office for Zero Emission Vehicles funding and enter a tender process as part of a borough partnership.

2.0 Recommendations

That Cabinet:

- 2.1 Approve the Council receiving Local Electric Vehicle Infrastructure (“LEVI”) funding provided by the Office of Zero Emission Vehicles (“OZEV”) for the purpose of procuring additional on-street electric vehicle charge point infrastructure within Brent and entering into a funding agreement with OZEV in the sum of £1,250,000.
- 2.2 Approve the Council collaboratively procuring with five other London boroughs a Charge Point Operator(s) to supply, install, operate and maintain up to 2,723 electric vehicle charge points across Brent.
- 2.3 Agree that the London Borough of Hammersmith and Fulham will act as the lead authority in the collaborative procurement detailed in 2.2 for the reasons detailed in paragraph 3.4.1 and accordingly that in its Standing Orders and Financial Regulations will be used for the collaborative procurement.
- 2.4 Delegate authority to the Corporate Director for Neighbourhoods and Regeneration, in consultation with the Cabinet Member for Environment and Enforcement, to award a fifteen-year contract(s) with the successful bidder(s) to provide up to 2,723 on-street electric vehicle charge points across Brent, as specified in the Heads of Terms set by OZEV.

3. Detail

3.1 Cabinet Member Foreword

- 3.1.1 The Borough experiences a range of transport and related challenges, including long-standing issues around congestion, air quality and road safety, as well as growing problems around public health inequalities and climate change. A key priority for the Council is to enable greener and more active and sustainable travel choices, with a particular emphasis on encouraging journeys to be completed by walking, cycling and public transport thereby reducing the number of journeys completed by private motor vehicles. Facilitating the take-up of zero/low-emission vehicles through expansion of the charging infrastructure for electric vehicles addresses concerns about range and is central to achieving the abovementioned priority of achieving a greener Brent.
- 3.1.2 Fuel use and emissions from road transport is one of the key sources of CO2 emissions in Brent, representing 22% of the borough’s territorial carbon dioxide emissions. The Brent Climate and Ecological Emergency Strategy 2021-2030 set out in key theme 2, Transport, that petrol and diesel road journeys will have at least halved by 2030 whilst residents’ journeys by walking, cycling or public transport should have increased. Many of Brent’s drivers have already changed from a petrol or diesel car or van to an electric vehicle (EV).

3.1.3 One of the Borough Plan five specific priorities to build a Better Brent is to build 'A cleaner, more considerate Brent'. Further expansion of the borough's EV charging infrastructure to support the continued transition from petrol and diesel vehicles to EVs will help achieve this.

3.1.4 The Brent Long Term Transport Strategy Review 2022 set out a principal Delivery Plan with measures and interventions aimed at helping to reduce traffic and facilitate healthy, sustainable travel in Brent. Brent's Electric Vehicle Charging Infrastructure Plan 2022-2041 was developed in support to bring about a step change in the provision of publicly available EV charging facilities.

3.2 Background

3.2.1 In exploring funding opportunities and entering into various partnerships with a range of charge point operators the Council has made substantial progress in delivering EV charging infrastructure over recent years. At present there are 831 charge point sockets operational and accessible for public use on Brent's public highway, including:

- 612 standard CPs (3.7- 8kW);
- 204 fast CPs (8-50kW);
- 15 rapid CPs (50-150kW);
- An additional 30 fast CPs will become available for use in spring 2025; and
- 90 Trojan CPs (7-22kW) have been installed on a trial basis and are expected to be formally integrated into Brent's public charging infrastructure in the coming months.

In summary this means that there will be 951 charge point sockets available by early 2025 with a further 30 to 40 charge point sockets planned to be installed later during 2025.

3.2.2 Despite the progress made to date, challenges associated with existing local EV infrastructure provision remain. An analysis of current and future EV infrastructure ("EVI") provision in Brent and across parts of London reveals the following:

- Disparities in access to off-street parking and socio-economic factors significantly influence EV adoption rates across London, with parts of outer London and areas of high deprivation often seen as less attractive by operators for investment in EVI.
- Strategic deployment and expansion of EVI is imperative to meet projected EV growth in London and ensure equitable access to charging. As the number of drivers using/purchasing electric vehicles increases, there is a growing need to provide additional charge points and supporting infrastructure, particularly for those who do not have access to private, off-street parking.

3.3 Local Electric Vehicle Infrastructure Fund

3.3.1 The Government's Office for Zero Emission Vehicles (OZEV) set the Local EV Infrastructure (LEVI) Fund to support local authorities across England to plan and deliver charging infrastructure for residents without off-street parking. The fund comprises:

- capital funding to support charge point delivery and
- capability funding to ensure that local authorities have the staff and expertise to plan and deliver charging infrastructure.

3.3.2 Indicative capital funding has been allocated to Tier 1 local authorities (unitary, county Council or combined authorities) in England on behalf of all their constituent authorities. In London, capital funding will be delivered through borough partnerships.

3.3.3 Brent has been entered into one of London's borough partnerships: Partnership 6. This partnership comprises of six boroughs: Brent, Hammersmith & Fulham, Harrow, Ealing, Hillingdon and Haringey. Following the submission of an Expression of Interest (Stage 1) in May 2023, Partnership 6 has been provisionally allocated LEVI funding totalling £7,544,000 for the purpose of delivering on-street charging infrastructure to support residents to make the switch to electric vehicles. A decision on the funding is still to be formally confirmed so that the Corporate Director's, Finance and Resources approval of acceptance of LEVI funding is at this point not yet required. Additionally, in acknowledgement of the LEVI programme's demand on officer time, Brent and the other partnership boroughs have individually received capability funding. Brent received £80,000 for 2024/25.

3.3.4 The primary focus of the proposed further expansion of the existing EVI network across the partnership area aims at meeting provision requirements that enhances accessibility and convenience. Brent specific challenges to be addressed include:

- Disparities in access to off-street parking within the borough, impacting EV adoption rates.
- High levels of air pollution in central and south-central areas.
- Transition of many taxis and PHVs registered in Brent to EVs to positively impact local emission levels will require the expansion of the EVI.

3.3.5 Based on a predominately residential charging model, where most CPs will be in residential streets, the 2022 Brent Electric Vehicle Infrastructure Plan (EVCIP) projected a need of 3,100 CPs by 2030. However, the EV and charging infrastructure market is rapidly evolving so that projections are subject to change.

3.3.6 Cenex, a consultancy commissioned by OZEV to form part of the support body assisting in the delivery of the LEVI programme, have developed the National EV Insights and Support (“NEVIS”) service, which supplies data, maps and modelling. Based on March 2024 NEVIS projections for a residential high growth model continued and substantial growth of Brent’s EV infrastructure will be required in order to enable Brent’s drivers to make the switch from petrol- and diesel-powered cars and vans to EVs. The above projections show that Brent’s EV fleet will require a total of 3674 on-street CPs by 2030. This means an additional 2,723 CPs compared to current provision.

3.3.7 NEVIS projections further show that delivery of these 2,723 additional charge points should be prioritised in high demand areas that have a high percentage of on-street parking, low current numbers of CP provision and are lagging in EV uptake.

3.3.8 LOTI (London Local Government’s Innovation Team), a coalition of London Boroughs, London Councils and the Greater London Authority (“GLA”), is assisting boroughs to work together, use innovation, data and technology, be high-performing organisations, improve services and tackle London’s biggest challenges together. LOTI has set up a dedicated EV Charger Dashboard, a data and mapping service that provides numerous useful information that help to inform EVCP site identification. As a LOTI member, Brent Council can access the EV Charger Dashboard.

3.3.9 Building on the Brent EV Charging Infrastructure Plan, supplemented with analysis of more recent datasets provided by NEVIS and LOTI and in line with OZEV LEVI funding guidance, provisionally proposed charging device locations have been drawn up. The Criteria for identifying these areas include:

- highest proportion of on-street parking, socio-economic factors that significantly influence EV adoption;
- poor access to public transport links;
- high car ownership density;
- large number of registered taxis and PHVs;
- high numbers of Motability customers;
- areas with high numbers of EVCP resident requests; and
- strong utilisation of existing EVI.

3.3.10 Based on the above a range of Brent postcode areas have provisionally been identified for priority charging network expansion.

- Brondesbury NW2
- Church End NW10
- Cricklewood Anson Road NW2
- Harlesden NW10
- Kensal Green NW10
- Kilburn West NW6
- Kingsbury NW9 0
- Preston HA9 9

- Queens Park NW6
- Queensbury NW9/HA7/HA8
- Roundwood Park NW10
- South Kilburn/Kilburn Park NW6
- St Raphael's Estate NW10 0
- Stonebridge NW10
- Sudbury Hill HA0 2
- Wembley Park HA9 8
- Willesden Green NW2

3.3.11 Individual sites will require detailed assessment to ascertain whether they are feasible for installation of charge points, the type and number of charge points that could be supported, and whether any potential mitigation measures might be required, or alternative locations need to be considered. Site assessments will be undertaken following the appointment of a CPO(s) and a final list of locations drawn up.

3.3.12 When determining appropriate locations for new charging infrastructure, the Council will also take into consideration a range of additional factors, including existing/potential parking pressures; road safety and access considerations; potential harm to the streetscape, whether the area is within a Green Neighbourhood, heritage considerations and access to appropriate power networks. Charge points would be installed under Permitted Development rights.

3.3.13 A prioritisation process considering the above range of criteria will be established to inform which locations should be prioritised for installation in a manner that both meets OZEV's priorities and support EVI delivery in areas where demand is currently lower due to socio-economic factors as well as such locations that offer sufficient financial incentive vis a vis utilisation levels and thus profitability to charge point operators.

3.3.14 It is anticipated that almost all charge points will be installed on the public highway. Some will require designated parking bays, enforceable via a Traffic Management Order (TMO), to ensure that these bays remain accessible to EV for the purpose of charging only and are not blocked by petrol or diesel vehicles. Assessment of potential locations will take care to ensure that any loss of existing resident or pay and display parking bays is avoided wherever possible. Any loss will be kept to a minimum.

3.3.15 Officers from across the partnership have been working collaboratively on a joint formal application for funding under the LEVI programme (Stage 2). The application has been submitted by LB Hammersmith & Fulham, currently the partnership lead borough, on 19th July 2024. As part of the application the partnership is seeking capital funding to deliver up to 12,000 charge points across the six boroughs with up to 2,723 of these to be delivered solely within Brent. Details of the capital funding application can be accessed via the following link:

<https://www.gov.uk/guidance/apply-for-local-ev-infrastructure-levi-funding> .

- 3.3.16 In response to the application the partnership received positive feedback but was also requested by OZEV to provide some additional information regarding specific aspects of the application. The partnership boroughs are in the process of providing this additional information.
- 3.3.17 In anticipation of the partnership securing the requested funding from OZEV, the Council as part of this partnership, is now preparing to commence Stage 3 - the tender process in order to procure CPO(s) to deliver a high value contract for the supply, installation, operation and maintenance of electric vehicle charging points on the public highway across all partnership boroughs.
- 3.3.18 LEVI funding and forming a partnership with neighbouring boroughs provides the opportunity and economy of scales to attract substantial additional private sector investment in the expansion of the charging infrastructure for electric vehicles, facilitating a continued and equitable take-up of zero/low-emission vehicles.. This is central to addressing transport related challenges, including long-standing issues around congestion and air quality, as well as growing problems around public health inequalities and climate change. This will also help achieve one of the Council's key priorities: to enable greener and more sustainable travel choices.

3.4 Procurement and delivery of Charge Points and Operator(s)

- 3.4.1 OZEV requires borough partnerships to undertake a single joint procurement for one or more suitable CPO(s). Subject to relevant internal approvals of six councils, the partnership has agreed to enter into an open procurement process to appoint a charge point operator(s) (CPO) across the six boroughs, though each borough will enter into its own contract with the CPO. As detailed in paragraph 3.3.15, the LB Hammersmith & Fulham is currently the partnership lead borough, having submitted the grant application and therefore it is considered that it should lead on the procurement and as a result, its Contract Standing Orders and Financial Regulations should be used for the procurement.
- 3.4.2 Early market engagement and work on developing the various tender documents including detailed specifications of requirements is under way with documents required to align with the requirements of the Heads of Terms (HoTs) as set out by OZEV. Formal agreement by the participating local authorities to these HoTs is a condition for receiving LEVI funding. The HoTs can be accessed here:
- https://nevis.cenex.co.uk/assets/procurement_forum/concession-heads-of-terms_v4.7.4_published.pdf
- 3.4.3 Once Invitation to Tender (ITT) documents are finalised and agreed with the Government's support body Expressions of Interest (EoI) will be requested from previously identified potential CPOs before these are formally invited to tender. Ultimately the procurement process, notification of award and contract completion is not expected to conclude before late 2025.

- 3.4.4 Following the appointment of an operator(s) further technical work will be undertaken to confirm suitable charge point locations, which will then, where applicable, be consulted upon through public consultation and the required statutory Traffic Management Order (TMO) process. Following installation of a charge point the CPO will become responsible for its continued operation and maintenance for the duration of the contract.
- 3.4.5 The EV & Shared Mobility Programme Coordinator, a post created within the Transportation Planning Team, will be filled from November 2024, funded in part by the capability funding as well as income generated through some of the exiting EVI contracts. The post holder will lead on the LEVI project delivery and contract management. Discussions are currently underway on the establishment of an internal, cross-service EVI Project Management Working Group consisting of experienced staff and senior managers from the Transportation Planning Team and the Healthy Streets & Parking Team who to date have led on existing Council EVI policy, planning and delivery. The working group's role will be to support different elements of the project including site selection phase, public and statutory consultation processes and TMO creation. A project steering group will provide strategic direction and leadership on this project's forward planning and delivery as well as identification and management of any operational risks. The working group and the steering group will report through existing corporate reporting and management structures as well as the Lead Member for Environment & Enforcement.
- 3.4.6 LEVI funds will have to be spent solely on EV infrastructure, however, as part of the preparation of tender document the partnership is currently exploring options for mechanisms to generate revenue for partnership boroughs to support rising staffing costs in respect of project planning and delivery as well as ongoing project management over the 15-year contract period. There is still some uncertainty regarding the CPO contract structure and how revenue share mechanisms will be selected and split. Options under consideration include fixed EV bay licence fees and pence per kW charge revenue to be shared across partnership boroughs. It is anticipated that the contract will also include details regarding benchmarking and capping of pence per kW charging tariffs as well as end of contract arrangements such as removal of CPs that are no longer required and making good of surfaces at nil-cost to the Partnership boroughs.
- 3.4.7 Key risks linked to the successful procurement of a CPO and delivery of the proposed charge points include:
- Procurement as partnership: Partnership Procurement as one will bear significant risks, particularly with respect to aligning positions, development of tender documents, reporting and sign-off.
 - Availability of staff resources: Preparation of tender documents, specification of requirements, evaluation, and moderation of submissions across six boroughs, contract negotiations, management of delivery stage

and contract over fifteen-years will require substantial staff time. Availability of sufficient staff resources is a key risk.

- Capacity and capability of charge point operators: EV charging infrastructure is a developing field where technology is continuously evolving, and the legislative framework is subject to change. Charge point operators are developing their capacity and capability to operate in this immature market alongside these advancements, carrying risks regarding their capacity and capability to fulfil technical, operational and contractual requirements.

3.5 Next Steps

3.5.1 The table below outlines the next steps and indicative delivery programme for the LEVI programme. This programme is subject to change.

Table 3.5.1 Next Steps and Indicative Delivery Programme

Timeframe	Key Tasks/Activities
October/November 2024	Develop Invitation to Tender Documents
March 2025	LEVI Grant Approval and Reception by Partnership
Early 2025 to late 2025	Procurement and Contract Development
Early to mid-2026	Contract Completion

2026 to 2030

Planning and Approvals

- Project initiation
- Site selection assessment
- Identification of charge point locations
- Conduct physical site reviews
- Regulatory compliance
- Community engagement
- DNO engagement
- DNO location confirmation meeting
- DNO site application sign off
- Public and statutory stakeholder consultations
- TMO approval
- Planning permission approval (where required)

Installation & Commissioning (All Sites)

- Equipment Procurement and Delivery
- Ground works and site preparation
- Installation of pit, ducting system and cabling
- Trench back filling and reinstatement
- Installation of EV charge point units
- Install new distribution boards and earthing
- Energise the EVCI units
- Perform both live, and dead tests to the electrical supply
- Complete commissioning sheets and complete NICEIC certification
- Register with NCR/ open cloud platforms
- Complete the bay marking & signage
- Clear site, make good and remove all waste materials

Operations & Maintenance

- Train operational staff
- Go live date
- Public Awareness campaign
- Grant claims process
- Continuous maintenance
- Monitoring and reporting
- Three-month contingency window

2026 to 2040 (end of 15-year contract)

2040

Decommissioning/ Handover

- Replace or repair

- | | |
|--|---|
| | <ul style="list-style-type: none">• Annual review of hardware• Remote diagnostics of equipment |
|--|---|

3.6 Alternative Options Considered

- 3.6.1 The expansion of EVCP provision in the borough forms a key component of the Council's current and emerging policies around mitigating climate change, improving air quality and 'greening' transport, but is largely dependent on the provision of third-party funding to progress.
- 3.6.2 In combination with the Government's LEVI grant funding private sector funding provided by a CPO ensures that the necessary financial capacity to deliver the large number of charge points necessary to meet the EV charging infrastructure needs projected. Without LEVI funding as an incentive to encourage CPOs to invest in delivery of EV infrastructure in locations across the borough, areas where socio-economic factors have to date resulted in a much slower transition to EVs, these areas would likely not see the numbers of EVCPs required to inspire and enable local drivers to switch to an EV. Equitable EVI coverage presently depends on grant funding so that charge point operator(s) will make available match funding to provide, install, operate and maintain the EV infrastructure delivered through this project.
- 3.6.3 A small number of local authorities, facilitated by capital loans from e.g. the Public Works Loan Board, are opting to adopt an 'own and operate' model where they invest in the charging hardware themselves and appoint a CPO to operate the charge points on their behalf. This puts the local authority in a stronger position when negotiating a percentage share of revenue as well as charging tariffs with the CPO. In the anticipation of strong charge point utilisation a favourable share of revenue is hoped to provide these local authorities with the financial returns that enables them to service their loan agreements as well as, over time, generate an income.
- 3.6.4 Whilst this may be an attractive option it is considered that the council does not currently have the capacity and capability required to deliver and manage this type of project set up.

4. Stakeholder and ward member consultation and engagement

- 4.1 Locations will be subject to public consultation with residents and businesses. Depending on the outcome, the Traffic Management Orders will be progressed, which require statutory consultation and the placing of notices. Officers will consider any objections during the process and may choose to change proposed locations.

5. Financial Considerations

- 5.1 Funding for this programme will be provided from two sources: a contributory grant from the OZEV, and the successfully appointed CPO(s) (see paragraphs 5.4 and 5.5). Brent has applied for £1,250,000 LEVI funding from OZEV in support of the initiatives outlined in Section 3 of this report. The funding begins

in 2024/25 and is expected to cover the stages up to 2030 outlined in table 3.5.1, though delivery timings may vary. There is no requirement for match funding from Brent. OZEV will supply between 15% and 30% of funding required, whilst the appointed CPO(s) will be expected to provide between 70% and 85% match funding in addition to meeting all operational and maintenance costs associated with the respective charge points over the duration of the concession contract, which is expected to be in place for 15 years.

- 5.2 The £1,250,000 awarded to Brent represents one-sixth of the total of the £7.5m awarded to the partnership for the six London boroughs and 15% - 30% of the capital costs associated with the delivery of up to 2,723 electric vehicle charge points solely within Brent and many more across the partnership area. The EV infrastructure delivery costs have been benchmarked against equivalent costs of similar infrastructure installed in the borough and elsewhere in London.
- 5.3 The total amount of funding available for the supply, installation, operation and maintenance will be determined by the percentage share of LEVI funding relative to the percentage share of investment the CPO(s) will be willing to contribute.
- 5.4 At a minimum OZEV is expecting a total project funding and investment envelope for each individual partnership borough at around:
 - 30% LEVI funding + 70% CPO investment, i.e.
 - £1,250,000 LEVI funding + £2,916,666 CPO investment = £4,166,666
- 5.5 At a maximum OZEV is expecting a total project funding and investment envelope for each individual partnership borough at around:
 - 15% LEVI funding + 85% CPO investment, i.e.
 - £1,250,000 LEVI funding + £7,083,333 CPO investment = £8,333,333
- 5.6 Expenditure will be monitored in line with specific project plans, to ensure it is spent in accordance with the timeframes and conditions set out by the funders. The Council is already in receipt of additional £80,000 Capability Funding from OZEV to fund additional staff resource to begin delivery of the project in 2024/25 and to cover certain legal costs. Additional costs associated with the delivery of the proposed charge points, such as TMOs, public consultations etc., should not put a burden on Council revenue budgets. Officers will require contributions from the CPOs to cover any ancillary costs. The partnership is seeking to make provisions to address this in the tender documents and subsequent CPO contract details.
- 5.7 Borough partners would seek a percentage of charge point turnover rebate to be paid annually in arrears, once utilisation reaches a sufficient threshold, in line with the LEVI Heads of Terms. The amounts would be proposed by the CPOs in their tender bids but would only make up a small element (no more than 5-10%) of the evaluation, with the vast bulk of the evaluation being driven by the number of charge points proposed, i.e. maximising the output from the LEVI grant. Revenue will help to fund ongoing monitoring and help to mitigate

any loss of parking revenue (non-infrastructure costs). A separate administration fee would also be charged annually to cover contract management, based on pro-rata FTE staff costs in each borough. More details will become apparent once CPOs have been procured.

- 5.8 Dependent on the final contract the Council may also stand to receive a licence fee and a share of the revenue from the CPO for operating charge points in the public highway which could in part compensate for any parking income loss and project related staffing costs. Details will have to be explored more in detail as part of the tender process and contract negotiations.

6. Legal Considerations

- 6.1 The Council's powers to apply for grant funding and enter into a Grant Funding Agreement derive from section 111 of the Local Government Act 1972 and the power of general competence set out in section 1 of the Localism Act 2011.

- 6.2 Approval is sought to enter into a funding agreement with OZEV in the sum of £1,250,000. Prior to determining that the Council can enter into a Grant Funding Agreement, the Cabinet must ensure that the objectives of the Grant Funding Agreement are consistent with the Council's objectives and priorities in accordance with Financial Regulation 9.1.1.

- 6.3 Legal Services have reviewed the grant agreement and can confirm that it is legally permissible for the Council to enter into the grant agreement.

- 6.4 Upon receiving the Grant Funding the Council will need to procure and appoint a CPO(s) to supply, install, operate and maintain electric vehicle charge points. This will be a joint procurement with 5 other local authorities with a joint total value of £7,544,000. Officers are proposing that a concession contract(s) is awarded to a CPO(s) for a period up to 15 years. As the appointment of CPO(s) will be classed as a Concession Contract, the procurement will therefore be subject to the Concession Contracts Regulations 2016. The threshold for concession contracts is £5,336,937. The overall value of the concession contracts to be procured by all six authorities will exceed the threshold for concession contracts for reasons stated in Section 5 of this report.

- 6.5 The value of Brent's element of any procurement is £1,250,000. As such it would ordinarily be procured in accordance with the Council's Contract Standing Orders and Financial Regulations for Medium Value Contracts. For the reasons detailed paragraph 3.4.1 it is proposed that the London Borough of Hammersmith and Fulham act as the lead authority in the collaborative procurement and accordingly that its Standing Orders and Financial Regulations will be used for the collaborative procurement.

- 6.6 As the procurement is subject to the full application of the Concession Contracts Regulations 2016, the Council must observe the requirements of the mandatory minimum 10 calendar day standstill period imposed by the Concession Contracts Regulations 2016 before the CPO contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision

to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However, if no challenge or successful challenge is brought during the period, at the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

7. Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The public sector duty set out in Section 149 of the Equality Act 2010 requires the Council, when exercising its public functions, to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not share that protected characteristic. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.3 Road transport is the main source of nitrogen dioxide (NO_x) and a significant contributor to particulate matter (PMs) in Brent, two of the most dangerous pollutants, which contribute to the premature death of nearly 10,000 people a year in London. Motor vehicles are currently responsible for 49% of NO_x emissions and 30% of PM₁₀ emissions in the borough. Facilitating the uptake of low/zero emission vehicles through increased provision of electric vehicle charging facilities provides significant opportunities to improve air quality in parts of the borough and will benefit the health of everyone who lives or works in or visits Brent. The Council is taking into account the high levels of air pollution in the south and south-central areas of the Borough as part of its criteria for expanding the EVI network, and increasing usage of electric vehicles in those areas as well as the wider borough area may positively impact the health and wellbeing of residents.
- 7.4 In addition, the criteria for identifying areas for charging device locations in Brent include poor access to public transport, and high numbers of Motability customers, indicating there may be positive equality impacts on people with disabilities as the additional EV charging infrastructure and availability of EVs may reduce the burden of traveling to a public transport station or bus stop.
- 7.5 As charge points are to be located on the public highway, a consultation process will be conducted. Any aspects of individual charge point locations that might have the potential to disproportionately or negatively impact on

individuals or groups with protected characteristic will be identified and addressed at this stage to ensure fairness and inclusivity.

8 Climate Change and Environmental Considerations

- 8.1 Supporting and encouraging Brent drivers in their transition from petrol and diesel vehicles to EVs is seen as key to helping address the climate emergency and poor air quality. Amongst the key actions identified in the Brent Climate and Ecological Emergency Strategy and the Brent Air Quality Action Plan include plans for petrol and diesel road journeys to have at least halved by 2030 and for the borough's EV charging infrastructure to be expanded. The EV charge points proposed to be delivered funded through LEVI and CPO investment are part of these plans.

9 Human Resources/Property Considerations (if appropriate)

None.

10 Communication Considerations

None.

Report sign off:

Alice Lester

Corporate Director Neighbourhoods and
Regeneration