

Cabinet Meeting on Wednesday 20 March 2024

Staffordshire County Council Electric Vehicle Charging Infrastructure Strategy and LEVI Update



Councillor David Williams, Cabinet Member for Highways and Transport said,

“Transport accounts for around 35% of Staffordshire’s annual carbon emissions, and as well as contributing to climate change, has a major impact on public health. While it is not the county council’s role or responsibility to install the charging points, we know our communities, and we want to work with partner local authorities and the private sector to facilitate delivery of a convenient and accessible network of charging points in Staffordshire that supports the move away from petrol and diesel vehicles.”

Councillor Simon Tagg, Cabinet Member for Environment, Infrastructure and Climate Change



“The County Council declared a climate emergency in 2019 and we are making great progress as an organisation to achieve our target of net zero carbon emissions by 2050.

We have a role to play in inspiring and making it easier for more people to switch to green and active travel, such as walking and cycling, or the use of electric vehicles. Indeed, the Government has banned the sale of all new petrol and diesel cars beyond 2035 so across the country and in Staffordshire we need to see more charging points installed for electric vehicles in public places, on-street and in workplaces.”

Report Summary:

The Department for Transport (DfT) has indicatively allocated the authority £4,588,000 capital funding to enable the private sector to deliver public electric vehicle (EV) charging infrastructure in Staffordshire. This report seeks approval to accept this funding and for the Grant Determination Letter to be signed. This funding will enable the authority to facilitate and coordinate the private sector to improve accessibility of EV infrastructure for Staffordshire residents. It is projected that this grant funding, will unlock private sector investment of £10-£15m for Staffordshire.

The authority has agreed in principle to collaborate on a cross-local authority application through joining a local authority consortium led by Midlands Connect.

The authority's Public Electric Vehicle Charging Infrastructure Strategy prioritised off-street charging whilst also recognising the need for on-street charging. The grant requires the delivery of both off and on street charging infrastructure with a focus on on-street.

Recommendations

I recommend that Cabinet:

- a. Agrees to accept funding from the Department for Transport to enable the private sector to deliver public EV charging infrastructure in Staffordshire.
- b. Delegates the final decision to either remain in a local authority consortium with Midlands Connect or for Staffordshire County Council to procure an EV infrastructure partner independently to the Director for Economy, Infrastructure and Skills in consultation with the Cabinet Member for Highways and Transport and the Cabinet Member for Environment, Infrastructure and Climate Change.
- c. Delegates the completion of any legal agreements associated with the installation of electric vehicle chargepoints i.e. s50 and SCC private leases to the Directors for Economy, Infrastructure and Skills.
- d. Notes the Department for Transport focus for on-street charging infrastructure and the need to include a combination of off-street and on-street provision as a requirement of the Local Electric Vehicle Infrastructure (LEVI) funding.

- e. Notes the continued collaboration with district and borough councils to allocate LEVI funding to facilitating the installation of EV infrastructure at areas of off-street parking where there is a residential need.



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Recommendations of the Cabinet Member for Highways and Transport & Cabinet Member for Environment, Infrastructure and Climate Change

I recommend that Cabinet:

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- d. Notes the Department for Transport focus for on-street charging infrastructure and the need to include a combination of off-street and on-street provision as a requirement of the Local Electric Vehicle Infrastructure (LEVI) funding.
- e. Notes the continued collaboration with district and borough councils to allocate LEVI funding to facilitating the installation of EV infrastructure at areas of off-street parking where there is a residential need.

Local Member Interest:

N/A

Report of the Director for Economy, Infrastructure and Skills

Reasons for Recommendations:

Background

1. In January 2023, Cabinet approved the Staffordshire County Council Public Electric Vehicle Charging Infrastructure Strategy (known as the Strategy from here on in, Appendix 1). It was acknowledged within the Strategy that Staffordshire County Council (SCC) can enable and facilitate the development of a charging infrastructure network across the county. This position aligns with recent Department for Transport communication which outlined that *“As the market develops, we expect private investors to fund a growing proportion of the cost of chargepoint roll out. But there will continue to be a central role for local authorities, ensuring chargepoint rollout meets local needs (DfT, 2024).”*
2. The Strategy assists in enabling electric vehicles to be a viable option for residents, visitors and businesses whilst helping to support the aims of the Council’s Strategic Plan, through contributing towards achieving carbon net zero and improving the quality of life for residents through a reduction of noise and air quality impacts.
3. The authority’s role is to facilitate and coordinate the private sector to improve accessibility of EV infrastructure for Staffordshire residents and not to deliver EV infrastructure themselves.
4. As of 31st January 2024, there are 428 public chargepoints in Staffordshire with 54% (233) of the chargepoints being rapid chargers (>=50kWh). CENEX (Centre of Excellence for Low Carbon and Fuel Cell Technologies) who are a LEVI support body, estimate that Staffordshire will require 5,140 electric vehicle chargepoint sockets by 2030.

Chargepoint Hierarchy

5. A hierarchy of charging needs was identified as part of the Strategy (Figure 1). Private residential off-street EV charging infrastructure is the recommended type for residents of Staffordshire with access to private off-street parking (driveways).

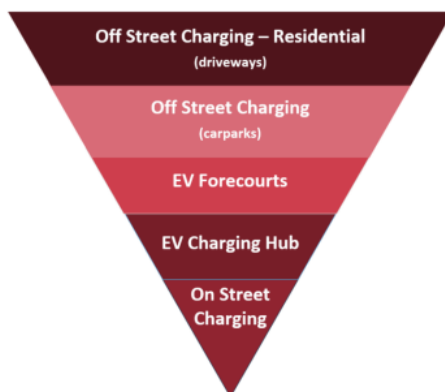


Figure 1: Hierarchy of Charging Options (SCC Public EV Charging Strategy)

6. The Strategy identifies that collaborating with district and borough councils to install EV infrastructure at areas of off-street parking where residential needs are considered should be a focal point. However, alongside EV charging hubs and EV forecourts, the requirement for on-street charging infrastructure is also acknowledged within the Strategy.
7. The Strategy anticipated that the priorities of the hierarchy would change over the coming years as government initiatives are deployed, the market matures, and public demand patterns change over time.
8. We will align the delivery of the LEVI funding to our strategy and prioritise off-street charging where practically possible.

Local Electric Vehicle Infrastructure (LEVI) Funding

9. On 31st March 2023, Government announced there would be an indicative £343m LEVI capital funding for Tier 1 authorities in England to increase the number of chargepoints across the country to enable more people to make the transition to using EVs.
10. At the same time, it was announced that there would be an indicative £37.8m LEVI Capability Fund which will provide local authorities with the skills and capacity to deliver their charging strategy.
11. Instead of the requirement to apply, LEVI funding has been indicatively allocated to address regional and charging inequality through providing funding across England.
12. The LEVI Fund has two main objectives: 1) deliver a step-change in the deployment of local, primarily low power, on-street charging infrastructure across England; 2) accelerate the commercialisation of, and investment in, the local charging infrastructure sector.
13. Local Authorities were required to submit an Expression of Interest for funding by 26th May 2023 and were encouraged to collaborate and submit cross-local authority applications within their area of allocated funding. It is expected that through collaboration, greater coordination, scale, and private sector investment in projects could be achieved.
14. Following the desire for cross-local authority application, SCC agreed in principle to collaborate with Nottinghamshire County Council, Nottingham City Council, Derbyshire County Council and Derby City Council in a consortium with Midlands Connect (Appendix 2).
15. Within the Consortium, Nottinghamshire County Council have been identified as the lead authority. This role includes leading on legal support

(drafting and finalising main contract, in line with tender and exploring third party land leases); leading on procurement (drafting and finalising the procurement pack and evaluation and monitoring of the tender with the Consortium) as well as to lead on the soft market testing. However, Nottinghamshire County Council are not providing SCC with legal advice and therefore no reliance can be placed on their advice if there are issues with the Consortium's chosen Framework.

16. SCC has been allocated an indicative amount of £4,588,000 capital funding from the LEVI fund and have been allocated to funding tranche one to receive funding by the 31st of March 2024. No deadlines have been set by the DfT on when the funding is needed to be spent by, however it is anticipated that delivery of infrastructure would commence in Spring 2025 and could take between 3 and 5 years to complete the project.

| Authority | Allocation of LEVI funding |
|---|----------------------------|
| Derby City Council | £1,758,000 |
| Nottingham City Council | £1,704,000 |
| Staffordshire County Council | £4,588,000 |
| Nottinghamshire County Council (Lead LTA) | £5,522,000 |
| Derbyshire CC | £4,100,000 |
| Total | £17,672,000 |

Table 1: Second Midlands Electric Vehicle Infrastructure Consortiums Allocation of LEVI Funding

17. Nottinghamshire County Council on behalf of the Consortium, submitted a Capital Fund Stage 2 application form in November 2023.
18. Our initial submission prioritised off-street charging in line with our strategy, however, feedback from DfT is that they want us to deliver a greater proportion on-street to align with national priorities. Therefore, our proposal has been amended to deliver more on-street locations, but we will still be delivering 70 off-street locations across Staffordshire. This approach should facilitate the private sector delivering c.2,130 chargepoint sockets across 600 - 900 sites within Staffordshire.
19. Following the initial stage 2 application feedback and through dialogue with Midlands Connect and Energy Saving Trust, the estimated number of chargepoint sockets for Staffordshire is now estimated to be 2,130 across a minimum of 600 and maximum 900 sites with a greater focus on more equitable site identification (social equity or costs for electricity connection fees).
20. Aligning with the Strategy and the recommendation to continue to engage with all district and borough councils to provide a consistent approach to EV rollout across Staffordshire, an EV officer working group

was established with district and borough colleagues with presentations delivered at all district and borough council offices. To maximise the opportunity to provide a consistent approach with LEVI funding, a selection of district and borough off-street locations will be proposed as part of a LEVI funding submission.

21. In line with the objectives and aims of LEVI funding and national strategy, the justification to determine the selection of off-street locations will be the estimated number of local residents within a 3-minute walk who do not have access to private off-street parking and the nearby electricity capacity. Efforts will be made to ensure there is a fair allocation across all district and boroughs.

On-street Charging Infrastructure

22. As per the Strategy, the County Council does not permit any cable to be placed across the public highway; as it represents a health and safety hazard, and an impediment to the safe use of the highway by the visually and/or mobility impaired, or other affected user groups. Under the Highways Act 1980, action may be taken to remove cables that are deemed unsuitable or unsafe.
23. Where chargepoints are installed on-street and a footway is present, the installation of all EV infrastructure shall ensure the minimum footway widths are preserved.
24. The majority of charge points will be 'Fast' (7kWh) speeds and it is expected that the infrastructure may be bollard type in their design.
25. Where the minimum footway width required cannot be met, dependent on carriageway width, a build-out into the carriageway with the chargepoint unit may be considered.
26. The appearance of charging equipment units will be suitably compact to minimise adverse visual impact and be designed to be sympathetic and in keeping with the streetscape, without compromising compliance with BSI PAS1899 (EV charging accessibility) standards.
27. The authority and the chargepoint operator will undertake a full viability study to determine the appropriateness for each on-street location put forward for LEVI funding.
28. There will be a requirement for s50 highway consents for on-street charging which will need to be dealt with following procurement process and selection of highway sites. Government consultation has commenced that includes whether chargepoint operators can become a statutory

power, thus allowing them to install, maintain and repair apparatus in a public highway (carriageway, verge, and footway). Statutory undertakers need to apply for a permit in advance of carrying out works. They must apply for these via the Department for Transport (DfT) Street Manager service.

Alternative Options

29. Alternative options have been considered, including allowing the emerging EV charging industry to take the lead and for the authority to not play a facilitating and enabling role. However, this is likely to lead to an ineffective EV chargepoint network across the county focussed on commercially viable locations only. This would potentially result in a reduction in people choosing to switch to an EV and the diminished opportunity to benefit from reduced air and noise pollution.
30. The Strategy provided the foundation to co-ordinate delivery of EV infrastructure across the county, whilst the UK government has made it clear that local authorities have a significant role to play in delivering EV chargepoints due to their understanding of the transport needs of their local population, their responsibility for planning policy, ownership of car parks, and management of the public highway. The LEVI funding allocated to the authority can enable the creation of a competitive public charging landscape, ensuring best value for money.

Timescale

31. Indicative timeline and key dates are (Appendix 3).
- March 15th, 2024 (extension provided to SCC to the 20th of March) signed grant offering letter and Post Approval Action Plan
 - May 20th, 2024, finalised procurement documents for tender
 - June 2024, Governance approval of site and procurement
 - July 2024, tender release
 - September 2024, winning tender contract and Stage 3 application submission,
 - January - March 2025, OZEV approval, signed contract and award including final 10% of capital funding.

Risks Identified

32. If the grant determination letter and Post Approval Action Plan (PAAP) is not signed by 20th March 2024, LEVI funding for Staffordshire may not be received (£4,588,000). The PAAP will outline improvements required to the application and draft procurement documents. Upon signing the terms of the PAAP, SCC will be issued 90% of the allocated LEVI capital funding.

33. If there are delays to the stage 3 submission proposed for September 2024, 10% of funding (£458,800) expected in March 2025 may not be received. Sufficient time is required for Legal to review the MOU, GDL and PaaP. Additionally, funding terms and conditions have not yet been received/reviewed and the Framework documents have not been agreed so full liability/risks cannot be fully assessed at this stage.
34. Though supported by Midlands Connect, there is a risk of not meeting the DfT deadlines due this project being led by a single lawyer at Nottinghamshire County Council. This is because of the complex nature of the project including the associated documents that need to work together as well as other more substantive issues still to be worked out such as tying up the market for long periods, pricing restrictions etc. External advice and support is being sought by Midlands Connect with a tender to procure legal consultancy support to go live shortly.
35. Risks regarding immaturity of market and ability of one provider to deliver at scale and pace across such a large geographical patch need to be considered by the Consortium.
36. A detailed risk matrix for the authority will be developed for the project.

Legal Implications

37. Legal Services will be consulted to advise and highlight areas of concern for officers to make risk-based decisions.
38. At this stage of the project, Legal Services have not been given full access to all of the documents or had the opportunity to review the funding terms and conditions yet. Therefore, Legal Services are not in a position to fully assess the risks and would intend to review the risks throughout the duration of the project to aid the decision-making process to be made by relevant directors and Cabinet members.
39. SCC's Procurement team is engaged with the project and all supply or concession contracts will comply with the Council's Contract Procedure Rules.
40. During the three stages for submission, each stage of the application is checked by OZEV and the LEVI support body for review and approval. The stage 3 submission will include a contract review by OZEV.

Resource and Value for Money Implications

41. The Department for Transport proposes to provide £4,588,000 capital funding across financial years 2023/24 and 2024/25.
42. The Department proposes to issue 90% of the funding (£4,129,200) following receipt of the Grant Determination Letter, signed by the Authority. The remaining 10% (£458,800) of the allocation will be issued following the Department's approval of the Authority's proposed procurement contract(s).
43. The indicative allocation by Financial Year is set out in the following table:

| Financial Year | Total (£) |
|----------------|------------|
| 2023/24 | £4,129,200 |
| 2024/25 | £458,800 |
| Total | £4,588,000 |

44. Alongside the development of the Strategy, previously allocated DfT Capability Funding (£613,000) has been used to fund an EV Infrastructure Delivery Manager position and a LEVI project Manager as well as cover associated fees for Legal services. No SCC funding has been required for this project to date and additional DfT Capability Funding has been applied to support ongoing Legal fees.

Climate Change Implications and Health Implications

45. The Council recognises that climate change is the biggest environmental challenge facing the world today and has reflected this by identifying climate change as one of the five key principles in the Council's Strategic Plan. SCC recognises that actions are needed to minimise the Council's carbon emissions. These actions are to either stop carbon emissions, develop ways to remove carbon that is already in the atmosphere (sequestration) or help communities and business prepare for the impact of changing climate (adaptation).
46. In Staffordshire, transport contributes c35% of the c6.5 million tonnes of annual Carbon emissions. EV adoption forms a critical part in tackling climate change, and the decarbonisation of transport in Staffordshire is recognised within the revised Staffordshire's 2021-2025 Climate Change Action Plan. Reducing emissions by supporting infrastructure for zero emissions vehicles like chargepoints is one of several key actions highlighted in the Climate Change Action Plan.
47. Through facilitating the switch from petrol and diesel vehicles to carbon zero fuelled vehicles, such as EVs, the Council will not only contribute to the reduction in nitrogen oxides emissions across the county but also contribute towards the reduction in the amount of harmful air pollutants such as volatile organic compounds and sulphur dioxide.

Community Impact

48. The Community Impact Assessment for the Staffordshire County Council Public Electric Vehicle Charging Infrastructure Strategy can be viewed in appendix 3. The proposals represent a positive impact since all members of the community will benefit through enhanced quality of life and well-being through a cleaner, greener, and more resilient local environment by the County Council encouraging the adoption and roll out of EVs.

Conclusion

49. While it is not SCC's role to install and maintain the charging network, as the highways authority, a major land and asset owner, as well as our commitment to achieving net zero, we do have an important coordinating and facilitating role.

50. Through engagement and collaboration with all district and borough councils to provide a consistent approach to EV rollout across Staffordshire, up to seventy off-street locations will be included as part of the stage 3 submission for LEVI funding. However, as previously identified within the Strategy, on-street charging locations will also be included within the submission as directed by the DfT.

51. Through accepting the £4,588,000 DfT capital allocation, an estimated £10-£15m of investment across Staffordshire could be delivered helping to contribute towards achieving the goal of 5,140 EV chargepoint sockets by 2030.

List of Background Documents/Appendices:

Appendix 1 - [Staffordshire County Council Public Electric Vehicle Charging Infrastructure Strategy](#)

Appendix 2 - [Press release](#) outlining SCC agreeing in principle to collaborate with Nottinghamshire County Council, Nottingham City Council, Derbyshire County Council and Derby City Council in a consortium with Midlands Connect

Appendix 3 - Timeline of dates supplied by Midland Connect for LEVI second consortium (Midlands Connect, 2024)

Community Impact Assessment

Contact Details

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