



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

16 November 2023

Report of the Executive Director - Place

**Acceptance of Local Electric
Vehicle Infrastructure (LEVI) Funding from the Department for Transport**
(Cabinet Member for Infrastructure and Environment)

1. Divisions Affected

1.1 County-wide.

2. Key Decision

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned (this is currently defined as £500,000).

3. Purpose

3.1 To note and accept the Urgent Officer Decision taken by the Executive Director - Place on 16 March 2023 to accept a capability fund grant allocation of £127,440 from the Department of Transport.

3.2 To set out additional capability funding allocations from the Department of Transport and seek approval to accept a grant of £580,560 for the period 2023 to end of March 2025.

- 3.3 To seek Cabinet approval to accept £6.604m of capital grant – made up of £2.5m for street lighting LEVI charge point work packages and £4.104m for ‘destination’ charge point work packages, subject to successful completion of project delivery plans through consultation with the Department of Transport; and to add both work packages to the Council’s capital programme.
- 3.4 To seek Cabinet approval to delegate the awarding of charge point contracts to the Executive Director - Place, in consultation with Cabinet Member for Infrastructure and Environment, subject to a competitive procurement exercise being satisfactorily completed.
- 3.5 To seek Cabinet approval for the Council’s involvement in the East Midlands Low Emission Vehicle Infrastructure Consortium and to work with the Consortium to develop and manage the destination charge point project delivery plan.
- 3.6 To seek Cabinet approval for finalisation of both charge point work packages be delegated to the Executive Director – Place, in consultation with the Cabinet Member for Infrastructure and Environment.

4. Information and Analysis

- 4.1 The report, ‘Low Emission Vehicle Infrastructure Programme Update and Forward Programme of Activity’, approved by Cabinet on 16 March 2023 (Minute No. 51/23 refers), provided a detailed update on progress and the approach taken to accelerate delivery of the County’s Low Emission Vehicle Infrastructure (LEVI) Strategy and put forward further recommendations on how best to develop the public charging network.
- 4.2 At the time of the decision, it was not known what level of funding would be made available from Government to support development of the public charging network.
- 4.3 This report provides information about allocations from the Department for Transport (DfT) through the Local Electric Vehicle Infrastructure Fund, outlines the proposed spend for this funding and sets out details of the Derbyshire’s participation in the Joint East Midlands LEVI Consortium.

NB: Any reference to LEVI in this report is to the County Council’s ‘Low Emission Vehicle Infrastructure’; Government also references LEVI which is the ‘Local Electric Vehicle Infrastructure’ grant fund. For the

avoidance of doubt, this will be referred to only as the ‘Grant Fund’ in this report.

The LEVI Grant funding allocations consist of upfront resource (capability) funding to assist with planning and programming for charge point implementation, ongoing resource (capability) funding to provide resource to support the continued development of the charging network, and a capital allocation to cover the initial investment needed for purchasing and installing charging infrastructure.

Capability Funding

- 4.4 In February 2023, the Council was awarded an allocation of £127,440 revenue funding from the DfT’s Capability Fund. The Council had only a very short timescale within which to accept the grant offer and consequently, it was not possible to seek Cabinet approval in advance of accepting the funding.
- 4.5 In consultation with the Cabinet Member - Infrastructure and Environment, the Executive Director – Place accepted the grant funding and agreed to utilise the money to support recruitment of additional resources, namely a dedicated Senior LEVI Project Officer. The full allocation of £127,440 has since been received by the Council and is now available for draw down.
- 4.6 In March 2023, the Council received a further indicative allocation of £580,560 capability funding to support the continued development of charge points across the County. Since this time, work has taken place to develop project funding proposals which have now been agreed with DfT and, as a result, the indicative grant offer has been confirmed covering the period 2023 to end of March 2025.
- 4.7 It is intended to utilise this capability funding to boost Derbyshire’s in-house resource for LEVI planning and delivery through the creation of up to five fully grant funded posts across the Sustainable Travel and Highways teams; to confirm, these posts are proposed to be offered on a fixed term basis and recruitment will be in line with the Council’s established processes.

Capital Funding

- 4.8 The Council has also been advised of an indicative allocation of £6.604m capital from the Government’s Grant Fund, subject to the completion of relevant documentation being returned by the end of November 2023 setting out proposed project spend. Final allocation of

the grant is dependent on Government's acceptance of these proposals and will be available for draw down within the current financial year 2023-24 (completing March 2025).

- 4.9 The capital funding will support delivery of two work packages already set out in the LEVI Programme Update report (March 2023). It is recommended that the £6.604m capital grant be split as follows:
- **Work Package 1: Street Lighting Charge Point Network (£2.5m)**
This funding will cover all capital costs associated with the supply and installation of street light electric vehicle charging infrastructure. Ongoing management, back office and maintenance responsibilities will lie with a third-party operator under a concession contract arrangement.
 - **Work Package 2: Destination Charge Point Network (£4.104m)**
To support the development of the charge point network at key destination points, for example car parks across the County in both rural and urban locations.
- 4.10 Delivery plans for both these work packages will need to demonstrate how they will deliver a step-change in the deployment of electric vehicle charge points, and to accelerate commercialisation and increased private sector investment in delivery of this infrastructure. Delivery plans are specifically required to provide details of proposed tender documentation and to how these will ensure that the spend will be in accordance with grant conditions. Grant conditions include technology specification, locations, carbon reduction and approach to tariff setting. Due to the timescales associated with delivery plan development it is not possible to complete these ahead of this Cabinet meeting. Consequently, Cabinet is requested to give approval for finalisation of both charge point work packages be delegated to the Executive Director – Place, in consultation with the Cabinet Member for Infrastructure and Environment.
- 4.11 Two different approaches are being used to develop delivery plans for the two work packages. The Council is developing work package 1 delivery plan and the necessary procurement documentation to deliver the street lighting charge points. Work package 2 is being developed together with several local authorities across the Midlands who are also engaged in developing and procuring destination charge points. This joint approach is referred to as the East Midlands Low Emission Vehicle Infrastructure Consortium.
- 4.12 The East Midlands Consortium is being led by Midlands Connect, the Sub-National Transport Body for the Midlands, with partners authorities

including all the upper-tier authorities of the proposed East Midlands Combined County Authority: Derby City Council, Nottingham City Council, and Nottinghamshire County Council. The primary objective of the consortium is to pool resources, expertise, and purchasing power to secure more competitive prices from suppliers. By joining forces, the consortium hopes to unlock numerous benefits, such as increased negotiating leverage for expanding networks in both urban and rural areas, reduced procurement costs, enhanced efficiency in their procurement operations and importantly higher levels of private sector match funding.

4.13 The East Midlands Consortium has been working together for several months now and is well-advanced in being in a position to bring forward a charge point network across Derbyshire from early 2024. It is therefore recommended that Cabinet approves the involvement of the Council in the Consortium to provide the most timely route and value for money approach to procurement of the destination charge point network.

4.14 The Council will be required to expediently progress the procurement of charge point suppliers, once the two work packages are approved by the DfT. It is therefore recommended that authority to award subsequent charge point contracts is delegated to Executive Director - Place in consultation with Cabinet Member for Infrastructure and Environment, subject to a competitive procurement exercise being satisfactorily completed.

5. Consultation

5.1 There is no consultation required in association with the acceptance of this grant award. However, it is important to note that since April 2023, through an online consultation page, the Council has been collecting expressions of interest (EOIs) from residents who want to see charge points delivered in their area. To date, over 500 EOIs have been registered.

5.2 As the LEVI project progresses, officers will actively engage with the local community and ensure that all necessary statutory consultations are carried out in accordance with Council expectations and standards.

6. Alternative Options Considered

6.1 Option 1 – Do not accept the capability fund and LEVI grant funding. Taking this option would put the Council's ambition to develop a public

charging network at significant risk and delay Derbyshire's transition to towards net zero and helping to de-carbonise travel.

- 6.2 Option 2 - Accept the capability funding and LEVI Grant funding. This would enable the Council to develop a public charging network at no financial risk to the Council, and to expediently procure the supply, installation, operation, and maintenance of the charge point infrastructure. This option provides an opportunity to accelerate the commercialisation and private sector investment in electric vehicle charge point infrastructure.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 Cabinet Report, Low Emission Vehicle Infrastructure Programme Update and Forward Plan, dated 16 March 2023 (Minute No. 51/23 refers).
- 8.2 Copies of Grant Award letters.

9. Appendices

- 9.1 Appendix 1- Implications.
- 9.2 Appendix 2 - Copies of Grant Award letters.

10. Recommendations

That Cabinet:

- a) Notes and accepts the Urgent Officer Decision taken by the Executive Director - Place on 16 March 2023 to accept a capability fund grant allocation of £127,440 from the Department of Transport.
- b) Approves the acceptance of additional capability funding allocation grant of £580,560 from the Department of Transport (DfT) for the period 2023 to end of March 2025.
- c) Approves the acceptance of £6.604m of capital grant – made up of £2.5m for street lighting LEVI charge point work packages and £4.104m for 'destination' charge point work packages, subject to successful completion of project delivery plans through consultation with the Department of Transport, and to add both work packages to the Council's capital programme.

- d) Approves the delegation of the awarding of charge point contracts to Executive Director - Place, in consultation with Cabinet Member for Infrastructure and Environment, subject to a competitive procurement exercise being satisfactorily completed.
- e) Approves the Council's involvement in the East Midlands Low Emission Vehicle Infrastructure Consortium and to work with the Consortium to develop the destination charge point project delivery plan.
- f) Approves the finalisation of both charge point work packages be delegated to the Executive Director – Place, in consultation with the Cabinet Member for Infrastructure and Environment.

11. Reason for Recommendations

- 11.1 Approval of recommendations in this report will ensure the Council can continue its work towards net zero and helping de-carbonise travel by progressing the County's electric vehicle charging network.

12. Is it necessary to waive the call in period?

- 12.1 No.

Report Author: Daniel McCrory

Contact details: Daniel.mccrory@derbyshire.gov.uk

Implications**Financial**

- 1.1 The Department for Transport (DfT) has allocated the Council a total of £7.312m through the Local Electric Vehicle Infrastructure grant fund, as below:

Type of Funding	Financial Year 2022-2023	Financial Year 2023-2024	Financial Year 2024-2025
Capability	£127,440	£290,280	£290,280
Capital	n/a	£6,604,000	n/a
Total	£7,312,000		

- 1.2 Funding will be issued to the Council as non-ringfenced grant payments under Section 31 of the Local Government Act 2003, for resource expenditure.
- 1.3 In accepting the grant, the Council accepts responsibility for meeting any costs over and above the DfT's contribution set out in Paragraph 1.1, including potential cost overruns and the underwriting of any funding contributions expected from third parties.
- 1.4 The Council will be asked to provide the DfT with a full breakdown of how the funding has been used or has otherwise been allocated for future use.
- 1.5 Following the payment made in Financial Year 2022-2023, an annual payment will be made in Financial Year 2023-2024 following a refreshed proposal for Financial Year 2023-2024 and Financial Year 2024-2025.
- 1.6 Financial Year 2024-2025 grant payments will be made in summer 2024. The DfT may withhold this payment should satisfactory progress not be made against objectives and planned utilisation of resource, as agreed through the proposal submitted in May 2023.
- 1.7 The DfT recognises that deviation from agreed plans may occur, but requests that the Council notifies and agrees changes with the DfT ahead of time to ensure Financial Year 2024-2025 payments can occur promptly. Deviating from the agreed plans without notifying the DfT could mean Financial Year 2024-2025 grant payments are withheld.

- 1.8 It is important to note that the availability of LEVI grant funding has meant the Council does not need to take up previously secured Capital reserve funding of £1.65m secured for financial years 2022-2023, 2023-2024 and 2024-2025.

Legal

- 2.1 The Director of Legal and Democratic Services will provide advice as necessary on the individual projects included in the Council's LEVI agenda.

Human Resources

- 3.1 The capability funding allocations provides sufficient funding to support the creation of up to five additional posts across grades 8 to 12 over the period up to end of March 2025.
- 3.2 Given the limited timespan of the project and the funding, it is proposed the new posts be recruited on a fixed term basis thereby avoiding any redundancy or strain costs to the service.
- 3.3 Due regard has been given to the Council's current financial challenges in developing this proposal and recruitment will be undertaken in line with Council policy.

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 At this stage, an equalities impact assessment is not required. However, as individual projects emerge officers will review the need and complete assessments as appropriate.

Corporate objectives and priorities for change

- 6.1 Development of the public charging network directly contributes to the Council Plan objectives to create a 'green and prosperous economy' in Derbyshire.
- 6.2 Development of a public charging network supports the Council's commitments to tackling climate change and reduce vehicle borne emissions, as set out in the Derbyshire County Council Climate Change Strategy (2021-2025) and Zero Emission Vehicle Strategy (2019-2029).

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.

Copies of Grant Award Letters



Ms Emma Alexander
Managing Director
Derbyshire County Council
County Hall
Matlock
DE4 3AG

From the Minister of State
The Rt Hon Jesse Norman MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: jesse.norman@dft.gov.uk

Web site: www.gov.uk/dft

27 February 2023

Dear Emma,

Award of Local Electric Vehicle Infrastructure (LEVI) Capability Fund

I am pleased to inform you that Derbyshire County Council has been allocated up to £127,440 under the UK Government's Local Electric Vehicle Infrastructure (LEVI) Capability Fund. The funding will be available in 2022/23 financial year as a single grant payment under Section 31 of the Local Government Act 2003.

As set out in the Government's EV charging [Infrastructure Strategy](#), local authorities have a key role to play in the deployment of local EV infrastructure. This scheme will provide an injection of upfront resource funding to help ensure local authorities in England have dedicated staff to undertake the planning and delivery of local EV chargepoints in their areas, especially for residents without off-street parking. Information on future years' funding will follow in due course.

The Department looks forward to receiving your proposals for the funding and continue to work closely with Derbyshire County Council in order to achieve the Government's vision for the national charging infrastructure network and deliver on the needs of current and future EV drivers in your area.

Yours sincerely,

A handwritten signature in black ink that reads "Jesse Norman".

**RT HON JESSE NORMAN MP
MINISTER OF STATE FOR TRANSPORT**



Department
for Transport

Ms Emma Alexander
Managing Director
Derbyshire County Council
County Hall
Matlock
DE4 3AG

From the Minister of State
The Rt Hon Jesse Norman MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: jesse.norman@dft.gov.uk

Web site: www.gov.uk/dft

30 March 2023

Dear Emma,

Award of Local Electric Vehicle Infrastructure (LEVI) Funding

Today, the Government has launched a consultation on the final proposals for a world leading zero emission vehicle (ZEV) mandate, helping to accelerate the UK's transition to net zero. Local authorities have a vital role to play in ensuring the future charging network continues to grow to support EV uptake.

The Department is pleased to inform you that Derbyshire County Council has been provisionally allocated up to £6,604,000 capital and £580,560 capability funding under the UK Government's Local Electric Vehicle Infrastructure (LEVI) Fund. These grant payments will be made under Section 31 of the Local Government Act 2003.

The LEVI capability funding is further to that awarded in financial year 2022/23 and is available across financial years 2023/24 and 2024/25. The LEVI capital funding will be delivered in two tranches and is available in either financial year 2023/24 or 2024/25. Funding is dependent on suitable plans agreed by the Department for Transport.

The LEVI Fund will help local authorities in England significantly scale up the delivery of local chargepoints, enabling more residents, especially those without off-street parking, to switch to EVs. As a critical enabler, capability funding will ensure local authorities have dedicated staff to undertake the planning and delivery of charging infrastructure, while capital funding will support chargepoint purchase and installation costs.

The Government continues to make further support available for chargepoints in workplaces, rented properties and small accommodation businesses, ensuring a wider charging network is in place to cater for the increasing demands from residents, visitors and businesses making the switch to EVs.

The Department looks forward to continuing to work closely with Derbyshire County Council to accelerate local chargepoint rollout and deliver on the needs of current and future EV drivers in your area.

Yours sincerely,

RT HON JESSE NORMAN MP
MINISTER OF STATE FOR TRANSPORT