

# North Yorkshire Council

## Environment Executive Member

22 February 2024

### Local Electric Vehicle Infrastructure (LEVI) Capital Fund – Grant Acceptance

#### Report of the Assistant Director – Highways & Transportation, Parking Services, Street Scene and Parks & Grounds

#### 1.0 PURPOSE OF REPORT

- 1.1 To recommend that the Corporate Director for Environment in consultation with the Deputy Leader of the Council, the Executive Member for Highways & Transportation, and the Corporate Director Resources', accepts a grant award of £4.88m

#### 2.0 SUMMARY

- 2.1 This report sets out the background and information about the Local Electric Vehicle Capital Fund (LEVI), how much funding we have been offered by the Office for Zero Emission Vehicles as well as considering the legal, financial and equalities implications of accepting the funding.

#### 3.0 BACKGROUND

- 3.1 UK Government has created several grant schemes to help enable the charging of Electric Vehicles (EVs) at home, in the workplace and on local streets. The Local Electric Vehicle Infrastructure (LEVI) is a £400m scheme operated by the Office for Zero Emission Vehicles (OZEV) and supported by £50m resource funding (£10m has already been allocated to fund a LEVI pilot scheme).

- 3.2 For more background information please see the Local EV Infrastructure Fund Allocation – Acceptance report<sup>1</sup> (2023).

- 3.3 There are three main strands to this fund:

1. LEVI pilot fund – delivery of innovative Electric Vehicle Charging Points (EVCPs) delivery projects
2. LEVI capability fund – to increase local authority resourcing for the planning and delivery of EV Infrastructure.
3. LEVI Capital fund – to support deployment of infrastructure ahead of need

- 3.4 LEVI pilot fund - We made a successful bid to the LEVI Pilot fund securing £2m towards the delivery of a £2.2m scheme which will provide 70 EVCPs (more information can be found in the BES Executive Report from 16 June 2022) by 31 March 2025. We will co-locate EVCPs with battery storage powered by renewables over two rural sites in each of our seven areas. These EVCPs will provide a solution that can be tested and, if successful, be rolled out en-masse to overcome the challenges of delivery in rural areas.

- 3.5 Further, OZEV decided to upscale the LEVI Pilot fund and asked for expressions of interest in respect of capital delivery of additional EVCPs through the LEVI Pilot Upscaling Fund. The focus has shifted, however, from schemes in the original LEVI Pilot fund which offered scaled commercial innovation to schemes which can offer high volume rollout of EVCPs. NYC's proposal is to deliver 82 chargers (additional to the original 70 outlined at section

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<sup>1</sup> [Local EV Infrastructure Fund Allocation – Acceptance](#)

3.4), at locations identified in the site selection exercise, undertaken as part of the EV Public Charging Infrastructure Rollout Strategy. We were awarded an additional £1,237,000 which means we have received a total of £3.237m from the LEVI Pilot fund. These EVCP's are expected to be delivered by 31 March 2025.

- 3.6 LEVI capability fund – The first round of the capability fund launched on 27 February 2023, designed to increase capacity and capability of local authorities, and we proposed to use this funding to cover the salaries (including on costs) of the EVI Project Delivery Manager and some Transport Officer and Senior Transport Planning Officer time. Local authorities (LA's) were given an indicative allocation and had to provide justification. In Round 1 we received £88,920 funding, the detail on this can be found in a report to the Executive Member for Highways and Transportation on 09 March 2023<sup>2</sup>.
- 3.7 A second round of Capability Funding was launched on March 30 2023, for Tier 1 local authorities in England and we received an allocation of £405,080 (£202,540 annually for two years) through this fund. More information on this fund can be found a report to the Executive Member for Highways and Transportation on 25 August 2023<sup>3</sup>.
- 3.8 LEVI capital fund - OZEV announced the LEVI capital fund on 30 March 2023 with an indicative allocation of £4,880,000 for North Yorkshire. This is to enable rollout of a much greater number of chargers than we have been able to attract funding for so far. North Yorkshire Council submitted an expression of interest<sup>4</sup> and second stage application<sup>5</sup> which has now been approved by OZEV and the full offer of £4.88m has been made.
- 3.9 A summary of the LEVI Funding streams, and their status is below:

<b>Funding Source</b>	<b>Purpose</b>	<b>Funding Amount</b>	<b>What will be delivered</b>	<b>Status</b>	<b>Spend Date</b>
LEVI Pilot Funding	Innovative delivery of EVCPs	£2m - Capital	70 chargers powered by renewable technology linked to battery storage	Successful	31 Mar 2025
LEVI Pilot Upscaling	Extension of pilot scheme however funding focussed on rollout at scale given Ofgem regulation due 1st April which means that we do not pay for upgrades and reinforcement work to existing assets (still pay for new infrastructure)	£1.237m - Capital	80 chargers at an additional 17 sites not powered by renewables but some on-street charging	Successful	31 Mar 2025
LEVI Capability Fund Round 1	increase local authority resourcing for the planning and delivery of EV Infrastructure	£88.9k - revenue	Funding for an EV Infrastructure Team	Successful	31 Mar 2025

<sup>2</sup> [Local Electric Vehicle Infrastructure LEVI Capability Fund - Acceptance of Grant.pdf \(northyorks.gov.uk\)](#)

<sup>3</sup> [Local Electric Vehicle Infrastructure \(LEVI\) Capability Fund – Grant Acceptance](#)

<sup>4</sup> [Local Electric Vehicle \(EV\) Infrastructure Fund Allocation - Expression of Interest](#)

<sup>5</sup> [Local EV Infrastructure Fund Allocation – Approval to submit Stage 2 Application](#)

LEVI Capital Fund	to support deployment of infrastructure ahead of need	£4.88m - capital	Mass rollout of EVCP's	Successful	31 Mar 2025
LEVI Capability Fund Round 2	increase local authority resourcing for the planning and delivery of EV Infrastructure	£405,080 allocated over 2 FY - revenue	Funding for an EV Delivery Manager and partial time supporting roles	Successful	31 Mar 2025

#### 4.0 LEVI CAPITAL FUND

- 4.1 The UK Government's LEVI Fund supports local authorities in England to work with the charge point industry, to improve the roll out and commercialisation of local charging infrastructure. These EVCP's are intended to help residents who don't have access to off-street parking and need to charge their electric vehicle (EV). The fund includes:
- Capital funding to contribute to the costs of delivering charge points.
  - Capability funding for local authorities to employ and train new staff specifically to plan and deliver charge point infrastructure. NYC has accepted £493,980 from this fund as detailed in a report taken to Environment Executive Members on 25 August 2023<sup>6</sup>.
- 4.2 OZEV announced the LEVI capital fund on 30 March 2023 with an indicative allocation of £4,880,000 for North Yorkshire, covering FY23/24 and 24/25. For local authorities to access their indicative funding, they must follow a three-stage process:
1. Stage 1 – Expression of Interest
  2. Stage 2 – business case, criteria compliance, and tender document review
  3. Stage 3 – contract review
- 4.3 The LEVI funding can be spent on all capital costs associated with the installation of EVCPs. This includes charge point hardware, electrical connection costs, civil engineering costs and other installation costs. The LEVI Fund is intended to fund primarily lower powered local charge points. Rapid charging is eligible for funding as part of projects, but it's expected that most of the funding supports delivery of lower powered charge points in line with LEVI Fund objectives.
- 4.4 NYC submitted an application and grant documentation to the LEVI Support Body on 19 September 2023. We have now been informed NYC has been awarded the full allocation of £4,880,000. This funding brings the total funding awarded to NYC to £8,117,000.
- 4.5 This grant funding will enable us to deliver EVCP's to meet demand for EV charging infrastructure and our target number of EVCP's by 2030. NYC has forecast that by 2030 there will be a total requirement for 3,161 publicly accessible EVCPs across the region, half of which need to be delivered by the public sector, it was forecast that this would cost NYC £10.3m to deliver and our total capital grant funding, if we accept the £4.88m grant offered, is £8.037m which goes a significant way toward that amount. We expect the private sector to invest additional monies to the network which would help us to reach that target.
- 4.6 In order to meet the grant spending deadline for the LEVI Pilot scheme, Upscaling Scheme and the LEVI Capital Fund, the procurement for the EV chargers must begin as soon as possible and as one procurement exercise to achieve economies of scale.

<sup>6</sup> [Local Electric Vehicle Infrastructure \(LEVI\) Capability Fund – Grant Acceptance](#)

- 4.7 Further, as the Unitary Authority was formed on 01 April 2023, the former Ryedale District Council were about to launch a procurement exercise for delivery of their On-Street Residential Charging Point Scheme (ORCS) worth £198,000, to deliver EVCPs at 10 rural locations across the area. After taking advice from procurement colleagues these EVCP's were also added to the same contract.
- 4.8 Officers have consulted with OZEV regarding the proposal to undertake a single tender exercise for all LEVI and ORCS grant funding allocations. OZEV have agreed in writing for NYC to undertake one procurement exercise for all four grant funds owing to economies of scale and private sector investment that can be realised as a result.
- 4.9 NYC has been issued an overall score of lower than 4 (4 is considered 'Excellent' by OZEV) for the application and draft procurement documentation and as a result NYC must complete a Post Approval Action Plan (PAAP) which outlines improvements required to the documentation to reach a score of 4.
- 4.10 The Grant Determination letter, Memorandum of Understanding and NYC bank details must be signed by NYC and returned to OZEV by 01 March. If documents are not received by this date, it may put the grant at risk.
- 4.11 Following receipt of the documents OZEV will issue 90% of the funding but before any procurement exercise can be launched, we must discuss and agree, with OZEV, detailed improvements to the procurement via the PAAP and then remaining 10% of funding will be released.

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Alternative options have been considered and consulted on (internally and with the LEVI Support Body) throughout the application and tender documentation development and the final recommendation is a result of the feedback received from those key stakeholders and the experience of officers.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1 The Section 31 Award Letter attached at Appendix A confirms that a capital grant payment of £4,880,000 will be made to North Yorkshire Council under Section 31 of the Local Government Act 2003 for the period to 31 March 2025, though the spending deadline can be extended beyond this date, in agreement with OZEV, if there are delays. This funding will be used to implement NYC's proposal to install more public EVCPs. No Match funding is needed to accept this grant.
- 6.2 The funding will be provided as a non-ringfenced capital grant which must be used against capital expenditure. The conditions of the grant are outlined in the Grant Determination Letter which can be found at Appendix A. A Memorandum of Understanding (MOU) outlining the agreement between North Yorkshire Council and the Department for Transport is attached at Appendix B.
- 6.3 The Department proposes to issue 90% of the funding following receipt of the Grant Determination Letter, signed by the Authority. The Authority agrees not to proceed to procurement using this funding until completion of post-approval actions (see section 7.3 of the MOU Appendix B) and the Department's approval of the Authority's invitation to tender documentation (see section 7.4 of the MOU). The remaining 10% of the allocation will be issued following the Department's approval of the Authority's proposed procurement contract(s) (see section 7.5 of the MOU). The indicative allocation by financial year is set out in the following table:

Financial Year	Total (£)
2023/24	£4,392,000
2024/25	£488,000
Total	£4,880,000

6.4 By accepting the grant NYC accepts responsibility for meeting any costs over and above the Department's contribution set out in Clause 3.1, including potential cost overruns and the underwriting of any funding contributions expected from third parties. The scheme is scalable and therefore could be reduced to fit the capital funding available. Officers have developed an Invitation to Tender (ITT) in line with the Office for Zero Emission Vehicles guidance, which sets out that private sector investment in the scheme is expected. The North Yorkshire Council strategy sets out that it will seek a concession contract, which is a delivery model that requires private sector involvement to increase the public sector funding. If private sector investment is not forthcoming, then we will seek feedback from the market and retender based on the information provided.

## 7.0 LEGAL IMPLICATIONS

7.1 The MOU with the Department for Transport has been reviewed by NYC's legal team. Expenditure of the Grant shall be in accordance with the Council's Procurement and Contract Procedure Rules and where relevant the Public Contracts Regulations 2015.

7.2 The Grant will be subject to the Subsidy Control Rules (formerly State Aid Regulations). The Subsidy Control Rules will apply in how NYC spends the Grant. Subsidy Control Rules do not apply for receipt of the Grant. If NYC spend the Grant pursuant to its own Contract and Procurement Rules, then it is unlikely that Subsidy Control Rules will apply, as they will be inviting bids for paid services. However, if the Grant monies are intended to be awarded to a third party via a grant or similar, then Subsidy Control Rules may apply upon which further advice should be obtained from legal.

## 8.0 EQUALITIES IMPLICATIONS

8.1 Consideration has been given to the potential for any equality impacts arising from the recommendations. It is the view of officers that at this stage the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A copy of the Equality Impact Assessment screening form is attached as Appendix C.

## 9.0 CLIMATE CHANGE IMPLICATIONS

9.1 A climate change impact assessment has been carried out, see Appendix D. Accepting the recommendation to accept the grant will have no direct climate change impact but the increased availability of EVCPs will have a positive impact on transport emissions by enabling the increased take up of alternative fuels for personal and commercial vehicles. This will directly contribute to the council's Climate Change Strategy and delivery pathway.

## 10.0 REASONS FOR RECOMMENDATIONS

10.1 It is not known when or how NYC would have another opportunity to deliver EV charging infrastructure at the pace and scale that this grant enables. The lack of EV charging infrastructure is the number one reason that our residents and businesses have told us they are reluctant to switch to EV and many visitors are unable to travel to and around North Yorkshire in their EV. When compared to the rest of the UK, the vehicle fleet in North Yorkshire has less EVs than the national average of 1.64%. We risk our residents and businesses being left behind if we do not accept this funding.

10.2 Overall this funding will enable us to realise our vision set out in the EV Charging Rollout Strategy<sup>7</sup> (2023) for “A decarbonised North Yorkshire where zero emission mobility is accessible and convenient to all, recognising the unique rural nature of the county, improving quality of place through better local air quality and health. A comprehensive network of electric charge points will support the uptake of electric vehicles for residents, visitors and businesses over the next 10 years, accelerating the transition to zero emission vehicles across North Yorkshire bringing new skills and investment to the local economy”.

#### **11.0 RECOMMENDATION(S)**

11.1 The Corporate Director for Environment in consultation with the Deputy Leader of the Council, the Executive Member for Highways & Transportation, and the Corporate Director Resources’, accepts a grant award of £4.88m

#### **APPENDICES:**

Appendix A – Grant Determination Letter  
Appendix B – Memorandum of Understanding  
Appendix C – Equalities Impact Assessment  
Appendix D – Climate Change Assessment

#### **BACKGROUND DOCUMENTS:**

[Local EV Infrastructure Fund Allocation – Acceptance](#)

[Local Electric Vehicle Infrastructure LEVI Capability Fund - Acceptance of Grant.pdf \(northyorks.gov.uk\)](#)

[Local Electric Vehicle Infrastructure \(LEVI\) Capability Fund – Grant Acceptance](#)

[Local Electric Vehicle \(EV\) Infrastructure Fund Allocation - Expression of Interest](#)

[Local EV Infrastructure Fund Allocation – Approval to submit Stage 2 Application](#)

[North Yorkshire Council Electric Vehicle Public Charging Infrastructure Rollout Strategy](#)

*Barrie Mason*

Assistant Director – Highways & Transportation, Parking Services, Street Scene and Parks & Grounds  
County Hall  
Northallerton  
01 February 2024

Report Author – *Keisha Moore, Senior Transport Planning Officer*  
Presenter of Report – *Keisha Moore, Senior Transport Planning Officer*

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<sup>7</sup> [North Yorkshire Council Electric Vehicle Public Charging Infrastructure Rollout Strategy](#)

## **LOCAL ELECTRIC VEHICLE INFRASTRUCTURE CAPITAL FUND GRANT DETERMINATION 2023: No 31/6965**

The Secretary of State for Transport (“the Secretary of State”), in exercise of the powers conferred by Section 31 of the Local Government Act 2003, makes the following determination:

### **Citation:**

1. This determination may be cited as the Local Electric Vehicle Infrastructure Capital Fund No 31/6965

### **Purpose of the grant:**

2. The purpose of the grant is to provide local authorities in England with funding towards expenditure lawfully incurred or to be incurred by them for the provision of electric vehicle chargepoints in its locality.

### **Determination:**

3. The Secretary of State determines the authorities to which grant is to be paid and the amount of grant to be paid; the authorities and the amounts are set out in Annex A.

### **Grant Conditions:**

4. Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Secretary of State determines that the grant will be paid subject to the conditions in Annex B.

### **Treasury Consent:**

5. Before making this determination in relation to local authorities in England, the Secretary of State obtained the consent of the Treasury.

### **Branding:**

6. The Grant Recipient shall at all times during and following the end of the Funding Period:
  - 6.1. comply with the requirements of the Branding Manual in relation to the Funded Activities and
  - 6.2. cease use of the Funded by UK Government logo on demand if directed to do so by the Authority.
  - 6.3. Branding Manual means the HM Government of the United Kingdom of Great Britain and Northern Ireland Branding Manual Funded by UK Government published by the Cabinet Office in November 2022 which is available at [gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/](https://gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/)

Signed by authority of the Secretary of State for Transport:

**Lucy Kavanagh**  
**Deputy Director and Interim Joint Head, Office for Zero Emission Vehicles**

## ANNEX A

<b>Authorities to which grant is to be paid</b>	<b>Amount of grant to be paid</b>
Bedford	£1,010,000
Blackburn with Darwen	£1,608,000
Blackpool	£1,708,000
Bournemouth, Christchurch and Poole	£1,447,000
Bracknell Forest	£326,000
Brighton and Hove	£2,865,000
Buckinghamshire	£1,991,000
Cambridgeshire and Peterborough Combined Authority	£5,437,000
Central Bedfordshire	£1,413,000
City of Westminster	£1,262,000
Cheshire East	£2,172,000
Cheshire West and Chester	£2,049,000
Cornwall & Scilly	£5,509,000
Cumberland	£3,465,000
Derby	£1,758,000
Derbyshire	£6,604,000
Devon	£7,067,000
Dorset	£2,490,000
East Riding of Yorkshire	£2,326,000
East Sussex	£4,441,000
Essex	£8,382,000
Gloucestershire	£3,107,000
Greater Manchester Combined Authority	£16,158,000
Hampshire	£6,662,000
Herefordshire, County of	£1,124,000
Hertfordshire	£6,015,000
Isle of Wight	£1,625,000
Kent	£12,081,000
Kingston upon Hull, City of	£2,840,000
Lancashire	£10,111,000
Leicester	£3,380,000
Leicestershire	£3,151,000
Lincolnshire	£5,620,000
Liverpool City Region	£9,647,000
London Borough of Bexley	£3,801,000
London Borough of Enfield	£4,783,000
London Borough of Hackney	£1,360,000
London Borough of Hammersmith	£7,544,000
London Borough of Hounslow	£1,102,000
London Borough of Lambeth	£5,702,000
London Borough of Kingston upon Thames	£886,000



Appendix A

<b>Authorities to which grant is to be paid</b>	<b>Amount of grant to be paid</b>
London Borough of Richmond upon Thames	£2,576,000
London Borough of Tower Hamlets	£2,355,000
London Borough of Waltham Forest	£4,327,000
Luton	£1,273,000
Medway	£2,124,000
Milton Keynes	£1,642,000
Norfolk	£6,468,000
North East Joint Transport Council	£15,829,000
North East Lincolnshire	£1,431,000
North Lincolnshire	£925,000
North Northamptonshire	£2,895,000
North Somerset	£851,000
North Yorkshire	£4,880,000
Nottingham	£1,704,000
Nottinghamshire	£5,522,000
Oxfordshire	£3,655,000
Plymouth	£2,415,000
Portsmouth	£3,682,000
Reading	£866,000
Rutland	£257,000
Shropshire	£2,006,000
Slough	£2,233,000
Somerset	£3,783,000
South Yorkshire Combined Authority	£8,915,000
Southampton	£1,630,000
Southend-on-Sea	£1,448,000
Staffordshire	£4,588,000
Stoke-on-Trent	£2,693,000
Suffolk	£5,337,000
Surrey	£2,042,000
Swindon	£1,942,000
Tees Valley	£6,596,000
Telford and Wrekin	£1,020,000
Thurrock	£515,000
Torbay	£958,000
Warrington	£926,000
Warwickshire	£3,295,000
West Berkshire	£382,000
West Midlands Combined Authority	£14,549,000
West Northamptonshire	£2,853,000
West of England Combined Authority	£6,644,000
West Sussex	£4,100,000
West Yorkshire Combined Authority	£14,326,000

**Appendix A**

<b>Authorities to which grant is to be paid</b>	<b>Amount of grant to be paid</b>
Westmorland and Furness	£3,205,000
Wiltshire	£3,889,000
Windsor and Maidenhead	£927,000
Wokingham	£264,000
Worcestershire	£3,481,000
York	£746,000

**ANNEX B**

**GRANT CONDITIONS**

1. Grants paid to a local authority under this determination may be used only for the purposes that a capital receipt may be used in accordance with regulations made under section 11 of the Local Government Act of 2003.
2. The Chief Executive and Chief Internal Auditor of each of the recipient authorities are required to sign in the below boxes and return this document to [EV-Infrastructure@df.gov.uk](mailto:EV-Infrastructure@df.gov.uk) and [LEVI@est.org.uk](mailto:LEVI@est.org.uk), to be received no later than 1 March 2024, in the following terms:
  - “To the best of our knowledge and belief, having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the LEVI Capital Fund No 31/6965 will be complied with by 31 March 2025”.
3. If an authority fails to comply with any of the conditions and requirements in this Grant Agreement, the Secretary of State may -
  - a. reduce, suspend or withhold grant; or
  - b. by notification in writing to the authority, require the repayment of the whole or any part of the grant.
4. Any sum notified by the Secretary of State under paragraph 3(b) shall immediately become repayable to the Secretary of State.

**Signed on Behalf of North Yorkshire Council**

<b>Name</b>	
<b>Title</b>	
<b>Signature</b>	
<b>Date</b>	

**MEMORANDUM OF UNDERSTANDING**  
*Between*  
**Department for Transport**  
*-and-*  
**North Yorkshire Council**

## 1 Purpose

- 1.1 This Memorandum of Understanding ('MoU') sets out the terms, principles and practices that will apply to the working relationship between the Department for Transport ('the Department') and North Yorkshire Council ('the Authority') (collectively 'the Parties') regarding the administration and delivery of the Local Electric Vehicle Infrastructure (LEVI) Capital Fund.

## 2 Background

- 2.1 On 30 March 2023 the Department announced an indicative £4,880,000 funding for North Yorkshire Council as part of the LEVI Capital Fund.
- 2.2 This funding is intended to form part of the necessary investment required for the delivery of local electric vehicle charging infrastructure, as outlined in the LEVI Fund proposal submitted to the Department by the Authority.
- 2.3 This MoU covers the funding commitments from the Department and the financial expenditure, agreed milestones and use of funding and monitoring and evaluation between the Parties.

## 3 Funding Allocation

- 3.1 The Department proposes to provide £4,880,000 capital funding across financial years 2023/24 and 2024/25.
- 3.2 The Department proposes to issue 90% of the funding following receipt of the Grant Determination Letter, signed by the Authority. The Authority agrees not to proceed to procurement using this funding until completion of post-approval actions (see section 7.3) and the Department's approval of the Authority's invitation to tender documentation (see section 7.4). The remaining 10% of the allocation will be issued following the Department's approval of the Authority's proposed procurement contract(s) (see section 7.5). The indicative allocation by financial year is set out in the following table:

Financial Year	Total (£)
2023/24	£4,392,000
2024/25	£488,000
Total	£4,880,000

## 4 Objectives of the Grant

- 4.1 The LEVI Capital Fund aims to achieve the following objectives:
- i. deliver a step-change in deployment of local, primarily low power on-street charging infrastructure across England.
  - ii. accelerate the commercialisation of, and investment in, the local charging infrastructure sector.

## 5 Purpose of the Grant

- 5.1 The Authority agrees to use the funding allocated for the purposes outlined in their proposal as agreed by the Department.
- 5.2 The Authority should liaise with the Department in writing to agree details of the proposal before proceeding to tender or procurement, as per the post approval actions plan.
- 5.3 The Authority agrees to utilise funding for the following purposes:
  - i. The purchase cost of the charging unit.
  - ii. Other hardware costs associated with the installation, for example, gullies, solar canopies or battery storage.
  - iii. The cost of associated electrical connection components including distribution network operator (DNO) connection costs, smart charging and vehicle-to-grid technology costs.
  - iv. The costs of civil engineering works related to the installation.
  - v. Labour costs of the installation.
  - vi. The applicable, reasonable and invoiced capital costs of associated planning costs, including section 50 licences, installing a parking bay and required traffic regulation orders.
- 5.4 The Parties are responsible for managing their own carbon footprint and should be mindful of their carbon impact as a result of following electric vehicle (EV) strategies and the installation of EV infrastructure. Guidance is available from Energy Saving Trust and the Carbon Trust.

## 6 Outcomes of the Grant

- 6.1 The Authority agrees to use the grant to deliver value for money EV charging infrastructure for its locality as outlined in the proposal submitted to the Department subject to agreement of detailed changes as outlined in paragraph 5.2.

## 7 Financial Arrangements

- 7.1 The agreed funds will be issued to the Authority as a non-ringfenced grant payment under Section 31 of the Local Government Act, available online here: <http://www.legislation.gov.uk/ukpga/2003/26/section/31>.
- 7.2 Funds will be used for capital expenditure as stated in the Grant Determination.
- 7.3 The Authority agrees to work collaboratively with the Department and the LEVI Support Body to refine the details of the proposal to better meet the aims of the Fund via the post-approval actions plan.
- 7.4 The Authority agrees to share the finalised invitation to tender (ITT) with the Department for review before the Authority goes to procurement.
- 7.5 The Authority agrees to submit any procurement contract with its suppliers to the Department for review **prior to signing the procurement contract**. The Department reserves the right to request a new competitive tender process should the Authority's contract(s) significantly deviate from the proposed contractual terms in the application approved by the Department.
- 7.6 The Authority accepts responsibility for meeting any costs over and above the Department's contribution set out in Clause 3.1, including potential cost overruns and the underwriting of any funding contributions expected from third parties.

## **8 Monitoring and Evaluation**

- 8.1 The Authority will provide quarterly written reports to the Department and the LEVI Support Body, in such a format that the Department will provide, demonstrating that outputs and outcomes are being met in line with the approved proposal.
- 8.2 The Authority agrees to include the following information in the quarterly report:
- i. Funding that has been spent supported by invoices.
  - ii. Planned expenditure
  - iii. Updates on key project milestones and risks
  - iv. Number and location of chargepoints delivered
  - v. Procurement and governance plans
  - vi. Proposed changes to approved project(s)
  - vii. Stakeholder engagement
- 8.3 The Authority agrees to share relevant timely data and information as requested by the Department and/or its contractors, for the purposes of programme assurance, monitoring and evaluation, including data on the usage of chargepoints, in such a format that the Department will provide.
- 8.4 The Department may contact the Authority to collect information to support the Department's understanding of the effective use of the grant. This will be evaluated by the Department and reported back to Ministers to inform the allocation of any future funding.
- 8.5 The Department reserves the right to publish relevant data and use it to inform public statements.

## **9 Adherence to National Guidance**

- 9.1 The Authority agrees to follow relevant national guidance in the course of the scheme development and implementation.
- 9.2 This includes the Government's EV Infrastructure Strategy (published in March 2022) which outlines the vision for EV charging in the UK, and the roles and responsibilities for different types of local authority.

## **10 Changes to Approved Project/Programme**

- 10.1 The Authority agrees to comply with the terms of the proposal, including completing post approval actions, as outlined in paragraph 5.2, as approved in accordance with the terms of this MoU.
- 10.2 In the event that the Authority becomes aware that there may be a deviation from these terms then the Department should be informed in writing as soon as possible, in addition to the monitoring and evaluation reporting.
- 10.3 The Authority agrees to work with the Department to ensure the terms proceed as agreed and/or to pay for any work done which has already deviated from the terms.

## **11 Compliance**

- 11.1 The Authority agrees to comply with all applicable procurement laws when procuring goods and services in connection with the LEVI Capital Fund and the Department shall not be liable for the Authority's failure to comply with its obligations under any applicable procurement laws.
- 11.2 The Authority agrees to ensure that its use of funding complies with the UK's international and legislative obligations in relation to the Subsidy Control Act 2022
- 11.3 The Authority agrees to maintain appropriate records of compliance with the relevant subsidy control regime and will take all reasonable steps to assist the Department to

comply with the same and respond to any proceedings or investigation(s) into the use of the funding by any relevant court tribunal, relevant jurisdiction or regulatory body.

- 11.4 The Authority acknowledges and represents that the funding is being awarded on the basis that the use of the grant will not affect trade in goods and electricity between Northern Ireland and the European Union and shall ensure that the funding is not used in a way that breaches any legislative requirements in the Subsidy Control Act 2022.
- 11.5 The Secretary of State may require repayment of any of the grant already paid, together with interest from the date of payment, if the Secretary of State is required to do so as a result of a decision of a court, tribunal or independent body or authority of competent jurisdiction.
- 11.6 The Authority should ensure they comply with the Public Sector Equality Duty under the 2010 Equality Act. This includes considering impacts of the project on protected characteristic groups during the scheme design process and in the monitoring and evaluation stage.
- 11.7 The Department reserves the right to reduce, suspend or withhold any grant funding from other grants provisionally awarded by the Department to the Authority, should the delivery of the approved proposal not progress as set out in the proposal, including identified areas for improvement, or the conditions of this MoU are not met.

## 12 Branding and Communication

- 12.1 The Authority agrees to give appropriate publicity to the Project by drawing attention to the benefits and opportunities it affords. In acknowledging the Government's contribution, the Authority must comply with any guidance on publicity provided by DfT, and must, in particular, acknowledge that the Project has received grant from the UK Government. Wherever practicable, publicity material must include the Funded by UK Government logo, per the UK Government Branding Manual which is available at [gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/](https://gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/)

## 13 Compliance with the MoU

- 13.1 The Parties to this MoU are responsible for ensuring that they have the necessary systems and appropriate resources in place within their respective organisations to comply fully with the requirements of the MoU.

## 14 Legal Enforcement

- 14.1 This MoU is not legally enforceable. It describes the understanding between both Parties for the use of funding specified in Clause 3 of this agreement.

### Signed on Behalf of the Authority:

Name:

Title:

### Signed on Behalf of the Department (Deputy Director):



Lucy Kavanagh

Deputy Director and Interim Joint Head, Office for Zero Emission Vehicles

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Environment		
Service area	H&T		
Proposal being screened	Local Electric Vehicle Infrastructure (LEVI) Capital Fund – Grant Acceptance		
Officer(s) carrying out screening	Keisha Moore		
What are you proposing to do?	To recommend that NYC accepts a grant award of £4.88m		
Why are you proposing this? What are the desired outcomes?	To enable the local authority to deliver EV infrastructure		
Does the proposal involve a significant commitment or removal of resources? Please give details.	Yes, but funding has been received to cover this cost		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC’s additional agreed characteristics</b> As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked ‘Don’t know/no info available’, then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don’t know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people’s access to public transport)? Please give details.	No		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with	No		



**Appendix C**

<p><b>protected characteristics?</b> Please explain why you have reached this conclusion.</p>				
<p><b>Decision (Please tick one option)</b></p>	<p>EIA not relevant or proportionate:</p>	<p>✓</p>	<p>Continue to full EIA:</p>	
<p><b>Reason for decision</b></p>	<p>At this stage accepting the funding will not lead to adverse impacts on protected groups, however, the delivery of EVCP infrastructure could adversely impact against some protected groups including age and disability.</p> <p>Ahead of project delivery a full EIA will be carried out, however, we have considered mitigation within the contract for the appointed supplier to ensure they are not adversely affected such as we will ensure the design of the EVCP's complies with PAS1899 accessibility standards and multiple payment methods are considered.</p>			
<p><b>Signed (Assistant Director or equivalent)</b></p>	<p>Barrie Mason</p>			
<p><b>Date</b></p>	<p>8 February 2024</p>			

## Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk)

**Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:**

Planning Permission  
Environmental Impact Assessment  
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact [climatechange@northyorks.gov.uk](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	Local Electric Vehicle Infrastructure (LEVI) Capital Fund – Grant Acceptance
<b>Brief description of proposal</b>	To recommend that NYC accepts a grant award of £4.88m
<b>Directorate</b>	Environment
<b>Service area</b>	Highways and Transportation
<b>Lead officer</b>	Keisha Moore
<b>Names and roles of other people involved in carrying out the impact assessment</b>	
<b>Date impact assessment started</b>	<b>01/02/2024</b>

**Options appraisal**

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

Alternative options have been considered and consulted on (internally and with the LEVI Support Body) throughout the EOI and application development and the final recommendation is a result of the feedback received from those key stakeholders and the experience of officers.

**What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

This funding will save the council using existing budgets to deliver the infrastructure. The infrastructure will generate revenue which NYC will get a share of and that will be used to cover our costs and eventually, when the network is profitable, reinvest in the network.

This funding enables us to work toward our targets highlighted the EV Public Charging Infrastructure Rollout Strategy of delivering a network of 1529 publically available chargers in the best interest of our residents, businesses and visitors.

A full Climate change assessment will be completed prior to delivery.

<p>How will this proposal impact on the environment?</p> <p><b>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
<p>Minimise <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel	*					
	Emissions from construction		*				
	Emissions from running of buildings		*				
	Other		*				
<p>Minimise <b>waste</b>: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		*					
<p>Reduce <b>water</b> consumption</p>		*					
<p>Minimise <b>pollution</b> (including air, land, water, light and noise)</p>		*					

<p>How will this proposal impact on the environment?</p> <p><b>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where relevant)</p>	<p><b>No impact</b> (Place a X in the box below where relevant)</p>	<p><b>Negative impact</b> (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure <b>resilience</b> to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		*				
<p>Enhance <b>conservation</b> and wildlife</p>		*				
<p>Safeguard the distinctive characteristics, features and special qualities of <b>North Yorkshire's landscape</b></p>		*				
<p>Other (please state below)</p>		*				

**Are there any recognised good practice environmental standards in relation to this proposal?** If so, please detail how this proposal meets those standards.

N/A

**Summary** Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Accepting the funding will have no climate change impact at this stage, but the overall project will have a positive impact. However, delivery of the infrastructure may have a negative impact which will be mitigated as much as possible through design of the charging points but also ensuring the supplier agrees to minimise their emissions throughout the lifecycle of the equipment including modularity of the product and recyclability of the components. Additionally, Construction emissions will be minimised wherever possible and the opportunity to provide EV infrastructure in North Yorkshire will reduce carbon emissions for road transport modes as people make the switch from an Internal Combustion Engine (ICE) to electric.

**Sign off section**

This climate change impact assessment was completed by:

<b>Name</b>	<b>Keisha Moore</b>
<b>Job title</b>	<b>Transport Planning Officer</b>
<b>Service area</b>	<b>Highways and Transportation</b>
<b>Directorate</b>	<b>Environment</b>
<b>Signature</b>	<b>Keisha Moore</b>
<b>Completion date</b>	<b>01/02/2024</b>

**Authorised by relevant Assistant Director (signature):** Barrie Mason

**Date:** 8 February 2024