

Open

# Overview & Scrutiny Committee

## Agenda

6pm  
Thursday, 1 December 2022  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster



## Overview & Scrutiny Committee

### Members of Committee:

**Chairman: Councillor M J Hart**  
**Vice-Chairman: Councillor S E N Rook**

**Councillor J Aston**

**Councillor N J Desmond**

**Councillor C Edginton-White**

**Councillor T L Onslow**

**Councillor D Ross**

**Councillor V Caulfield**

**Councillor P Dyke**

**Councillor S Miah**

**Councillor C Rogers**

**Councillor D R Sheppard**

**Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.**

### Information for Members of the Public:

**Part I** of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

**Part II** of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

### **Declaration of Interests by Members – interests of members in contracts and other matters**

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

### **Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)**

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

### **Co-opted Members**

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their committee in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.
- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

**For Further information:**

**If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email [louisa.bright@wyreforestdc.gov.uk](mailto:louisa.bright@wyreforestdc.gov.uk)**

Wyre Forest District Council

Overview & Scrutiny Committee

Thursday, 1 December 2022

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
1.	<b>Apologies for Absence</b>	
2.	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 3 November 2022.	6
5.	<b>Cost of Living Action Plan</b>  To consider a draft of a Cabinet report from the Head of Strategic Growth to seek approval to the cost of living action plan 2022-23.	8
6.	<b>Provision of Electric Vehicle Charging Infrastructure: Consideration of call-in request</b>  To consider the call-in request signed by Councillors N Desmond, C Rogers and I Hardiman.	16
7.	<b>Work Programme</b>  To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.	31

8.	<p><b>Press Involvement</b></p> <p>To consider any future items for scrutiny that might require publicity.</p>	
9.	<p><b>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	
10.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

11.	<p><b>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	
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WYRE FOREST DISTRICT COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

THURSDAY, 3 NOVEMBER 2022 (6PM)

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**Present:**

Councillors: M J Hart (Chairman), S E N Rook (Vice-Chairman), J Aston, V Caulfield, N J Desmond, P Dyke, C Edginton-White, T L Onslow, C Rogers, D Ross, D R Sheppard and A Totty.

**Observers**

Councillors: G W Ballinger, B Brookes, I Hardiman and M Rayner.

Observed remotely: Councillors: J F Byng and R H Coleman.

**OS.28 Apologies for Absence**

Apologies for absence were received from Councillor: S Miah.

**OS.29 Appointment of Substitutes**

Councillor A Totty was a substitute for Councillor S Miah.

**OS.30 Declarations of Interests by Members**

No declarations of interest were made.

**OS.31 Minutes**

**Decision: The minutes of the meeting held on 1 September 2022 be confirmed as a correct record and signed by the Chairman, subject to the following amendment:**

Councillor V Caulfield was present at the meeting.

**OS.32 Budget and Performance Monitoring Second Quarter 2022-23**

The Committee considered a draft of a Cabinet report from the Head of Resources and s151 Officer on the Council's financial and other performance at the end of Quarter 2 ending 30 September 2022. The report also presented the current projected outturn position for the 2022-23 financial year.

The Head of Resources and s151 Officer presented the report and outlined the key issues.

The Committee considered and fully scrutinised the report and each page of appendix 4 in turn. The Head of Resources, the Head of Revenues, Benefits

and Customer Services and the Head of Community and Environment Services were able to provide members with verbal responses to their questions.

**Agreed: The Overview and Scrutiny Committee noted the draft Cabinet report.**

**OS.33 Council Tax Reduction Scheme Review 2023/24**

The Committee considered a draft of a Cabinet report from the Head of Revenues, Benefits and Customer Services that provided the results of the consultation exercise that the Council is required to undertake if there are any proposed changes to the Council Tax Reduction Scheme.

The Head of Revenues, Benefits and Customer Services presented the report and outlined the key issues.

The Committee discussed the report and were given the opportunity to ask questions. Members acknowledged that for each financial year, every billing authority must consider whether to revise its scheme or replace it with another scheme. In light of the current cost of living crisis, the Committee unanimously agreed to support the recommendations as set out in the draft Cabinet report.

**Agreed: The Overview and Scrutiny Committee Recommend to Cabinet to recommend to Council that:**

**The minimum contribution for working age Council Tax Reduction Scheme claimants is reduced from 20% to 10% with effect from 1st April 2023.**

**OS.34 Work Programme**

The Committee reviewed and noted the updated work programme that was tabled at the meeting, for the remainder of the municipal year.

**OS.35 Press Involvement**

There were no further items for scrutiny that might require publicity.

There being no further business, the meeting ended at 6.48pm.

**Report of:** Kate Bailey

**Date** 01/12/2022

**Open**

## **Agenda Item 5 - Cost of Living Action Plan 2022/23**

### **Summary**

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 20 December 2022

The Overview and Scrutiny Committee is invited to consider the report and provide recommendations to Cabinet.

### **Officer contact details**

Name: Jennifer Moreton

Title: Principal Health and Sustainability Officer

Contact number: 2569



**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**20<sup>th</sup> December 2022****Cost of Living Action Plan 2022-23**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Councillor Nicky Martin – Cabinet Member for Housing, Health, Wellbeing and Democratic Services
<b>RESPONSIBLE OFFICER:</b>	Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Jennifer Moreton ext 2569 Rahma Dahir ext 2533
<b>APPENDICES:</b>	Cost of Living Action Plan

**1. PURPOSE OF REPORT**

The purpose of this report is to seek approval to the cost of living action plan 2022-23.

**2. RECOMMENDATION****2.1 The Cabinet is invited to:**

Agree the Cost of Living Action Plan.

**3. BACKGROUND**

- 3.1 The Council has worked to support households in economic distress for a number of years including through the use of the welfare assistance budget, Covid funding and more recently the Household Support Fund and have commenced work on a focused action plan to co-ordinate assistance across the Council.
- 3.2 At a full Council meeting on 21<sup>st</sup> September, Council decided an Emergency Summit should be held to explore how more local help can be provided for those struggling. The summit was held on 13<sup>th</sup> October and the Cost of Living Action Plan has been developed following this meeting. This meeting was well attended by partners from across the District. The summit attendees heard presentations from the Financial Inclusion Officers, County Council and Act on Energy on help currently available and identified future actions that could be considered in the Councils action plan.
- 3.3 The political and humanitarian turmoil of the Russian invasion of Ukraine has led to various consequences that have negatively affected the UK economy including higher energy prices and a global increase of inflation. Additionally, there has been an increase in inflation, with the Bank of England expecting the rate of inflation to peak at 11% in October. These impacts have affected many Britons in their day-to-day lives. The government has introduced policies to help manage the Cost of Living crisis however, much work is still yet to be done through the winter. The Government has announced the Energy Price Guarantee (EPG) on the 8<sup>th</sup> of September, this aims to cap the unit of energy. The EPG will cost the Government around £31 billion in 2022/23 and a further £29 billion for non-domestic users (business, charities, public sector, etc).

- 3.4 The Office of National Statistics has reported 93% of Adults in Great Britain reported an increase in their cost of living between August-September 2022. Britons are struggling this winter to put food on the table and it has been reported anecdotally that people have used their savings and opened credit cards to manage everyday life. Many people are finding it difficult to manage household bills and everyday spending.

#### **4. KEY ISSUES**

- 4.1 It will be essential to ensure officers are targeting information at those who might not come forward for help. In Wyre Forest this may include a focus on helping elderly people or those who are homeless or in temporary accommodation who might not have access to support or internet to find necessary information.
- 4.2 The Council have identified several key actions that need to be undertaken to best support the communities struggling in the cost of living crisis. This can be broken down into the following areas that will form actions within the plan.

##### **Raising Awareness**

The Cost of Living Crisis has proved that many people are unaware of the help that already exists. Wyre Forest District Council aims to raise awareness on the topic of Cost of Living whilst also promoting services the Council provides. It is important for officers to reach different groups and spread the awareness of services provided by the Council or its partners organisations. A big element of this is signposting people to organisations which could be helpful for them.

##### **Partnership working through the Cost of Living Summit**

From the feedback officers received from the Cost of Living Summit, organisations were very keen on working together to signpost and spread awareness of organisations and their services that could be useful. Officers will aim to hold at least one summit a year.

##### **Energy saving**

One of the major causes of the Cost of Living crisis is the increase of energy prices. Worcestershire has higher proportion of households living in fuel poverty than the national average, with particularly high proportions in Wyre Forest, Malvern Hill and Worcester. Recent increases in energy prices are very likely to exacerbate this for the most vulnerable families (60%+ in fuel poverty). Officers will work with organisations like Act on Energy and the private Sector Housing team to reduce fuel poverty and to raise awareness services to help people manage energy prices increasing.

##### **Warm Spaces**

The increase of Cost of Living crisis has called for Voluntary and Community Organisations and other organisations to think of create ways to tackle the problem. One way is setting up Warm Spaces. The "Warm Welcomes" website is the largest online host of information about Warm Spaces in the UK, with 3000 organisations registered this winter across the UK. These organisations have been helpful in providing a safe and warm spaces for their communities however, rising domestic bills costs also means the rise in non-domestic bills costs. Therefore, organisations require more support to meet their own energy costs in hosting these spaces,. Many councils have introduced grants to support these VCS, Wyre Forest District Council are in the process of allocating their Warm Spaces grant.

##### **Financial Assistance**

The Council currently provides a range of financial assistance to households including Discretionary Housing Payments, Council Tax Reduction Scheme, Housing Benefit, Welfare Assistance to help with food, utilities and furniture and help with rent bonds/deposits. Through the Private Sector Housing team, Health and Sustainability Team and Act on Energy there are also grants and loans available to improve the energy

efficiency / thermal comfort within people's homes. Further help will be made available to households through the distribution of the second tranche of the Household Support Fund.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The costs of delivering the plan mostly relate to staff time and grant funding that is available to the council through the Household Support Fund (est 207k), Contain Outbreak Management Fund (approximately 45k towards rent and mortgage arrears) and the health related ear marked reserves (approximately 10k). There is also funding for Discretionary Housing Payments of £108k.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The development and delivery of the action plan support the Council in its Corporate Plan priorities including to "support a successful local economy".
- 6.2 The council can support residents through welfare schemes and in other ways under a variety of powers including under general powers in section one of the Localism Act 2011, section 13A of the Local Government Finance Act 1992 and the Homelessness Reduction Act 2017.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 An equality impact screening assessment has been undertaken and no negative impacts identified. The plan includes actions aiming to help overcome barriers to people accessing support e.g. due to a language barrier, transport poverty or digital exclusion. The plan also includes schemes to support people most impacted by deprivation and health inequalities, such as support schemes for food and energy/ keeping warm.

**8. RISK MANAGEMENT**

- 8.1 Helping households to access financial assistance and maximise their income will support the council's wider ambitions around economic growth and helping the health and wellbeing of the residents of Wyre Forest.

**9. CONCLUSION**

- 9.1 A Cost of Living crisis is affecting many households in the District and the Council has responded by holding a Cost of Living Summit on the 13th of October 2022 and developing a Cost of Living action plan to support the community.
- 9.2 Existing council practice and insights gained from the Summit have created the actions in the plan.

**10. CONSULTEES**

- 10.1 CLT

**11. BACKGROUND PAPERS**

- 11.1 Not applicable

WFDC Cost of Living - 2022-23 Action Plan

Raising Awareness	Who?	Expected Outcomes/ Timescale	Resources required	Notes/ Further Info
<p>Utilising services to raise awareness on the Cost of Living including using the WFDC website to post inviting and useful information. Website to have messages about financial support and employment support provided by WFDC.</p>	<p>Media team &amp; H&amp;S Wyre Forest.</p>	<p>Amend website by December 2022</p>	<p>Officer time</p>	
<p>Introducing financial literacy through sessions and help with Financial Inclusion team Wyre Forest.</p>	<p>Financial Inclusion team</p>	<p>By the end of financial year</p>	<p>Officer time</p>	
<p>Creating a leaflet for Cost of Living Crisis including all services provided by WFDC and signposting other organisations.</p>	<p>Strategic Growth team</p>	<p>By December 2022</p>	<p>Design / printing leaflet</p>	
<p>Making WFDC a presence at schools and colleges; Making contacts at schools to promote services WFDC provides and signposting to organisations. Using schools newsletters to connect with parents. Liaising with Worcestershire Child First to work together on getting into schools. Meeting with Get Ready Steady Worcestershire to work on providing funding for children over school holidays</p>	<p>Community Builders. H&amp;S Team Financial Inclusion Officers</p>	<p>By March 2023</p>	<p>Officer time</p>	<p>Community builders have already established good connections with schools to work with.</p>

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<p>Reaching out to communities where there are barriers. Finding out more information to help access these communities e.g., Bangladeshi community where there is a language barrier. Connecting with community leaders to engage with and build a strong connection with to promote WFDC services that could help.</p>	<p>Councillors, community leaders &amp; H&amp;S team</p>	<p>By March 2023</p>	<p>Officer time</p>	
<p>Make the Council more accessible for people to approach re cost of living issues through Cost of Living Roadshows and outreach into communities including in the town centre and at different events, markets etc.</p>	<p>H&amp;S Team Financial Inclusion team</p>	<p>Attend a minimum of two events / venues per year.</p>	<p>Officer time</p>	
<p>Provide different ways for people to access services including options for those who are digitally deprived. Explore options around having specific telephone number for people to call.</p>	<p>H&amp;S team CS team</p>	<p>By March 2023</p>	<p>Leaflets and all services being accessible and available.</p>	
<p>Hosting further Cost of Living forums for organisations to come together and network to encourage partnership working and as a useful way of keeping current on new themes and problems and how to tackle them with organisations.</p>	<p>H&amp;S Team</p>	<p>Host a minimum of one event a year.</p>	<p>Officer time Small refreshment budget</p>	<p>Feedback from organisations last Cost of Living Forum recommended these event happen often so the problem of cost of living is tackled together.</p>

Energy saving	Who?	Timescale	Resources	Notes/ Further Info
Utilising the Household Support Fund; Helping people buy energy efficient kitchen appliances. Offering grants to organisations to help distribute this help to those in need.	Financial Inclusion team Housing Advice & Strategy and Enabling Teams Voluntary and Community Services	By March 2023	Household Support Fund	
Working on reducing carbon footprint and food wastage.	WFDC Wyre Forest Green Alliance.	By December 2023	Officer time	Working with Wyre Forest Green Alliance to promote education on how to reduce carbon footprint and increasing energy saving in households.
Signposting to Act on Energy and supporting their work on reducing energy inefficiency and fuel poverty	Act on Energy H&S	Ongoing.	Officer time	
Working together with organisations to push the agenda of sustainability e.g. Repair Cafes	H&S	Ongoing	Officer time	
Warm spaces	Who?	Timescale	Resources	Notes/ Further Info
Setting up Warm Spaces in the local area accessible to all individuals.	Strategic Growth team.	By December 2022.	Grant funding to support provision via health funding.	
Promoting the Warm Spaces grant provided by WFDC. This helps organisations with costs of Warm Spaces up to £1000.	Strategic Growth team.	In progress.	Grant funding to support provision via health funding..	

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Promoting these Warm Spaces using IT services on WFDC website and social media to help people identify and use them. Promoting Warm Spaces on the Warm Spaces HUB network which is Nationwide.	Strategic Growth and Media team.	In progress	IT services to provide up to date information on Warm Spaces where and when.	
<b>Training</b>	<b>Who?</b>	<b>Timescale</b>	<b>Resources</b>	<b>Notes/ Further Info</b>
Training front facing officers across the council to give advice re cost of living and where to go for help	H&S	By March 2023	Officer time	
<b>Financial assistance</b>	<b>Who?</b>	<b>Timescale</b>	<b>Resources</b>	<b>Notes/ Further Info</b>
Ensure take up of benefits and other forms or income and assistance (e.g. Council Tax Reduction Scheme) are maximised	Financial Inclusion Officers	Ongoing	Officer time	
Refresh the procedure for supporting tenants with rent arrears to provide financial support (via the prevention panel)	Housing Advice Team	March 2023	District Contain Outbreak Management Fund (COMF)	
Work with CHG to identify shared ownership cases in arrears and provide package of assistance	HAT / Strategy and Enabling team	March 2023	District COMF	
Grants /loans for energy efficiency improvements (insulation, heating improvements, solar panels); subject to eligibility criteria.	Private Sector Housing Team/ Act on Energy	Ongoing	Better Care Fund LADS3 and HUGS Eco4	

# Overview & Scrutiny Committee

**Report of: Ian Miller, Chief Executive and Kate Bailey, Head of Strategic Growth**

**Date**

01/12/2022

**Open**

**PROVISION OF ELECTRIC CHARGING INFRASTRUCTURE:  
CONSIDERATION OF CALL IN REQUEST**

**Summary**

- 1.1 This briefing note provides information on the points raised in the call in request (appendix 1) that has been signed by three Councillors who are not Cabinet members and by the Chairman of the Committee. The Overview and Scrutiny Committee is invited to consider the briefing note in reaching conclusions on which option to adopt (see paragraph 4.1). Members are reminded that the business case, attached to the Cabinet report of 9 November 2021, remains exempt from disclosure.

**Issues raised by the call in request**

- 2.1 The call in refers to the elapse of time since Council gave its authority to progress with the business case for electric charging infrastructure which demonstrated break even in year 7 of 10 years. It seeks confidence that the proposal still represents value for money and suggests that the business case should be re-evaluated in the light of inflationary cost pressures since the Cabinet decision was taken. It also seeks a “full cost appraisal of all delivery methods”. Three specific questions are raised:
- 1) Why has it taken 12 months since Council gave the green light for the tender process to formally begin and to award the contract in late December 2022?
  - 2) Can we have a detailed up to date business case that factors in the sharp rise in energy, labour, material and borrowing costs over the last 12 months to ensure the business case offers value for money?
  - 3) Can the Cabinet Member look in depth at all delivery models again, including the option of leasing to ensure the final delivery option is the most efficient and carries the least risk to the Council?
- 2.2 The timeline is as follows



April 2020 to October 2021	Consideration by the Cabinet’s Green Advisory Panel of various studies and reports, including the business case presented to Cabinet in November 2021
4 November 2021	Overview & Scrutiny consideration of Cabinet report and recommendations to Cabinet
9 November 2021	Cabinet report “Business case for the use of Electric Vehicle Chargepoints (EVC) on Council owned car parks”. Recommendations include a recommendation to Council to amend the capital programme and the revenue budget.
8 December 2021	Council approves recommendation to amend the capital programme. An amendment to defer the decision, to further investigate additional rapid charging points and also the means of delivery of the points, was defeated.
14 November 2022	Report approved by Cabinet member under “strong leader” model “Provision of Electric Vehicle Charging Infrastructure”. This dealt with approval of the tendering process and evaluation model.

**Commentary on the issues raised**

**Timeline from December 2021 onwards**

- 3.1 The business case for the external operator model delivery was presented to Cabinet and signed off by Council in December 2021 to be funded by borrowing by the Public Works Loan Board. Officers were then asked to consider whether any joint procurement could take place with Redditch and Bromsgrove councils who were also considering installation of EVCs across council owned sites. Meetings took place between officers in early 2022 over a couple of months until it was agreed separate procurement would need to take place due to the differing timelines.
- 3.2 The procurement officer and West Mercia Police procurement support were contacted in February to explore possible frameworks the council could use and this was provisionally confirmed towards the end of March.
- 3.3 In April officers from procurement and Strategic Growth then met the Energy Saving Trust to get some free technical expertise in the procurement process and work began on developing the specification, evaluation criteria etc. to enable the project to go out to tender via the framework and to review the process for submitting a bid for funding via the on-street parking route. The officer was writing the specification to align with the criteria for the On-Street Residential Chargepoint Scheme guidance for local authorities to try and maximise the chance of bringing in external funding (it is called “on-street” but some car parks may be eligible) which has added a layer of complication. The fund is for 2022/23 with no guarantee of funding in the next financial year.
- 3.4 Developing the specification and tender process has needed to fit in around the officer’s workload and has required much engagement from West Mercia Police procurement officers, the Council’s procurement officer, finance officers and the Contracts Officer as it is not a piece of work anyone in the Council

has previously undertaken so we have needed to seek expert advice along the way.

- 3.5 The initial “strong leader” report was developed in September 2022 but not completed until November due to other work commitments across the teams (including procuring green homes grant Local Authority Delivery Scheme 3 and Home Upgrade Grant Scheme work, and the cost of living summit mandated by Council in September and held in October), annual leave, needing to consult with West Mercia Police procurement officers and the statutory officers and resolve issues around the different evaluation criteria required for the different elements of the specification as there will be three different lots.

### **Updating the business case**

- 3.6 Any pause now to the process will introduce several months’ delay as a new specification for undertaking the analysis would have to be written, the service procured and work undertaken. This is likely to take a minimum of four to six months based on previous commissions, assuming officers could identify an appropriate external provider, and would have a further cost to commission external support. The fastest route to identifying whether the project is still financially viable is to follow the procurement process and see what prices come back from interested contractors. If submitted prices exceed the budget available, the Cabinet will have the choice of rescoping the project (i.e. to install fewer chargepoints than originally envisaged) or of seeking to allocate further capital resources to enable the full project to go ahead. As the business case is based on projections and average costs/ estimates from Cenex and WPD, the business case was always going to be subject to review potentially once the procurement exercise is concluded. The Council is behind other councils in the county and elsewhere in delivering EVCs in council-owned car parks and further delays would be damaging to the Council’s reputation, having declared a climate emergency in 2019. It would also affect other GAP projects such as the move to electrification of the fleet as part of the project includes providing EVCs at Green Street.

### **Leasing Model**

- 3.7 The business case for the installation and operation of electric vehicle chargepoints was supported by the cross-party Green Advisory Panel including the proposed method of delivery. The lease model was disregarded by the Panel as it meant the Council would have no operational control over the service delivered, which presented a reputational risk to council if there were problems with the equipment or charges made by the provider. Advice was given to officers by Cenex (the national experts in EVC) that any attempts to minimise this risk through contract terms could discourage service providers from bidding to provide the service. The success of the leasing model relies on sourcing an external supplier with the appetite to accept the financial risk, which will be dependent on the type of sites being offered and the revenue generating potential that they present. Thus, in less ideal sites where there isn’t much footfall e.g. council staff car parks, external suppliers

may refuse to install EVCs or seek additional contractual assurances to mitigate long-term risks, such as having autonomy over usage tariffs; a longer lease period; 24-hour access and/or favourable contract termination conditions. The small amount of revenue return the Council would obtain from leasing could therefore be lower, reduce the number of EVCs to only the busiest car parks and not balance out against the loss of revenue from the car parking spaces. In addition, the council may incur costs at the end of the contract period as the asset is transferred back.

- 3.8 Due to these issues, the Green Advisory Panel recommended the appropriate delivery model, as the “external operator model”. In the external operator model, the Council owns the EVCs and so provides the capital to undertake the works but the operation of the chargepoint is agreed with an external supplier with expertise in delivering the service. The external supplier then provides the back-office system at no direct cost, in return for a share of net revenue gathered by the chargepoint. This share is assumed to be 10% of the total revenue received.
- 3.9 The question of using the leasing model has been considered and rejected twice already in formal meetings of the Council: by Cabinet in not accepting the Overview and Scrutiny Committee’s recommendation in November 2021 and by full Council in rejecting the amendment to the Cabinet’s recommendation the following month. Against that background, it seems to officers unlikely that the Cabinet would accept at this late stage a further attempt to reopen the question of the delivery model, a matter that was settled a year ago and was fully in accord with the views of the cross-party Green Advisory Panel. Procurement on the basis of a different delivery model would also be likely to inject delay into the process as all the work done in the last several months has been based on the external operator model.

#### **4. Options**

- 4.1 The Committee is invited to consider the information in this report. It is invited: either a) to support the Cabinet decision to proceed with procurement of electric vehicle charging points; or b) to note the information in this briefing note and not to take any further steps; or c) to make such recommendations to Cabinet as it considers appropriate.

#### **5. Consultation**

- 5.1 CLT

#### **6. Related Decisions**

- 6.1 Strong leader decision, 14 November 2022  
6.2 Cabinet report, 9 November 2021  
6.3 Council amendment to capital programme, 8 December 2021

**7. Relevant Council Policies/Strategies**

- 7.1 Capital strategy 2022-2032, adopted by Council February 2022.
- 7.2 Council declaration of climate emergency, May 2019

**8. Appendices**

- 8.1 Appendix One – Strong leader decision notice, 14 November 2022 - Call-In Request
- 8.2 Appendix Two – Strong leader report, 14 November 2022

**Officer contact details**

Name: Kate Bailey

Title: Head of Strategic Growth

Contact number Ext 2560

**NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER**

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I Helen Dyke, as Strong Leader, delegate the decision to approve the procurement of the electric vehicle chargepoints to the Cabinet Member detailed below:

Cabinet Member- Graham Ballinger

Dated: 14<sup>th</sup> November 2022



Signed:

Leader of the Council

I:\Legal Services\LEGAL\_CSN\Delegations\2011\20110727 Template - Precedent Form Notice of Delegation of Decision to Cabinet Member by Strong Leader.doc

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

<b>Subject</b>	<b>Decision</b>	<b>Reason for decision</b>	<b>Date for Decision to be taken</b>
Procurement of Electric Vehicle Chargepoints	Agree the procurement process and evaluation criteria for a contractor to undertake the installation, maintenance and back-office functions	The value of the contract requires the procurement and evaluation criteria to be signed off by Cabinet	14 <sup>th</sup> November 2022

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 14<sup>th</sup> November 2022

Signed:



Councillor: Graham Ballinger  
Cabinet Member for Culture, Leisure and Community Safety.

**WYRE FOREST DISTRICT COUNCIL**

**CABINET DECISION FOR STRONG LEADER APPROVAL**

**November 2022**

**Provision of Electric Vehicle Charging Infrastructure**

<b>Open</b>	
<b>CABINET MEMBER:</b>	<b>Councillor Graham Ballinger, Cabinet Member for Culture, Leisure and Community Safety.</b>
<b>RESPONSIBLE OFFICER</b>	Kate Bailey <a href="mailto:Kate.Bailey@wyreforestdc.gov.uk">Kate.Bailey@wyreforestdc.gov.uk</a> Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Jenny Moreton Principal Health & Sustainability Officer <a href="mailto:Jennifer.moreton@wyreforestdc.gov.uk">Jennifer.moreton@wyreforestdc.gov.uk</a>

**1. PURPOSE OF REPORT**

1.1 This report seeks to gain approval to advertise the contract, for the tender evaluation model proposed for the procurement of electric vehicle charging infrastructure and the granting of delegated authority to the Head of Strategic Growth in consultation with the Cabinet Member for Culture, Leisure and Community Safety to award the Electric Vehicle Charging Infrastructure contract.

1.2 Approval of the Cabinet is required by the Contract Procedure Rules to enter into a procurement exercise where the value of the purchase is over £175,000.

**2. RECOMMENDATION**

2.1 **That the Leader:**

2.1.1 Approves the use of the ESPO Framework VCI 2 Lot 1 (Installation), Lot 3 (Back office solution) and Lot 4 (Maintenance and Servicing) and the further competition evaluation model contained in section 5 of this report to the Cabinet Member for Culture, Leisure and Community Safety.

2.1.2 Grant delegated authority to the Head of Strategic Growth in consultation with the Cabinet Member for Culture, Leisure and Community Safety to award and enter into the Electric Vehicle Charging Infrastructure contract for up to a 10 year term in accordance with the approved evaluation model.

**3. BACKGROUND**

3.1 Following the declaration of a Climate Emergency, the Council agreed to support a motion on developing electric vehicle charge points on council owned car parks. This activity was incorporated into the work of the Green Advisory Panel (GAP) who included it in the selected top ten actions for the council to pursue.

- 3.2 Cenex consultants were commissioned to carry out feasibility work to identify the most appropriate council-owned locations and quantity and types of chargepoints to meet forecast demand. Cenex provided estimates of infrastructure/grid connection costs and revenue generation, which were used to develop the business case for progressing the installation.
- 3.3 As part of the feasibility work, four different types of operation model were considered and these were also discussed by the Green Advisory Panel in consultation with Cenex. The External Operator model - where an external company manages the operation of the charge points in return for a proportion of the income generated was deemed most appropriate for WFDC as it represented the best fit to the Council's risk appetite. The business case was based upon this model.
- 3.4 Following approval of the business case, funding was included in the medium-term financial strategy 2022-2025 for the electric vehicle charge point installation project and approved at Council on 23 February 2022.
- 3.5 The business case model predicts that revenue from the proposal is expected to cover all revenue costs, including the costs of borrowing, over the 10 year life of the equipment but there is a deficit in years 1-4 so approval is also required for this. It is not expected that the scheme will generate a surplus until year 7.
- 3.6 Delegated authority to award the contract following evaluation in accordance with the approved criteria is sought as this needs to be done promptly to provide sufficient purchase and implementation time between award and commencement of the new contract.

#### **4. KEY ISSUES**

- 4.1 The contract will be procured using ESPO Framework which is comprises a list of suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The contract will be procured using ESPO Framework VCI 2 Lot 1 (Installation), Lot 3 (Back office solution) and Lot 4 (Maintenance and Servicing). The framework is compliant with the advertising requirements of the Public Contracts Regulations and requires users to undertake a mini-competition between the pre-approved suppliers.

The requirement will be procured using ESPO Vehicle Charging Infrastructure Framework Agreement 2 (Lot 1) which comprises 35 suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The procurement procedure will be by way of Further Competition whereby competition is re-opened under the framework and suitable contractors are invited to submit formal tenders. Further Competition enables the Council to test the market and obtain value for money. The Framework Agreement is fully compliant with the Public Contract Regulations 2015 (FTS Contract Award Notice reference: 2021/S 000-029453).

- 4.3 The new contract will be for 7 years with the option to extend for a further three years (a two-year then a one-year extension) making a maximum term of 10 (7+2+1) years.
- 4.4 The indicative tender timetable is as follows:



<b>Task</b>	<b>Date</b>
Approval of Tender Process, including evaluation model and	9 <sup>th</sup> November 2022
Advert place on procurement portal	23 <sup>rd</sup> November 2022
Final clarification questions	9 <sup>th</sup> December 2022
Deadline for Tender responses	16 <sup>th</sup> December
Evaluation completed	22 <sup>nd</sup> December
Contract Award - standstill	23 <sup>rd</sup> December
Final Award – End standstill	6 <sup>th</sup> January

**5. EVALUATION CRITERIA AND SCORING METHODOLOGY**

5.1 All Tenders will be evaluated on a 60/40 split in favour of quality over price.

**5.1.1 Price**

The Total Contract Costs for the 10-year contract period.

The Tenderer with the lowest tender price will score the maximum score of 40%.

The other tenders will be scored pro rata as a percentage of their tender sum compared with the lowest tender.

$$\frac{\text{Lowest submitted total price}}{\text{Tenderer's submitted total price}} \times 40$$

**5.1.2 Quality**

The quality element of submissions will be evaluated based on responses to the Quality Questionnaire. The individual weighting of each evaluation criteria is detailed below:

<b>Ref.</b>	<b>Criteria</b>	<b>Topics</b>	<b>Weighting</b>
1.1	Installation	Project management Communication Installation process and timescales	30
1.2	User Interface	Chargepoints, network and payment methods	10
1.3	Charges and payment	Calculation/ timescale of payment to WFDC.	10
1.4	Back office	System, reporting and standards	10

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1.5	Reliability	Previous performance and problem resolution	10
1.6	Customer service	Support available and complaints procedure	10
1.7	Maintenance	Procedure, timescales and KPIs	30
1.8	Social Value		5

The following matrix illustrates how responses to questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the percentage weightings listed above.

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below average	4
Below expectations	Poor	3
Well below expectations	Weak	2
Almost Unacceptable	Very Weak	1
Unacceptable		0

- 5.2 The evaluation process will consider all relevant submitted evidence and written information provided by each Tenderer, in relation to the specific requirements as set out within the ITT and the supporting documentation. There will be an initial check of all Tenders for completeness and compliance with the tendering instructions (including a check that the Tender is a “compliant Tender”). Any submissions that in the opinion of the Council do not meet the requirements set out in the ITT may be rejected as non-compliant and will not be evaluated further.
- 5.3 Each question for quality will be assessed by a panel. The panel will agree a single overall score up to the maximum score for the question. This score will be multiplied by the weighting for that question (as set out in the above table) to give weighted score. The following formula will be used to calculate weighted scores:

$$\text{Weighted Score} = \frac{\text{Awarded Score}}{\text{Maximum Score}} \times \text{Weighting}$$

For example, if a score of 6 is awarded for Question 4 (weighting 10%) the weighted score will be 6 (6/10 x10).

- 5.5 At the sole discretion of the Council, Tenderers may be invited to present their proposals at clarification meeting and demonstrate details of their submission. The

meeting may be used to validate the provisional scores for the Tenderer's written submissions in relation to quality and technical merit. The Council's tender evaluation panel may therefore reduce a Tenderer's provisional score for their written submissions in relation to quality where the meeting indicates that a Tenderer's provisional score on the basis of their written submission cannot be justified. Conversely, the evaluation panel may increase a Tenderer's provisional score where it considers their written submissions in relation to quality did not sufficiently reflect the quality of their actual delivery proposals for the Contract.

**6. FINANCIAL IMPLICATIONS**

- 6.1 The contract term will be for a minimum of 7 years for the back office solutions and could potentially be extended to 10 years depending on the solution and whether it is more economically advantageous for the Council and agreed under the terms of the framework.
- 6.2 The capital cost of the purchase and installation will be funded out of the Capital Programme approved in 2022 for the delivery of the medium term financial strategy 2022-25
- 6.3 Any first-year annual maintenance costs will be included in the first year of the contract from the Capital Programme with subsequent years being met from the income generated from the charging points.

**7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 As stated in the Council's Contracts Procedure Rules Cabinet Approval is sought for procurements where the value of the purchase is estimated to be in excess of £175,000.
- 7.2 The evaluation model is compliant with the requirements of the ESPO Framework. Use of the framework in accordance with the framework guidance is compliant with the regulations.
- 7.2 The successful Tenderer will be required to enter into a formal contract under the rules of the ESPO Framework.

**8. RISK MANAGEMENT**

- 8.1 The Council must fully evaluate contracts to ensure that they are capable of delivering upon the contract.
- 8.2 By using the ESPO framework procurement risks are reduced as contractors have already been vetted and many will have experience of doing this type of work.

**9. EQUALITY IMPACT ASSESSMENT**

- 9.1 This is a financial report and as such there is no requirement to consider an Equality Impact Assessment.

**10. CONCLUSION**

- 10.1 The Council has agreed the business case for installation of electric vehicle charging infrastructure across various sites, based on feasibility worked carried out by specialist consultants.
- 10.2 Due to the value of the contract authorisation is required to run a competition and award the contract and it is proposed the ESPO framework is used for this.
- 10.3 In conducting this further competition the Council will achieve the most economically advantageous result in terms of price and quality.

**11. CONSULTEES**

- 11.1 Cabinet Member for Cabinet Member for Culture, Leisure and Community Safety.
- 11.2 Procurement Officer
- 11.3 Contracts Solicitor
- 11.4 Section 151 officer

**12. BACKGROUND PAPERS**

- 12.1 [doc57134\\_20211109\\_cabinet\\_report.pdf \(wyreforest.gov.uk\)](#)

**WYRE FOREST DISTRICT COUNCIL**

**CALL IN REQUEST**

Cabinet Decision Minute No Cllr. Helen Dyke – Strong Leader Decision  
 Decision Date 14<sup>th</sup> November, 2022  
 Decision Subject Provision of Electric Charging Infrastructure

For consideration by the relevant Scrutiny Committee

**REASON FOR CALL IN (please tick as appropriate)**

- The decision would result in a significant change in agreed policy objectives
- The decision would have a significant budgeting impact
- The decision would stimulate significant public interest or controversy
- The decision would raise important legal issues

*Specify below why you feel the above is a valid reason for the item to be 'called in'*

12 months has elapsed since Full Council gave its authority to progress with the relevant business case for electric charging infrastructure, which at the time had a small financial benefit and didn't break even until year 7 of the 10 year business case. A lot has happened over 12 months and its crucial that Members and Council have confidence that the chosen strategy still offers value for money and is the most efficient way forward. Given that energy costs, labour, material costs have risen sharply, coupled with a rise in borrowing costs, it is important the business model is re-evaluated and updated in light of these additional cost pressures.

*Please state your alternative proposal. (N.B. There is no requirement for you to have considered/developed an alternative proposal)*

*It is important that Cabinet carries out a full cost appraisal of all delivery methods, not just purchasing the equipment to including leasing the infrastructure to ensure the chosen option offers the best value for money*

*To assist the efficient operation of the meeting, please set out below specific questions that you would like the Cabinet Member to address at the meeting. Is there any information that you would like to be obtained/researched by the Cabinet Member before the meeting?*

*(N.B. This will not prevent you raising other questions/issues at the Scrutiny Committee itself)*

- 1) *Why has it taken 12 months since Council gave the greenlight for the tender process to formally begin and to award the contract in late December 2022*
- 2) *Can we have a detailed up to date business case that factors in, the sharp rise in energy, labour, material and borrowing costs over the last 12 months to ensure the business case offers value for money*
- 3) *Can the Cabinet Member look in depth at all delivery models again, including the option of leasing to ensure the final delivery option is the most efficient and carries the least risk to the Council*

**1. Non-Cabinet Member**

**Signed** 

**Name (Printed)**

**Nathan J. Desmond**

**2. Non-Cabinet Member**

**Signed** 

**Name (Printed) Chris Rogers**

**3. Non-Cabinet Member**

Signed  Name (Printed) IAN D. HARDIMAN

**4. Chairman or Vice-Chairman of the Overview and Scrutiny Committee**

Signed  Name (Printed) Marcus J. Hart

**Overview & Scrutiny Committee  
Work Programme 2022-2023**

**May 2022**

“How are we doing?” Q4 update

**June 2022 - Overview & Scrutiny Committee Sub Committee**

Acquisition of Property in Kidderminster

**July 2022**

Nominations for Treasury Management Review Panel (Chair to be appointed)

UK Shared Prosperity Fund: Investment Plan 2022-25

**September 2022**

Stourport Sports Club: Consideration of call in request

Performance and Budget Monitoring Q1 update

Worcestershire’s Homelessness and Rough Sleeper Strategy 2022-2025

Report on the progress around the Top Ten Actions in the Climate Change Strategy  
Action Plan

**November 2022**

Performance and Budget Monitoring Q2 update

Council Tax Reduction Scheme Review 2023/24

**December 2022**

Cost of Living Action Plan

Provision of Electric Vehicle Charging Infrastructure: Consideration of call-in request

**January 2023**

Worcestershire Housing Strategy

**February 2023**

Performance and Budget Monitoring Q3 update

**March 2023**

Annual review of the North Worcestershire Community Safety Partnership 2022-  
2023

**May 2023**

Performance and Budget Monitoring Q4 update