

London Borough of Hammersmith & Fulham

Report of: Councillor Wesley Harcourt, Cabinet Member for the Environment

Date: 04/03/2021

Subject: Procurement Strategy and Contract Award Approval to JoJu Limited – Electric Vehicle Charge Points

Report author: Richard Hearle; Parking Projects and Policy Manager

Responsible Director: Sharon Lea, Strategic Director for the Environment

Summary

With many properties in LBHF not having access to private off-street parking, the expansion of lamp column electric vehicle (EV) charge points forms an important part of the charging network, supports the Council's announcement of a Climate Emergency, will be beneficial for local air quality and reduced CO₂ emissions and the Business Plan commitment to become the greenest borough in Britain.

The Council has successfully secured £215,175 of funding from On-street Residential Charging Scheme run by the Office for Low Emission Vehicles, and this report now seeks approval for the procurement strategy to expand the residential lamp column charge point network through a series of direct awards of concession contracts, including the award as recommended in this report of a concession contract to JoJu Limited (JoJu) for a period of five years commencing in early 2021, with the option for the Council to extend for a further two years.

Recommendations

It is recommended that the Cabinet Member:

1. Approves the procurement strategy set out in Appendix 1 for the procurement of concession contracts for the supply, installation, operation and maintenance of residential lamp column electric vehicle charge points by using the Electric Vehicle Charging Infrastructure Framework Agreement Lot 1 let by Transport for London (the "**Framework**") for all the Council's requirements for such charge points until expiry of the Framework on 31 July 2022, provided that an award report is always submitted to approve each call-off contract.
 2. Approves a direct award of the concession contract to JoJu as a call-off from the Framework for a contract period of five (5) years commencing by 31 in March 2021 at an approximate cost to the Council of £286,900. There is the option for the Council to extend this for a further two (2) years.
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Wards Affected: ALL

H&F Priorities	Summary of how this report aligns to the H&F Priorities
Building shared prosperity	Supporting the growth in EV ownership in H&F and London-wide to support cleaner air and reduced transport related noise.
Creating a compassionate council	Supporting cleaner air initiatives for our residents and visitors to enjoy. Installing charge points that will support residents and businesses to change to EV.
Doing things with local residents, not to them	Responding to the needs and requests from our residents for more local charge points. Communication and consultation is at the heart of developing these charge points.
Being ruthlessly financially efficient	Generating income for the Council whilst providing charge points that are protected overnight for residential use only.
Taking pride in H&F	Helping the Council to maintain its status as one of the leading UK local authorities for charge point provision.
Rising to the challenge of the climate and ecological emergency	Developing a CP network will provide the foundation for supporting motorists who wish to switch to fully electric vehicle that have no tail pipe emissions, and thereby have a positive effect on local air quality and other sustainability initiatives.

Financial Impact

The capital costs of the purchase and installation of the electric vehicle charge point equipment is estimated at £286,900. Following a successful LBHF bid to the On-street Residential Chargepoint Scheme (ORCS) a contribution of £215,175 (75%) has been secured for delivery. The balance of £71,725 (25%) will be match-funded by JoJu's commercial partner FM Conway. This strategy is intended to eliminate any financial borrowing and additional capital financing expenditure for the Council.

It is estimated that the income that will be generated from charge points could be as high as £2.2m (over a 5-year period and for 160 charge points with an assumed annual usage growth of 25% to reflect increasing conversion to electric cars, dedication of adjacent parking spaces to EV only and other push-pull policy initiatives). This income will be shared between the service provider and investor to meet all commercial investment, and all operational management and maintenance costs. The estimated income over the 5-year period to the Council is £150,000, with year one being £15,000 and rising to £40,000 per annum by year five.

The total contract value over 5 years is estimated to be £2.4m and includes the capital investment of £286,900 from the charge point operator and their commercial partner.

The Council's capital investment is to be added to the capital programme in quarter 4 2020/21

Legal Implications

This report is recommending the approval of:

- a Procurement Strategy to use a Transport for London (TfL) framework to directly award a series of concession contracts for the supply of Electric Vehicle charging points located in lamp columns until 31 July 2022; and
- the associated award of a concession contract to Joju Limited for the supply of Electric Vehicle Charging points as a call-off from the TfL framework for a period of five years with an option to extend for a further period of two years for a maximum contract value of approximately £2.2m in accordance with the procurement strategy listed above, noting that further awards under the procurement strategy to Joju Limited will need to be separate award decisions.

Concession Contract

The proposed form of contract is a concession contract and as such it is covered by the Concession Contracts Regulations 2016 ("the 2016 Regulations") as opposed to the standard public procurement rules. The 2016 Regulations remain in place post-Brexit with only minor amendments. A services concession contract is a contract which:

- entrusts the provision and the management of services to an economic operator, in consideration of the right to exploit the services that are the subject of the contract, either on its own or in combination with a right to receive payment; and
- the award of the contract sees a transfer of the operating risk (either supply and/or demand risk) in a way which genuinely exposes it to the vagaries of the market, such that its potential loss is more than negligible.

Here, the service being offered is for a resident to be able to charge their vehicle. The main consideration granted by the Council is for the concessionaire to exploit the infrastructure, and it is acceptable as indicated above for this to be combined with a payment by the Council for the initial outlay on the lamp column infrastructure. It is also the case that the operating risk transfers to the concessionaire, who may or may not cover their costs of running and maintaining the infrastructure and the associated software platform.

Where the 2016 Regulations apply (as amended), the concession opportunity only has to be tendered where the value of the concession exceeds £4,733,252. The value of the concession is the concession income received by the concessionaire, not just what the Council pays, so the two elements together have been estimated to be £3m (see Financial Implications) for 5 years, with a further sum of less than £1m if the 2-year extension is exercised. Therefore, it does not need to be tendered under the 2016 Regulations.

Procurement Strategy

Under the Contract Standing Orders (CSOs), this contract is a high value contract and should therefore comply with the competition and advertising requirements set out in CSO 19.1.

The value of the contract is calculated on the estimated turnover to be generated by the contractor over the term of the contract (see above and Appendix 3), and as such needs to be procured in accordance with CSO 19, including approval of a Procurement Strategy. All high value contracts are required to:

- have a Service Review Team established to oversee the procurement (CSO 17);
- have a Procurement Strategy reviewed at the Contracts Assurance Board and approved by the relevant decision maker before the procurement process commences (CSO 18); and
- have a Tender Appraisal Panel established following approval of the procurement strategy (CSO 19.3).

This report fulfils the requirement for a procurement strategy. Further, under CSO 19, one of the permitted routes to procure is the use of a framework procured in accordance with the EU public procurement rules (which were in place at the time of tendering the framework), which can be utilised provided that the rules of the Framework are complied with. The Council's legal adviser has reviewed the proposed Transport for London framework for legal permissibility as required by CSO 28.3, and the conclusions of that review are set out in the Procurement Strategy at Appendix 1. The conclusion is that use of the Framework is legally permissible, provided that the consent of TfL is obtained for the direct award.

Direct Award

Assuming that the Procurement Strategy is approved, the report recommends the approval of a direct award to Joju Limited. As part of the assessment of legal permissibility already referred to, the ability to make a direct award has also been analysed and confirmed (see Appendix 1). Although the value of the proposed contract is below the threshold set by the 2016 Regulations, the Council is required to comply with the 2016 Regulations and the general principles of transparency, equal treatment, non-discrimination and proportionality.

The Council must publish a contract award notice on Contracts Finder containing at least the name of the contractor, the date on which the contract was entered into, the value of the contract and whether the contractor is an SME or BSCE (reg.112(1) PCR).

The decision-maker needs be satisfied that the recommended award of contract represents value for money for the Council.

The TfL Framework prescribes the format of the required Call Off Contract and legal counsel can assist with the drafting of this contract.

Summary

As the value of the call-off contract is above £300,000, the call-off contract procurement strategy and the contract award are both Key Decisions under the CSOs and must be submitted to Committee Services for publication on the Council's website. In addition, a copy of the completed (dated) call-off contract must be uploaded to the Council's Contracts Register along with a copy of the award report.

The Council is also under an obligation under the Public Services (Social Value) Act 2012 to consider how the letting of services contracts can benefit the social, economic and environmental well-being of their area. These are factors which will be considered and built into the contract and procurement documents. The Council has recently adopted a Social Value policy which applies to all its contracts above £100,000, and although the contract recommended for award was not tendered as a way of driving social value, the ability of the recommended supplier to deliver social value will as appropriate be subject to assessment by an external assessor, a company called Social Value Portal. The requirements of the assessor and the Council's policy will need to be built into the contract documents.

Implications completed by Harry Forsythe, Solicitor (New Zealand Qualified), Sharpe Pritchard LLP, hforsythe@sharpepritchard.co.uk and Deborah Down, Legal Director, Sharpe Pritchard LLP, ddown@sharpepritchard.co.uk, on secondment to the Council.

Contact Officers:

Finance

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Position: Head of Finance

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Verified by: Andrew Lord, Head of Strategic Planning and Monitoring

Background Papers Used in Preparing This Report

None

DETAILED ANALYSIS

Proposals and Analysis of Options

Background

1. Electric Vehicles (EV) have no tailpipe emissions of CO₂ or the air pollutants which have a detrimental effect on human health. The London Mayor's Air Quality Strategy (MAQS) focuses specifically on improving air quality by setting tough new standards to put London on course to meet legal limits and drive long-term

progress, and commits the Mayor to working with partners to put 100,000 electric vehicles on London's roads by 2020.

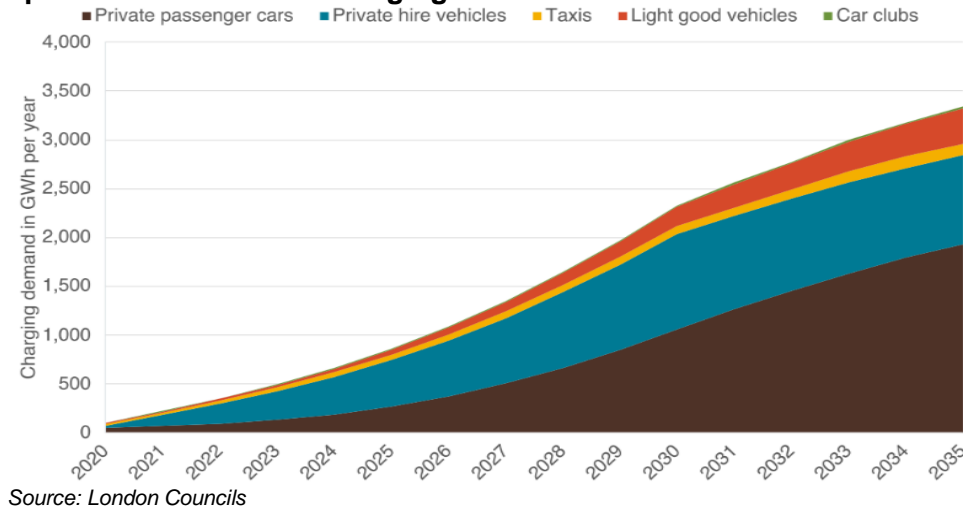
2. LBHF's Second Local Implementation Plan (2011-2031) commits to supporting the MAQS through Objective 4, which pledges 'To improve air quality in the borough'. LBHF has announced a climate emergency and our business plan is committed to becoming the greenest borough in Britain. A key contributor to these targets is the promotion and support for EV ownership and use, supported by providing attractive charge point solutions for our residents that will directly benefit local air quality, reduce CO₂ and noise. Increasing the number of attractive on-street charge points in an efficient way, this will directly benefit many of our residents who do not have access to off-street parking.
3. LBHF has developed an extensive and comprehensive on-street electric vehicle charging network but demand data demonstrates there is still a clear need for additional charging infrastructure in the borough. The lack of convenient charging options is one of the key barriers to the growth of electric vehicles, particularly for residents who do not have access to off street parking facilities. Lamp column charge points provide a cost effective and convenient charging solution for those residents and so form an important part of the charge point network.

Reasons for Decision – Procurement Strategy

4. Three options exist for progressing the expansion of the residential lamp column electric vehicle charge point network in H&F:
 - i. Option 1 – using the Framework and awarding a Call-Off Contract under the Electric vehicle Charging Infrastructure Framework Agreement let by Transport for London will enable LBHF to expand lamp column charge points at no risk to the council, and to expediently procure the supply, installation, operation and maintenance of the charge point infrastructure.
 - ii. Option 2 – LBHF expand the lamp column charge point network without using the Framework and carry out a full procurement exercise instead. Following this path will incur considerable costs for the Council (fees and capital) and extend the delivery timeframe by many months, potentially years, by requiring liaison with District Network Operator (DNO), service providers and potential network operators.
 - iii. Option 3 – do not expand lamp column charge point network in LBHF. This does not support the council's aspirations to become the greenest borough, improve air quality or realise the business plan targets for growing the electric vehicle charge point network in the borough.
5. It is recommended that Option one is adopted.
6. Expansion of the charge point network supports the London Mayor's Air Quality Strategy (MAQS), specifically on improving air quality by setting tough new standards to put London on course to meet legal limits and to achieve 100,000 electric vehicles on London's roads in 2020.
7. It also supports the Council's announcement of a Climate Emergency, will be beneficial for local air quality and reduced CO₂ emissions and the Business Plan commitment to become the greenest borough in Britain. A key contributor will be the continued promotion and support for EV ownership and use by providing charge point solutions for our residents without off-street parking.

8. The recognised growth in EV will be encouraged by many other factors including London’s ULEZ covering the entire LBHF area in October 2021, growing requests from residents for more charge points and growing demand locally from PHV drivers, particularly residing in the north of the borough.
9. **Figure 1** illustrates the expected growth in demand for EV charging to 2035. It is important to recognise that these data were calculated based on a number of variables that at the time, did not consider the governments renewed accelerated target of banning sales of non-EV vehicles from 2035 to 2030¹.

Figure 1: Expected Growth in EV Charging Demand to 2035



Reasons for Decision – Direct Award

10. Only two of the four suppliers on Lot 1 of the TfL Framework supply lamp column charge points. Jo-Ju’s proposals for being appointed to the TfL framework see it offering the lowest overall cost to the Awarding Authority for the services requested, and the lowest Pay As You Go average price for electricity to the end user, set out in the rate cards submitted by the framework providers on their appointment to the Framework. Therefore, it is recommended that a direct award be made to JoJu. Running a mini competition for this concession will add time and cost to the implementation programme for no benefit.

Equality Implications

11. As required by Section 149 of the Equality Act 2010, the Council has considered its obligations regarding the Public-Sector Equality Duty and it is not anticipated that there will be any negative impact on groups with protected characteristics, as defined by the Act, from this proposed expansion of the electric vehicle charging infrastructure. Please refer to the Equality impact Assessment in Appendix 2.
12. The expansion of EV charge points will incorporate a an appropriate consultation with affected residents ensuring the Council meets its obligations under the Equality Act 2010 and in addition, the commitment to '*doing things with residents and not to them*'.

¹ UK Government Ten Point Plan for a Green Industrial Revolution (November 2020)

Risk Management Implications

13. The Council is committed to tackling the Climate Change emergency. Proposals will improve opportunities for electric vehicle charging in the local area, this would encourage decisions about next vehicular purchase, removing more petrol- and diesel-powered engines off the roads. Air pollution would reduce and as a consequence wider health benefits may be realised. The Covid-19 outbreak means that Council financial resources are limited due to the settlement from HM Government not being sufficient to meet the ongoing costs. Match-funding has therefore been balanced from the charge point operators' financial partner. There is some uncertainty, given the nature of the pandemic, concerning the consistency of traffic flows expected however it is anticipated that as the vaccinations are rolled out more traffic will return as the Greater London area recovers.

Implications verified by: Michael Sloniowski, Risk Manager, tel 020 8753 2587

IT Implications

14. IT Implications: No IT implications are considered to arise from the proposal in this report. However, if the installation, operation and maintenance of the residential lamp column Electric Vehicle charge points results in a requirement for new systems to be procured, existing systems to be modified, or IT enhancements to be considered Digital Services should be consulted.
15. As the data collected from this proposal may be of interest to the H&F Business Intelligence Team it is recommended that the H&F Parking Team contact the BI Team to discuss further.
16. IM Implications: A Privacy Impact Assessment should be completed to ensure all potential data protection risks resulting from this proposal are properly assessed with mitigating actions agreed and implemented.
17. The supplier will be expected to have a GDPR policy in place and all staff will be expected to have received GDPR training.
18. The contract should include H&F's data protection and processing schedule, which is GDPR compliant.

Implications verified by: Karen Barry, Strategic Relationship Manager tel: 020 8753 3481

Local Economy and Social Value

19. Social value will be considered as part of this appointment and the supplier will be asked to provide social value as part of the contract and will requested to complete the Social Value Matrix prior to the award. Delivery of the social value aspects of the contract will be monitored via the social value portal, in accordance with the Council's Social Value Policy.
20. In addition, the development of the residential charge point network will support the switch to green, low and zero tailpipe emission vehicles that will have a positive effect on local air quality and other sustainability initiatives.

List of Appendices:

Appendix 1 – Procurement Strategy

Appendix 2 – EqlA

REPORT RELATING TO PROCUREMENT STRATEGY FOR GULCS FUNDED CHARGE POINTS IN LAMP COLUMNS

The Procurement Strategy was reviewed by Andra Ulianov (Head of Procurement and Contracting).

BUSINESS CASE

The procurement of electric vehicle charge points is needed because LBHF have developed an extensive and comprehensive on-street electric vehicle charging network. However, demand data demonstrates there is still a clear need for additional charging infrastructure in the borough. The lack of convenient charging options is one of the key barriers to the growth of electric vehicles, particularly for residents who do not have access to off street parking facilities. Lamp column charge points provide a cost effective and convenient charging solution for those residents and so form an important part of the charge point network.

The expansion of lamp column electric vehicle charge points in LBHF complements other electric vehicle initiatives and forms an integral part of the residential electric vehicle charging network, supporting the climate emergency announcement, other air quality initiatives and contributing to our target to become the greenest borough.

The proposed contract leads to the award of a concession whereby the company awarded the contract makes the infrastructure available to the public to use. All charge points will be available for public use and for the purposes of electric vehicle charging only.

The charge points will be available for use 24 hours a day, 7 days a week. Parking zone restrictions and parking fees will apply. In certain locations resident permit priority will be provided.

The further development of electric vehicle charge points in the borough directly supports LBHF Business Plan actions to support both air quality initiatives and growing electric vehicle ownership and use, particularly for residents.

Lamp column charge points have previously been purchased using the GULCS Framework.

The charge points will be owned, operated and maintained by the Concessionaire and operated under Licence. It will be sovereign to LBHF in the sense that the charge points will be located only in the borough.

LBHF does not have the resources to manufacture, supply and operate EV charge points without incurring significant costs and extending the delivery programme by years.

1. FINANCIAL INFORMATION

The total cost of buying and installing the equipment in the lamp columns is estimated to be £286,900. 75% of the cost has been secured through the On-street Residential Chargepoint Scheme (ORCS) contribution of £215,175. The remaining 25% match-funding will be provided by the chargepoint operator's (JoJu) commercial investment partner FM Conway.

Revenue received by the Council will be 5% of turnover of the charge points. This is estimated to be £150,000 over five years but this level is very likely to increase as the EV market expands over the next few years.

Officer fees is budgeted from the Parking Policy Team.

2. OPTIONS APPRAISAL AND RISK ASSESSMENT

Three options exist for progressing expansion of the residential lamp column electric vehicle charge point network in LBHF:

Option 1 – calling-off via direct award from the Electric vehicle Charging Infrastructure Framework Agreement Lot 1 let by Transport for London will enable H&F to expand lamp column charge points at minimal risk to the council, and to expediently procure the supply, installation, operation and maintenance of the charge point infrastructure. See below for further information about this procurement route.

Option 2 – LBHF expand lamp column charge points without using the framework agreement. Following this path will incur considerable costs for the Council (fees and capital) and extend the delivery timeframe by many months, potentially years, by requiring liaison with DNO, service providers and potential network operators. Tendering for this work at this stage will add time and cost to the implementation programme for no benefit.

Option 3 – do not expand lamp column charge point network in LBHF. This does not support the council's aspirations to become the greenest borough, improve air quality or realise the business plan targets for growing the electric vehicle charge point network in the borough.

It is recommended that Option one is adopted.

3. THE MARKET

The market remains relatively specialised and there are no local suppliers. JoJu are a UK based company.

4. PROCUREMENT ROUTE

Direct award Call-off Contract through the Electric Vehicle Charging Infrastructure Framework Agreement Lot 1 (Shared Power Supply Charge Points) let by Transport for London; reference tfl_scp_001560.

JoJu is the only provider of charge point devices approved by the energy distributor, United Kingdom Power Networks (UKPN), to connect to the unmetered lamp column network using CityEV Safevolt™ that does not require additional expenditure for secondary earthing and so can be housed safely inside a LBHF lamp column.

The TfL Framework helps Boroughs fulfil commitments to delivering charge points by facilitating the award of a Call-Off Contract to Concessionaires who will supply, install, maintain and operate the charge points.

The proposed framework has been reviewed by a legal adviser from Sharpe Pritchard. This has confirmed that:

1. The Council's requirements are within the scope of the Transport for London framework, Lot 1.
2. All London boroughs are able to use the framework and its initial term runs until 30 July 2021. However, consent is required from TfL where a direct award is proposed.
3. The framework was advertised in OJEU in early 2018. Two lots were advertised and the relevant one is Lot 1 – "Shared Power Supply Charge Points". The lots were set up so that they could lead to the award of either a fixed price contract for services or a concession contract (under which greater financial risk is passed to the operator). Here a concession contract is proposed for award.
4. The framework (across the two lots) was advertised as having a value of £15m. Recent European case law indicates that when a framework has reached the advertised value then this it is no longer available for call offs. It is assumed that as part of the process of seeking consent from TfL as referred to above, that this will be checked.
5. The company proposed for a direct award, JoJu, was appointed to lot 1 and this is confirmed in the OJEU contract award notice.
6. The framework agreement and framework guide require the use of a template call off contract, which the department has confirmed will be used to appoint JoJu.
7. See also below about the proposed length of the call off contract.

Referring to the Electric Vehicle Charging Infrastructure Framework, Direct Award Justification and Approval Form, that will be submitted to London Councils for approval for Lot 1 - shared power supply charge points (lamp column charge points). The following grounds set out in the Framework Rules for utilising the direct award process have been checked:

- Jo-Ju is one of only two providers on the Framework, lot 1, who can provide the charge points based in lamp columns
Of these two, Jo-Ju is:
- The Provider with the lowest overall cost to LBHF
- The Provider with equal lowest Pay As You Go average price to the end user

5. CONTRACT PACKAGE, LENGTH AND SPECIFICATION

The contract will be for a period of five (5) years commencing in 2021, with the option for the Council to extend for a further two (2) years, for the supply, installation, operation and maintenance of the residential lamp column charge point infrastructure on land owned by the London Borough of Hammersmith & Fulham.

It is confirmed from the OJEU notice that this contract length is within the scope of the framework agreement as advertised, however the OJEU notice says that the standard term of call off contracts is 5 years, and provided that it is concession contract and not a services contract being procured, and where an awarding authority wants longer it needs to submit a justification for this, with a maximum period of 10 years permitted. Therefore, in applying for TfL consent as referred to in the previous section, the Council will need to seek approval for this by supplying justification.

6. SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

Social value will be considered as part of this appointment and the supplier will be asked to provide social value as part of the contract. They will be asked to complete the Social Value Matrix prior to the award and the delivery of the social value aspects of the contract will be monitored via the social value portal, in accordance with the Council's Social Value Policy.

In addition, the development of the residential charge point network will support the switch to green, low and zero tailpipe emission vehicles that will have a positive effect on local air quality and other sustainability initiatives.

7. OTHER STRATEGIC POLICY OBJECTIVES

The expansion of the residential charge point network in LBHF complements other electric vehicle initiatives and forms an important part of the wider LBHF electric vehicle charging network, supporting other air quality projects and contributing to our target to become the greenest borough.

8. STAKEHOLDER CONSULTATION

All proposals are developed in consultation with the operator, and in response to requests from residents and/or Councillors collected through our online consultation portal. Location specific consultation with residents and businesses will take place through the formal planning and statutory TMO procedures that must be followed and reported to Cabinet Member for Environment.

9. PROJECT MANAGEMENT AND GOVERNANCE

The project team is comprised of the following officers:

Name	Role
Richard Hearle	Parking Policy Manager
Dan McCrory	Parking Projects Engineer

10. INDICATIVE TIMETABLE

Date	Action	Progress
Dec 2020	Submit to Key Decision governance programme	Complete
Dec 2020	Prepare SLT report in discussion with legal and other H&F consultees	Complete
Feb 2021	Governance – Cabinet Member approval, Cabinet Member consultation and call-in period	
Feb 2021	Charge point manufacture	
Feb/Mar 2021	Charge point location assessments and point installation	
Apr 2021	Commencement Date of Call-Off Contract	

11. CONTRACT MANAGEMENT

LBHF and Transport for London will undertake performance monitoring of all the sites through the supply and analysis of demand and usage (and other) data supplied by the Concessionaire as required in the contract. This will also inform the value of turnover percentage to paid to the Council.

Key Performance Indicators include incident reporting and rectification, and data provision and are detailed in Schedule 3 (Service Levels) of the Framework Contract (Electric Vehicle Charging Infrastructure Framework Agreement let by Transport for London).

Social value will also be included as a KPI and the Social Value Matrix will be monitored through the Council's Social Value Portal, and in accordance with the Council's Social Value Policy.

Data will also be reported to London Councils who will keep a record under ORCS, and the Framework, and so provide reports, both for H&F and London wide, detailing overall charge point demand.

The Council will work with London Councils to address any demand for future provision of electric vehicle charge points.

12. Specific Exit Plan and related requirement

The Exit Plan is submitted by the Concessionaire and is set out in Schedule 10 of the Framework Agreement (tfl_scp_001560).

H&F Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative, or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense, and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (on the intranet) or [ACAS - EIA](#). Or you can contact the councils Equalities Lead (see below).

H&F Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	Fourth Quarter 20/21
Name and details of policy, strategy, function, project, activity, or programme	Procurement Strategy and Contract Award Approval – ORCS Electric Vehicle Charge Points. February 2021 To approve the recommendation in the above report.
Lead Officer	Name: Richard Hearle Position: Parking Projects and Policy Manager Email: Richard.hearle@lbhf.gov.uk Telephone No: 020 8753 4651
Date of completion of final EIA	20/12/2020

Section 02	Scoping of Full EIA		
Plan for completion	Timing: March 2021 Resources: Parking Projects and Policy Team		
Analyse the impact of the policy, strategy, function, project, activity, or programme	As a result of the overall works, there may be benefits associated with certain groups and not others as detailed below:		
	Protected characteristic	Analysis	Impact:
	Age	N/A	Neutral
	Disability	N/A	Neutral
	Gender reassignment	N/A	Neutral
	Marriage & Civil	N/A	Neutral

	Partnership		
	Pregnancy & maternity	N/A	Neutral
	Race	N/A	Neutral
	Religion/belief	N/A	Neutral
	Gender	N/A	Neutral
	Sexual Orientation	N/A	Neutral
<p>Human Rights or Children's Rights Will it affect Human Rights, as defined by the Human Rights Act 1998? No Will it affect Children's Rights, as defined by the UNCRC (1992)? No</p>			

Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	N/A
New research	N/A

Section 04	Consultation
Consultation	N/A
Analysis of consultation outcomes	N/A

Section 05	Analysis of impact and outcomes
Analysis	N/A

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	N/A

Section 07	Action Plan
Action Plan	N/A

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Bram Kainth Position: Chief Officer for Public Realm Email: bram.kainth@lbhf.gov.uk Telephone No: 0208 753 1145
Key Decision Report (if relevant)	Date of report to CMB: February 2021 Key equalities issues have been considered: Yes/No
Equalities Lead (where involved) (ACTING)	Name: Bram Kainth Position: Chief Officer for Public Realm Email: bram.kainth@lbhf.gov.uk Telephone No: 0208 753 1145