Department for Transport

# Future of Transport Regulatory Review: zero emission vehicles

## Government response

October 2023

Department for Transport
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# Contents


1. Executive summary 5
   1.1 Introduction 5
   1.2 Key findings and next steps in each area 5
2. Introduction 8
   2.1 Background 8
   2.2 Structure of this document 9
   2.3 Overview of respondents 9
3. Statutory obligation to plan for and deliver charging infrastructure 10
   3.1 Background 10
   3.12 Comments 12
   3.13 Next steps 13
4. Chargepoints in non-residential car parks 15
   4.1 Background 15
   4.2 Powers to introduce minimum requirements 15
   4.21 Comments 16
   4.3 Next steps on powers 17
   4.4 Responsibility for requirements 18
   4.41 Comments 18
   4.5 Enforcement 20
   4.51 Comments 20
   4.6 Next steps on responsibilities (4.4) and enforcement (4.5) 21
   4.7 Considerations for implementation stage 21
   4.71 Comments 22
   4.8 Cost and car park numbers 23
   4.81 Comments 23
   4.9 Next steps on implementation (4.7) and cost (4.8) 24

5. Making and delivering the Rapid Charging Fund 25
5.1 Background 25
5.2 Chargepoint Operator competition 25
5.21 Comments 26
5.22 Next steps 28
5.3 Open access charging 28
5.31 Comments 29
5.32 Next steps 31
5.4 Mandating chargepoint numbers 31
5.41 Comments 31
5.42 Next steps 33
6. Improving the experience for electric vehicle consumers 34
6.1 Background 34
6.2 Ensuring adequate consumer protections when using public chargepoints 34
6.21 Comments 36
6.22 Next steps 37
6.3 Setting accessibility and safety standards at public chargepoints 38
6.31 Comments 39
6.4 Mandating aspects of chargepoint design 42
6.41 Comments 43
6.5 Next steps on accessibility and safety standards and mandating aspects of chargepoint design (6.3 and 6.4) 44
7. Conclusion 46

# 1. Executive summary

## 1.1 Introduction

The future of transport regulatory review was launched to ask fundamental questions about how transport is regulated, to achieve a flexible, forward-looking framework fit for the future.

This consultation on zero emission vehicles ran between 28 September 2021 and 22 November 2021. The questions focused on four priority areas of the regulatory review:

- a statutory obligation to plan for and deliver charging infrastructure
- new powers to require installation of chargepoints in non-residential car parks
- new powers to support the delivery of the Rapid Charging Fund
- requirements to improve the experience for electric vehicle consumers

## 1.2 Key findings and next steps in each area

Key findings and next steps in each area are summarised here and presented in more detail in the relevant sections of this response document.

### Statutory obligation to plan for and deliver charging infrastructure

- Overwhelming support for a body or group of bodies to be responsible for planning of and ensuring provision of chargepoints.
- Widespread support for that group of bodies to be local authorities.

Next steps: We will look to update Local Transport Plans to include the need for Local Transport Authorities to produce local electric vehicle (EV) charging strategies and ensure provision of chargepoints.

When parliamentary time allows, we also intend to take powers to issue directions to Local Transport Authorities to produce local charging strategies if they have not done so as part of Local Transport Plans.

### Chargepoints in non-residential car parks

- Majority support for government to take powers for minimum requirements to install chargepoints in non-residential car parks.
- Majority support for these requirements to apply to publicly and non-publicly accessible car parks.
- Majority support for the responsibility of charging infrastructure provision to be placed on the landowner of the car park.

Next steps: We will continue to monitor and evaluate the rollout of charging infrastructure in existing non-residential car parks. The above powers to issue directions to Local Transport Authorities will capture local authority owned car parks, supporting chargepoint installation in those locations. In other areas, we expect the market will continue to provide the necessary car park charging network without government intervention.

Many non-residential car parks are located on leased or rented land. Minimum requirements would affect different leases in different ways. Government has recently launched a review of the landlord and tenant relationship and the legislation surrounding it, which will support ongoing policy development in this area. We will also consider launching another public consultation, specifically focusing on how different leases would be affected by a minimum requirement should one be mandated in the future, as well as responsibilities for chargepoint installations.

Should the rate of chargepoint installation in non-residential car parks be insufficient, we will reconsider legislative powers in this area. Any powers sought would be a backstop to provide certainty and allow specific future regulations if required. Regulations and exemptions would be tailored and limited. We will continue to work with key industry stakeholders to develop policy.

### Making and delivering the Rapid Charging Fund

- Majority in favour of government mandating competition between Chargepoint Operators (CPOs) at motorway service areas (MSAs) and large A road sites.
- Majority in support of government having the powers to ensure that chargepoints at MSAs areas and large A road sites are open access.
- Majority support for government having the power to mandate provision of chargepoints at MSAs and large A road sites.

Next steps: The Rapid Charging Fund (RCF) will be used to support sites with open access charging and competition on site. We may develop secondary legislation under the Automated Electric Vehicle Act (2018) to mandate provision of chargepoints at strategically important sites. We will not seek new powers in this area.

### Improving the experience for EV consumers

- Near-universal support for the principle of introducing minimum requirements for consumer protections and inclusive chargepoint design.
- Significant minority of responses suggested that legislating in these areas in the immediate term would be premature.

Next steps: We will seek to encourage best practice in these areas through non-legislative means and continue to monitor progress. The recently laid Public Charge Point Regulations 2023 focus on improving the consumer experience by setting out requirements for CPOs to meet reliability standards; simplify payments including enabling payment roaming and communicating the price of charging clearly to consumers; and opening up chargepoint data.

# 2. Introduction

## 2.1 Background

We want the UK to be a world leader in shaping the future of transport. A flexible and forward-looking regulatory framework for transport is critical to achieving this.

Our landmark EV Infrastructure Strategy, published in March 2022, set out our vision and commitments to make EV charging cheaper and more convenient than refuelling at a petrol station. We know that the majority of EV drivers charge at home and we expect this trend to continue. However, we must ensure public are in place to support those without off-street parking and to enable long distance journeys. We expect around 300,000 publicly accessible chargepoints as a minimum by 2030.

The future of transport regulatory review aimed to address areas of transport regulation that are outdated, a barrier to innovation, or not designed with new technologies and business models in mind.

For zero emission vehicles, the Government sought views on new primary legislation that would provide powers to introduce requirements in four areas.

We asked for views on whether to introduce:

- a statutory obligation to plan for and deliver charging infrastructure
- new powers to require installation of chargepoints in non-residential car parks
- new powers to support the delivery of the Rapid Charging Fund
- requirements to improve the experience for electric vehicle consumers

This looked to ensure that there is a sufficient charging infrastructure and appropriate consumer protections in place to meet the needs of EV drivers. We would consult on the detail of any secondary legislation to use any powers taken.

This work, alongside delivering the EV Infrastructure Strategy, forms part of the government's support for the transition to zero emissions vehicles. In September 2023, the government confirmed its intention to introduce a zero emission vehicle mandate, establishing annual targets for the proportion of manufacturers' new car and van sales that must be zero emission in each year from 2024. In addition, the government's Plan for Drivers set out further action to accelerate and support equitable access to charging

infrastructure. This includes working with distribution network operators to improve the grid connections process, consulting on the expansion of permitted development rights to make private chargepoint installation cheaper and easier, and providing guidance on the safe use of cross pavement solutions to charging.

This document summarises the points raised by respondents to the consultation.

## 2.2 Structure of this document

Section 3 summarises the responses to questions relating to statutory obligations to plan for and deliver charging infrastructure. Section 4 summarises the responses to questions relating to requirements to install chargepoints in non-residential car parks. Section 5 summarises the responses to questions relating to delivering the Rapid Charging Fund. Section 6 summarises responses to questions relating to improving the experience for EV consumers. Section 7 outlines the next steps following the consultation.

For further background and context on each of these areas, as well as the regulatory review more broadly, please refer to the consultation document.

## 2.3 Overview of respondents

Questions one to four asked for details about the respondent and the organisation they represented, if applicable. Responses were received via email, online survey and post. In total, 234 responses were received. Responses to the consultation were submitted by a mixture of individuals and organisations, including consumer groups, CPOs, distribution network operators (DNOs), local authorities, trade associations, transport operators, other businesses and non-governmental organisations.

# 3. Statutory obligation to plan for and deliver charging infrastructure

## 3.1 Background

To support the transition to EVs, England will need a well-developed network of charging infrastructure for EVs.

The increasing levels of private investment and government support for the early market means EV charging infrastructure is growing but may leave gaps in provision in less commercially attractive areas.

The first section of the consultation sought views on a general approach to putting a statutory obligation on a body, or group of bodies, to plan for and ensure provision of charging infrastructure.

### Consultation Questions

Q5. Do you agree or disagree that there should be a statutory duty to plan for sufficient provision of electric vehicle chargepoints?

Q6. Do you agree or disagree that there should be a statutory duty to provide sufficient electric vehicle chargepoints?

Q7. Who should be legally responsible for planning sufficient provision of electric vehicle chargepoints to meet the needs of residents in a given geographical area?

Q8. Who should be legally responsible for planning sufficient provision of electric vehicle chargepoints to meet the needs of businesses in a given geographical area?

Q9. Who should be legally responsible for planning sufficient provision of electric vehicle chargepoints to meet the needs of visitors in a given geographical area?

Q10. Who should be legally responsible for providing sufficient electric vehicle chargepoints to meet the needs of residents in a given geographical area?

Q11. Who should be legally responsible for providing sufficient electric vehicle chargepoints to meet the needs of businesses in a given geographical area?

Q12. Who should be legally responsible for providing sufficient electric vehicle chargepoints to meet the needs of visitors in a given geographical area?

Q13. How might placing this statutory requirement on the organisations you've selected affect:

Q13.1. provision of chargepoints?

Q13.2. chargepoint investment?

Q14. What views do you have on how the statutory duty to:

Q14.1. plan for sufficient chargepoints should be enforced?

Q14.2. provide sufficient chargepoints should be enforced?

Q15. In your view do other obligations placed on the organisations you've selected: complement or conflict with the proposed duties?

Q16. What are the:

Q16.1. benefits expected as a result of introducing a statutory duty to plan for and ensure adequate charging infrastructure provision in a given geographical area?

Q16.2. costs expected as a result of introducing a statutory duty to plan for and ensure adequate charging infrastructure provision in a given geographical area?

Q17. What level of additional resource would be needed to plan for and provide sufficient charging infrastructure and how does this vary depending on who this obligation is placed upon?

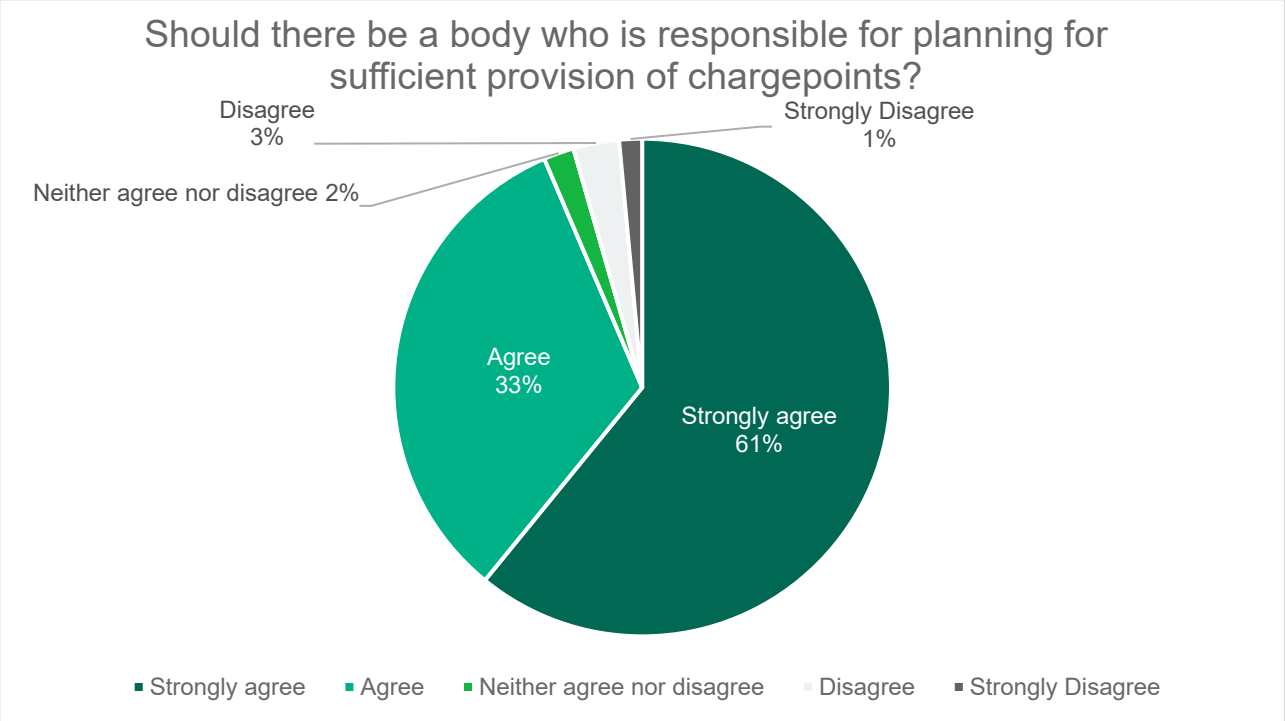
## 3.12 Comments

In the consultation we asked two overarching questions:

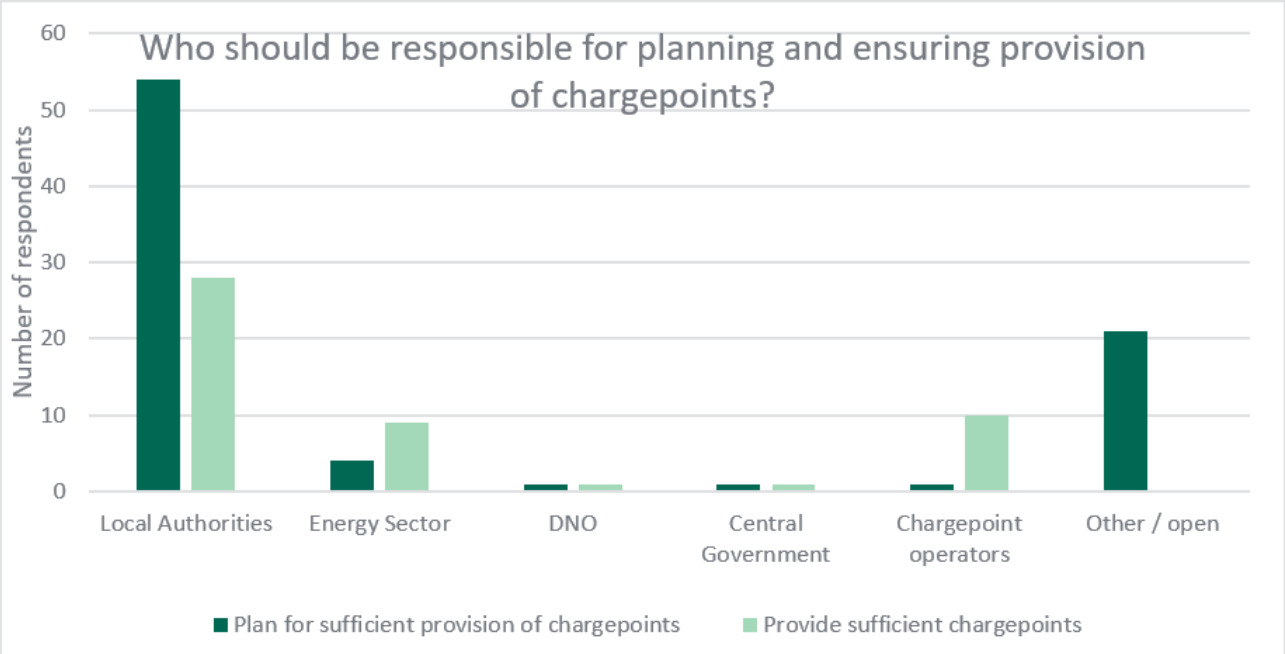
1. whether respondents agreed or disagreed that there should be a statutory duty to plan for sufficient provision of electric vehicle chargepoints, and

2. whether they agreed or disagreed that there should be a statutory duty to ensure provision of sufficient electric vehicle chargepoints?

There was overwhelming support for a statutory obligation to be placed upon an organisation to plan for chargepoints. Almost 94% of respondents to this section supported this approach. Over 70% of respondents to this question thought that that body should be local authorities.




There was also very high support for a statutory obligation on an organisation to ensure provision of EV chargepoints. Over 84% of respondents agreed or strongly agreed with this proposal. 64% of those respondents think that that body should be local authorities.




3% of people who responded to this question believed that placing a statutory obligation on an organisation would have a negative impact on the provision of chargepoints across the country. 5% of people who responded to this question believed that placing a statutory obligation on an organisation would have a negative impact on chargepoint investment.

The top reasons for thinking that a statutory obligation to plan and ensure charging provision would provide benefits were: increased rollout of chargepoints, increased take up of EVs and delivering wider consumer benefits (such as improved reliability, availability and cost of chargepoints).

15% of people thought that there were negative aspects of introducing a statutory obligation to plan and ensure charging provision. Of those who said it would have a negative effect the most commonly cited concern was around enough resourcing in local authorities.

In order to plan and ensure provision of sufficient charging infrastructure most respondents thought that resource funding for local authorities, training for officers and grid upgrades were most needed.

## 3.13 Next steps

We agree with the majority of respondents who saw benefits from introducing statutory obligations to both plan and to ensure provision of EV chargepoints. It is critical that infrastructure is delivered at pace in all local areas. We are taking a multi-faceted approach to ensure this happens.

We are investing to further support local authorities to plan and ensure provision of local public charging infrastructure. This includes the £381m Local EV Infrastructure (LEVI) Fund and the On-street Residential Chargepoint Scheme (ORCS).

We recognise concerns from some respondents that resourcing can be an issue for some local authorities. We are therefore providing £38m capability investment as part of the

LEVI Fund to fund the staff needed to do this work, and the supporting knowledge and tools to help them to work out their specific local challenges and plan accordingly.

As part of the Plan for Drivers, we will also develop guidance for Local Authorities on the use of safe cross pavement solutions. This will include best practice for local authorities and details of relevant legislation. This will help deliver safe domestic charging options to households with reliable on-street parking.

We want to maximise the benefits of local authority led work and we will support this by sharing solutions and best practice to address common barriers and support delivery. We will therefore update Local Transport Plans to include the need for Local Transport Authorities to produce local EV charging strategies.

It is also important that we are able to hold local authorities to account where insufficient progress is taken. We will therefore look to take powers for the Secretary of State (SoS) through future legislation, when parliamentary time allows, to issue directions to Local Transport Authorities. This will mean that, if they do not show progress in producing local EV charging strategies or ensuring provision, SoS will have the power to instruct them to do so. We will consult on the detail of supporting secondary legislation before enforcing any new powers.

These powers will apply to Local Transport Authorities in England. We will continue to work with devolved administration officials to share learning to support local deployment in Scotland, Wales and Northern Ireland.

We would expect the local EV charging strategies to capture all public EV charging in their areas, including LA-owned car parks.

We are also considering options for introducing a unified consent process for installing EV chargepoints, including consideration of a streamlined process for obtaining both the planning permission consent and the highways consent for the traffic management works at the same time. We consulted on this in 2022 as part of a consultation on traffic regulation orders. The Government’s response will be published later in due course.

# 4. Chargepoints in non-residential car parks

## 4.1 Background

The development of off-street charging infrastructure is necessary to support the transition to EVs. We are aware that limited access to chargepoints, especially off-street home or destination charging, can cause 'charging anxiety' which hinders EV uptake.

In 2019 we consulted on proposals for requiring all new residential and non-residential buildings with associated parking in England to install one or more chargepoints. These changes were introduced through building regulations in December 2021. Plans to require one chargepoint for existing non-residential car parks with more than twenty spaces were also proposed, but were not introduced at the same time as consultation feedback suggested a more tailored approach was required.

To this end, this section of the Regulatory Review sought views on taking new powers to require landowners in England to provide a minimum level of EV charging infrastructure (which could include chargepoints, cabling or cable routes) in non-residential car parks to increase access to EV charging. Such powers would provide the ability to intervene in the future to respond to market failures in a tailored and targeted manner. The government sought views on powers for:

- All existing non-residential car parks associated with a building
- New or existing non-residential car parks which are not associated with a building.

We also sought early feedback on topics which would be relevant in future if secondary legislation were introduced under any new powers (see section 4.6 on implementation details). If requirements were introduced under new powers, proposals would be consulted upon in collaboration with stakeholders.

The order of questions in this section has been modified for the purposes of analysis.

## 4.2 Powers to introduce minimum requirements

There has been a considerable increase in market-led provision of chargepoints in non-residential car parks and we expect to see this continue following the 2021 building regulations. This increase in charging infrastructure has also been supported by government funding through the use of grant schemes, such as On-Street Residential

Charging Scheme (ORCS) and the Electric Vehicle Chargepoint Grant. However, we are aware there may be groups with more limited access to residential or destination charging. Accordingly, we sought views on taking powers allowing intervention to ensure that the lack of access to off-street parking is not a barrier to owning a plug-in vehicle.

**Questions**

Q18. Should, in your view, we seek powers to set a minimum level of EV charging infrastructure for all non-residential car parks?

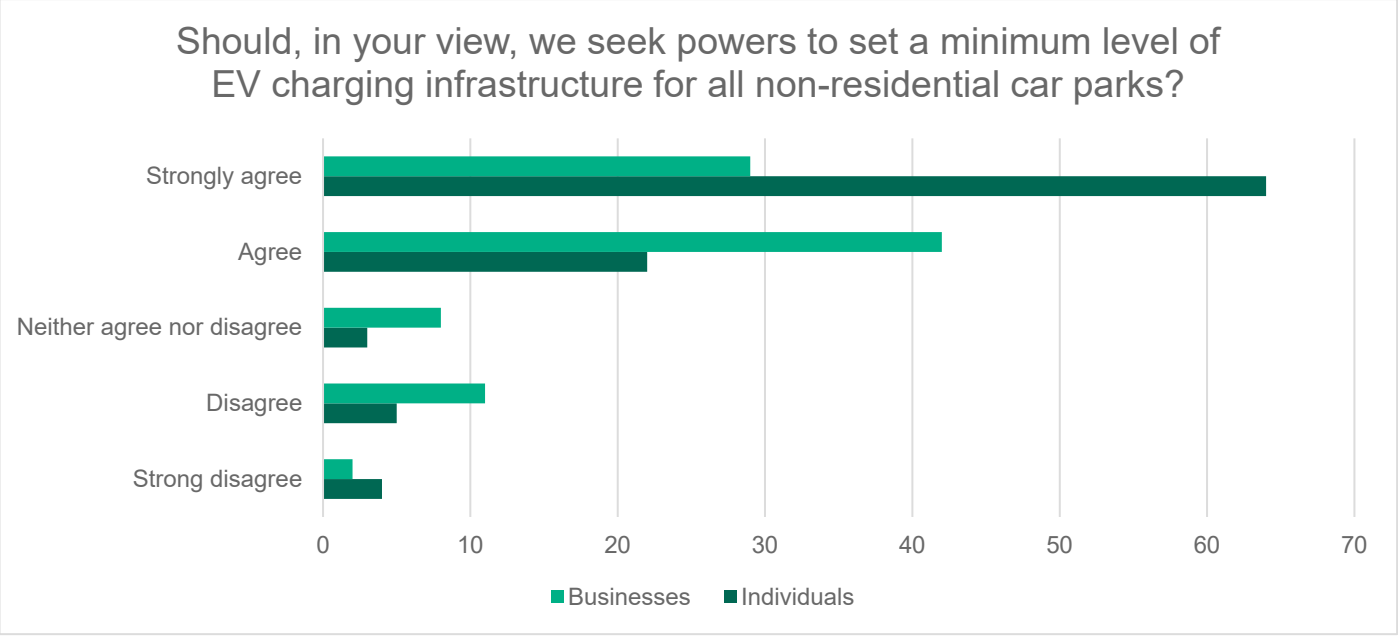
Q19. Why not?

Q21. Should, in your view, these powers apply to all car parks that are:

Q21.1. publicly accessible (for example retail, leisure and healthcare car parks)?

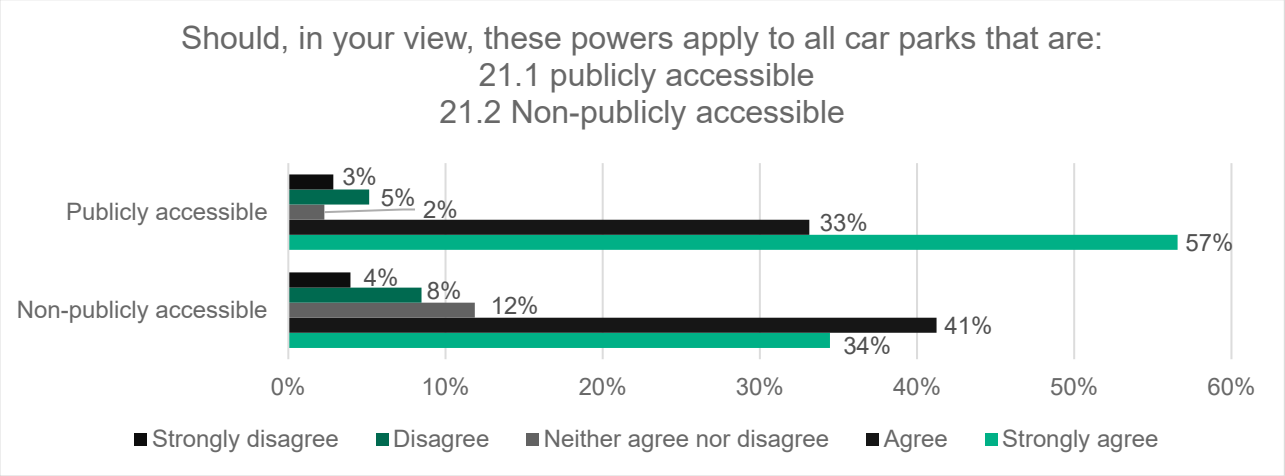
Q21.2. not publicly accessible but provided for the use of a particular group (for example as a workplace car park)?

## 4.21 Comments




The majority of respondents (81%) agreed or strongly agreed that we should seek powers to require a minimum level of EV charging infrastructure in all non-residential car parks.

Of the 12% of respondents who disagreed or strongly disagreed with the policy proposal, three concerns were raised. Firstly, that mandating requirements would result in excessive installation and maintenance. These respondents felt that, instead, businesses should have the autonomy to roll-out charging infrastructure at their own discretion. Secondly, some CPOs and local authorities expressed that a blanket approach to mandating chargepoint provision would not be appropriate and believed cases should be reviewed individually to cater to individual EV users charging habits. Thirdly, some respondents expressed concerns that the cost of any requirements introduced under new powers would be high and adversely affect smaller businesses.




Almost all respondents (90%) agreed or strongly agreed that any powers sought by the government should apply to all car parks that are publicly accessible (i.e. if it is provided for use by members of the general public, as per the Alternative Fuel Infrastructure Regulations 2017). This included overwhelming agreement from most local authorities and all non-government organisations. The majority of respondents also agreed that these powers should also apply to car parks which are non-publicly accessible, although the level of support slightly decreased. This is in part because a higher number of respondents neither agreed nor disagreed. Local authorities, individuals and a small number of CPOs and manufacturers made up the 13% of respondents who disagreed.

One of the main arguments for covering both publicly and non-publicly accessible car parks was that it would better allow those who are unable to charge at home to 'top up' their EV without seeking out dedicated charging spots. In addition, some respondents, mainly individuals, commented on the challenges of access to home charging within the "other comments" question for the consultation, and the importance of home charging access in parallel with public infrastructure. Some argued that government should extend the sought powers outlined in this section to also require minimum chargepoint provision in residential buildings.

## 4.3 Next steps on powers

The consultation demonstrated support for government powers to set requirements for EV charging infrastructure in existing non-residential building car parks and standalone car parks (new or existing).

If the market-led rollout of charging infrastructure does not progress at a pace required to support the 2035 phase out date for new petrol and diesel cars and vans, the government

will reconsider legislative powers to require landowners to provide minimum charging infrastructure, when parliamentary time allows. Any future secondary legislation using these powers would be limited, tailored and subject to consultation. Exemptions to minimum requirements would be introduced at secondary legislation stage.

## 4.4 Responsibility for requirements

Installation of chargepoint infrastructure can involve multiple actors at different stages, including landowners, leaseholders, car park operators and chargepoint installers. The transition to EVs is accelerating with industry paving the way for chargepoint provision, however situations where roles and responsibilities are unclear can create barriers. Therefore, we sought views on who was best placed to have responsibility to provide minimum infrastructure in car parks under new powers.

**Questions**

Q25. Should, in your view, the landowner of the car park be responsible for ensuring there is the required level of charging infrastructure provision?

Q26. Who would you have responsible instead of the landowner?

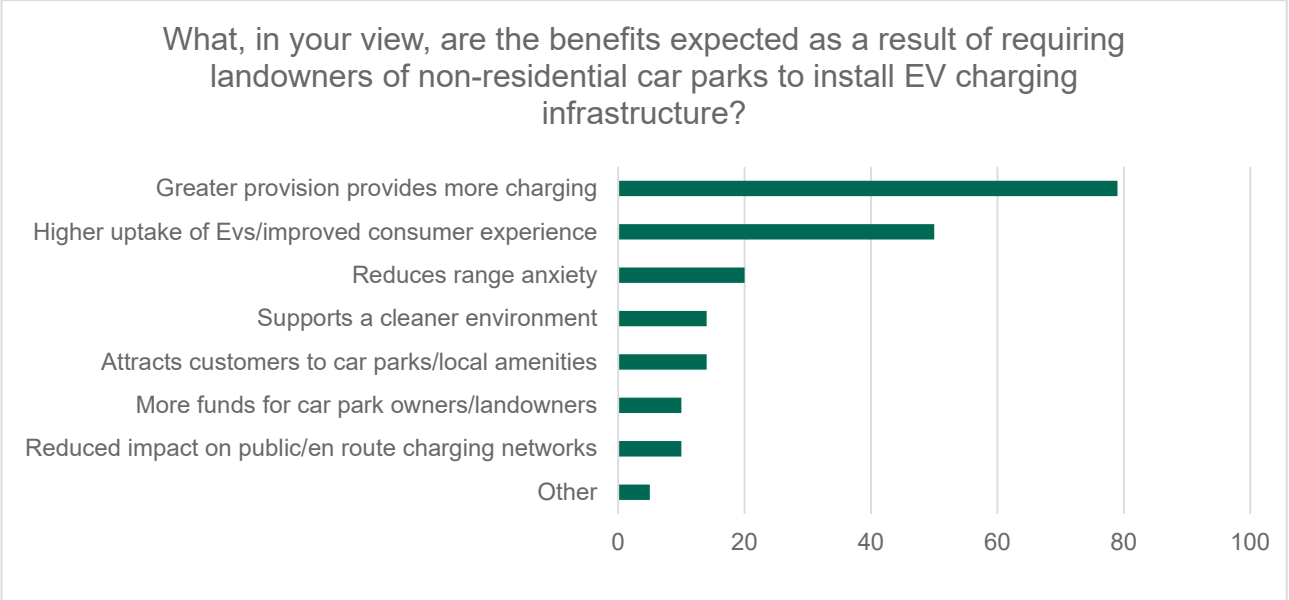
Q29. What, in your view, are the benefits expected as a result of requiring landowners of non-residential car parks to install EV charging infrastructure?

Q30. What, in your view, are the costs expected as a result of requiring landowners of non-residential car parks to install EV charging infrastructure?

## 4.41 Comments

When asked whether any powers taken should place responsibility on the landowner, most respondents (71%) agreed. This support was shared across business and individuals, with local authorities accounting for a larger percentage of respondents who agreed. Those in favour of landowners being responsible argued they would be the long-term beneficiaries of chargepoints being installed, with some suggesting they would be able to recoup the costs of charging infrastructure installations.

The 15% who did not agree, comprised of individuals, non-governmental organisations, and the remaining local authorities, cited three main arguments. Firstly, that government should be responsible for installing (or funding) charging infrastructure. Secondly, that the requirement should be placed on leaseholders, namely in cases where the ownership of the land is unclear. Finally, that responsibility should be placed on the “user” of the car park, which could be the leaseholder, landowner or associated business on a case by case basis. Some of the respondents who neither agreed nor disagreed suggested that the landowner should share responsibility with local authorities and the energy sector (with the latter being responsible for bringing sufficient power).




Respondents cited many positives for placing responsibility on landowners to provide infrastructure and these have been presented in the above table. Many suggested that more visible charging provision would encourage EV uptake, provide more charging opportunities and reduce range anxiety.

Question 30, which asked about the costs expected as a result of any legislation, was interpreted differently by respondents. Some respondents interpreted the question to mean quantifiable cost, whereas other respondents understood this to mean categories of financial costs, such as maintenance or installation. The analysis has been split to reflect these two interpretations.

Most chargepoint installers, manufacturers and operators interpreted the question as referring to quantifiable costs, suggesting that such costs would be substantial. Several of these respondents did however suggest that costs could likely be recouped through usage fees. Some individual respondents also felt that landowners could mitigate some costs through engaging with the EV industry. Some respondents highlighted that collaboration between local authorities and CPOs would help support landowners to mitigate costs.

Respondents who interpreted the question as cost categories suggested that requiring chargepoint installation would cause costs for installation, maintenance and operating to increase. Other respondents, namely individual EV owners, expressed that requirements could increase parking costs as a result of landowners seeking to recoup costs.

Some respondents used the other comments section of the consultation to also emphasise the continued role of government funding to support the transition, especially to support grid reinforcement.

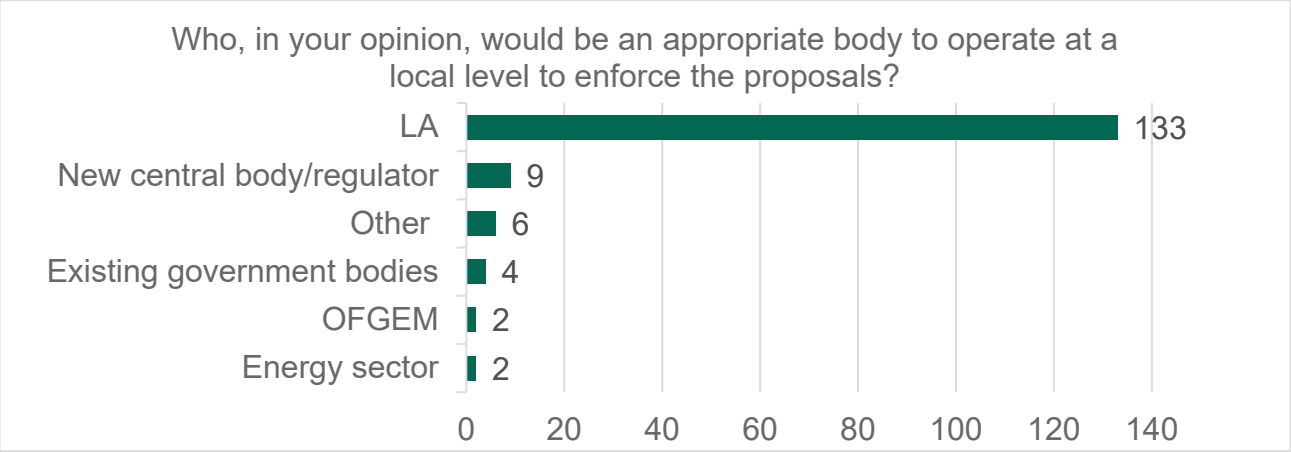
## 4.5 Enforcement

**Questions**

Q27. Who, in your opinion, would be an appropriate body to operate at a local level to enforce the proposals?

Q28. Do you agree or disagree that the requirements be enforced with a scheme of penalties?

Why?




## 4.51 Comments

Nearly all respondents (85%) suggested that local authorities would be the most appropriate body to enforce the proposals. This figure includes respondents who specified different entities which fall under the umbrella of local authorities (including building control authorities, weights and measures, and highway authorities).

We sought further views on whether any powers taken should enforce the requirements with a scheme of penalties. The majority of respondents (72%), most of which were local authorities and consumer groups, agreed or strongly agreed. When asked to explain their answer, there were two interpretations. For the purpose of this analysis, answers have been separated into “why do you agree” and “why do you disagree”. On the former, many local authorities and individual respondents claimed that enforcing through a scheme of penalties would incentivise landowners to comply with the requirement. These respondents suggested that without penalties the requirement to install can be ignored. Some respondents agreed with penalties as a means of enforcement but emphasised that a sliding scale of penalties or penalties as a last resort is a preferred method.

Those who disagreed with the proposal (13%), most of whom were EV owners, argued that incentivisation is a preferred method to penalisation, proposing government funding as a better alternative to encourage buy-in from businesses.

## 4.6 Next steps on responsibilities (4.4) and enforcement (4.5)

Should the government seek powers, these would place responsibility on the landowner. Respondents largely supported them as the entity best placed to hold sole or shared responsibility. We are aware car parks have multiple actors involved in their operation; however, the control of land will always rely on the landowner's permission. Should requirements be introduced, we would ensure that the stages of implementation are efficiently tailored to demarcate the individual rights and responsibilities of actors, including responsibilities for installation and maintenance, especially in more complicated settings with demised spaces and lease agreements affecting parking spaces. Any primary legislation would outline obligations on landlords and how these would interact with rights or obligations of leaseholders which would override existing lease terms.

Should legislation be introduced, we would work with local authorities to design appropriate enforcement regimes and penalty schemes. We would engage closely with local authorities to discuss appropriate measures when they are the landowner.

## 4.7 Considerations for implementation stage

The regulatory review intended to seek views on taking powers under a new regulatory framework. Any future legislation introducing requirements under powers for minimum requirements would set these out in detail with consultation on specific proposals. To gain early views on what requirements introduced under new powers requiring provision could look like, we sought views on the below.

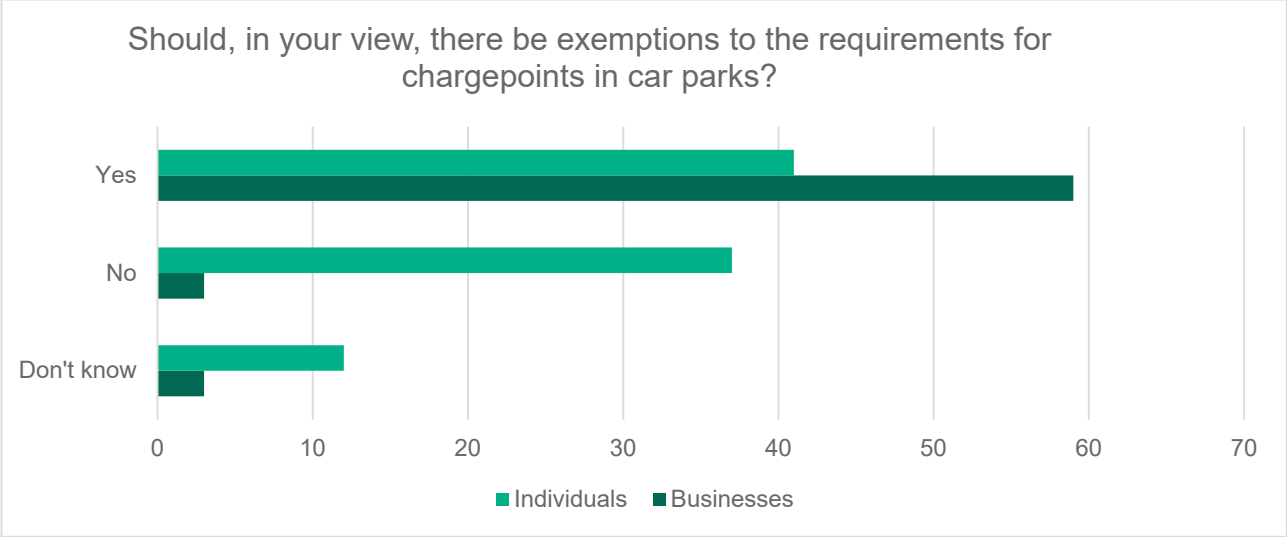
**Questions**

Q22. Should, in your view, there be exemptions to the requirements for chargepoints in car parks?

Q23. In your view which groups, types of car park or circumstances should be exempt from the requirements?

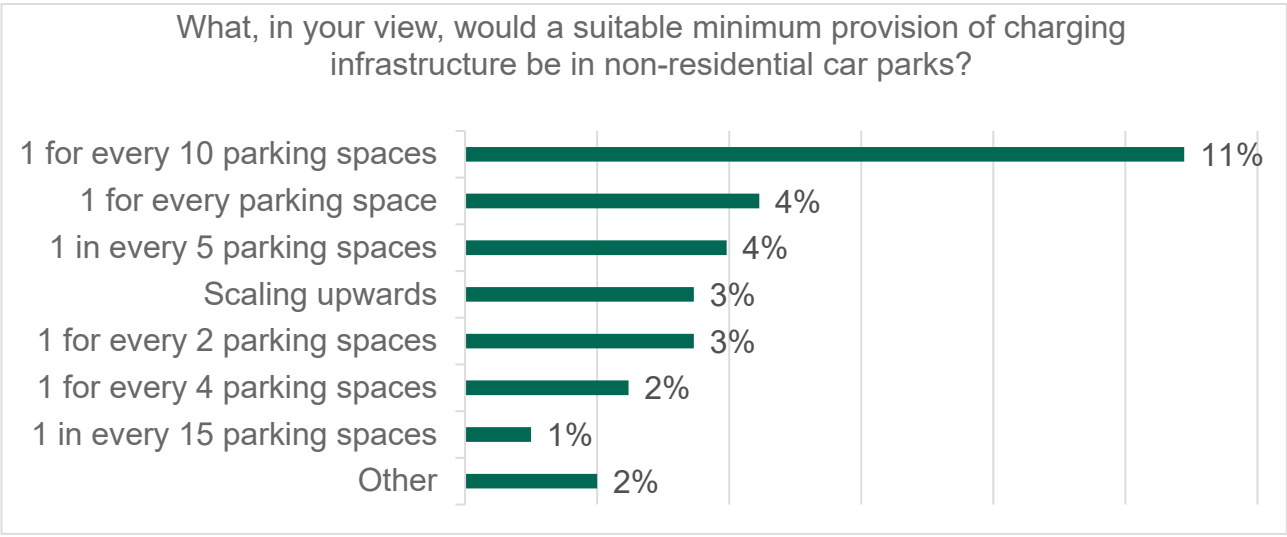
Q24. What, in your view, would a suitable minimum provision of charging infrastructure be in non-residential car parks (for example one chargepoint for every 10 spaces)?

## 4.71 Comments




More than two-thirds of respondents (71%) felt that there should be exemptions if any requirements were introduced under any new powers. Most respondents who disagreed with exemptions were individuals who owned an electric car or van. Views were further split on what exemptions should be included under any future policy proposals. The majority of respondents who favoured exemptions argued that car parks that do not have sufficient electricity supply and would require a costly grid extension should be exempt. Similarly, CPOs, installers and local authorities supported exemptions for car parks where the requirement would be commercially unviable or a large financial burden.

Some respondents also suggested that exemptions would be appropriate based on car park size, the most popular suggestion being car parks with less than 20 associated parking spaces. Car park use cases were also suggested as grounds for exemption, such as car parks which are temporary or owned by small businesses, schools or charities.




Whilst fewer respondents replied to the question on minimum provision, many who did suggested 1 chargepoint in 10 parking spaces. Some respondents also showed support for passive provision, such as cable routing and electrical supply, as an equally important factor.

## 4.8 Cost and car park numbers

This section sought views on previous calculations on cost impacts of EV charging provision from the 2019 impact assessments, which accompanied the consultation. This was to assess how the data reflects real life trends. It also called for evidence on car park numbers.

**Questions**

Q31. How many current non-residential car parks, are there in the UK?

Q32. How many new non-residential car parks, not associated with a building and not falling under our building regulations proposals, do you think will be built over the next 10 years in the UK?

Q33. Do you agree with the costs, assumptions and impacts set out in the impact assessment?

Q34. Why not?

## 4.81 Comments

Answers to questions 31 and 32 were varied and the vast majority of respondents were unsure. Most respondents who did answer referenced RAC Ltd and suggested that there were over 20,000 car parks in the UK. Similarly, respondents were unsure about the number of new non-residential car parks that would be built, and most answered, “not sure” or provided non-numerical answers indicating that ‘many’ car parks would be built.

Over half of respondents (58%) were unsure about the costs, assumptions and impacts set out in the 2019 impact assessment. Both those who did not agree with the costs proposed (15%) and those who were unsure provided recurring themes for their response. Some respondents expressed that the impact of the costs was not well monetised and was underestimated. Some others highlighted that the impact assessment was out of date. A few respondents highlighted the approach used to complete the impact assessment was an over-simplification of actual costs, such as for grid upgrades.

## 4.9 Next steps on implementation (4.7) and cost (4.8)

We are aware that a blanket requirement requiring the same charging infrastructure for all car parks would be an impractical method of ensuring that chargepoints are being efficiently provided in areas where demand is high. This originally informed our decision not to introduce proposals from the 2019 consultation and instead to seek views in the regulatory review.

We expect the market to continue to rollout the necessary car park charging infrastructure without government intervention through these powers. Moreover, the powers to issue directions to Local Transport Authorities to produce EV charging strategies (section 3) will capture local authority-owned car parks. If the non-residential car park chargepoint market does not progress at pace, the government will reconsider legislative powers to require landowners to provide minimum charging infrastructure, when parliamentary time allows. Any future secondary legislation using these powers would be limited, tailored and subject to consultation.

In the meantime, the government will continue to support chargepoint provision in non-residential car parks through grant funding. As part of the Plan for Drivers we will provide additional support for schools to install chargepoints, through our Workplace Charging Scheme. Schools have one of the largest estates of any public building entity in the UK and are traditionally centred in residential areas. Supporting installations will provide a source of charging for staff, visitors and local residents at night, weekends and during school holidays. The Plan's cross-pavement solution grant for on-street domestic charging will also help deliver convenient charging options to those without off-street parking.

Many non-residential car parks are located on leased or rented land. The terms of different leases mean minimum requirements would affect sites in different ways. Therefore, we believe a greater understanding of the impact that minimum requirement powers would have on lease agreements is required. In particular, consideration must be given to how different leasehold arrangements may affect payment and maintenance responsibilities. We will therefore consider launching another public consultation, specifically focusing on how different leases would be affected by a minimum requirement should one be mandated in the future, as well as responsibilities for chargepoint installations. In the meantime, government has launched a review of the landlord and tenant relationship and legislation surrounding it, which will support ongoing policy development in this area.

We will also continue to monitor and evaluate data to make sure that our cost estimates are accurate. This will also include working with industry and landowners who currently install chargepoints voluntarily or under the building regulation requirements from June 2022.

Any future implementation will be handled with close consultation with stakeholders and the public so there is flexibility to deal with gaps in provision as they arise in a proportionate manner. Should any sought powers be used to create secondary legislation, we will further develop or create a new impact assessment to evaluate all costs in line with current data.

# 5. Making and delivering the Rapid Charging Fund

## 5.1 Background

The Rapid Charging Fund will futureproof electrical capacity at strategic locations across England, to support the phase-out of new petrol and diesel cars and vans. The fund will support the cost of providing additional or upgraded electrical connections where it is currently uncommercially viable to do so.

We consulted on three areas in order to support the delivery of the fund and the deployment of ultra-rapid chargepoints at MSAs and large A road sites. To ensure long-term competition is maintained at these sites, we consulted on requiring service area operators and large fuel retailers to ensure on site competition with chargepoint service contracts is openly tendered and a minimum of two different CPOs at any particular site.

We also consulted on requiring existing providers of chargepoint services at MSAs to make their chargepoints open access rather than only open to an exclusive network or group of networks or manufacturers.

Finally we consulted on further extending the powers of government to mandate that service area operators and large fuel retailers must meet minimum chargepoint numbers at specific sites, and at increasing levels over a period of time, to ensure there is sufficient chargepoint availability at these strategically important sites on the network.

## 5.2 Chargepoint Operator competition

In the consultation, we proposed taking new powers to enable government to require that MSAs and large A road sites have at least two different openly tendered CPOs on site. These powers were intended to ensure the benefits of competition were felt by EV drivers and to mitigate the risk that exclusivity arrangements between CPOs and MSAs could lead to the fund being challenged on state subsidy or other competition grounds.

**Questions**

Q36. Do you agree or disagree that we should have the power to mandate more competition between CPOs at:

Q36.1. service areas?

Q36.2. large fuel retailers?

Q36.3. Comments:

Q37. Do you agree or disagree that we should have the power to remove existing exclusivity clauses between CPOs at:

Q37.1. service areas?

Q37.2. large fuel retailers?

Q37.3. Comments:

Q38. How might restrictions on exclusivity at large fuel retailers and service areas affect:

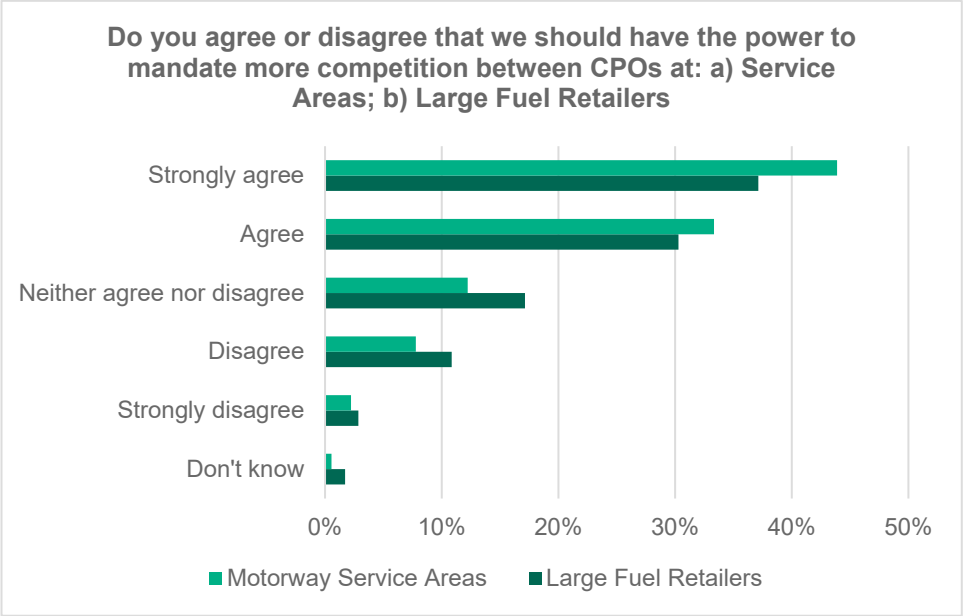
Q38.1. chargepoint investment?

Q38.2. provision of chargepoints at these locations?

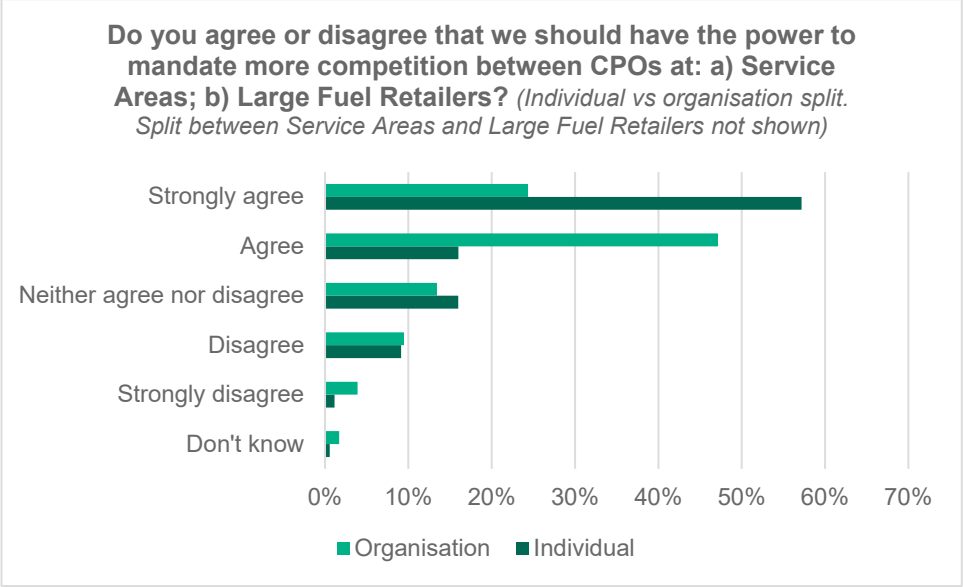
Q38.3. other issues?

## 5.21 Comments

Of those who responded, the majority (72%) agreed that the government should have the power to mandate more competition between CPOs at MSAs and large fuel retailers. Only a small proportion (12%) of those who responded disagreed, or strongly disagreed with the proposal.




There was more support to increase competition at MSAs than large fuel retailers. The number of positive responses for increased competition fell from 77% at MSAs to 67% at large fuel retailers. The negative response percentages were 10% and 14% respectively.




Of those organisations and individuals who responded, both were broadly aligned on the issue of mandating competition. The greatest difference was between *agree* responses and *strongly agree*, with organisations tending to *agree* (47%) and individuals *strongly agree* (57%). The overall positive / negative split difference was small: organisations 72% positive, 13% negative; individuals 73%, 10%.

Organisations which strongly disagreed with competition at MSAs and large fuel retailers felt that this could undermine the case for investment by new entrants and benefit only the incumbents, who might hold an advantageous position on the site. A number of respondents suggested competition should be between sites rather than on sites. A response also suggested that the CPO market would potentially invest less into charging infrastructure if there were no exclusivity agreements in place.

Those in favour of implementing these proposals suggested many potential benefits. Over half of those who responded said that the key benefit of on-site competition would be reduced prices for charging available to customers. Other commonly cited benefits included an increase in consumer choice and quality of service as well as an increase in the provision of chargepoints.

## 5.22 Next steps

Since the consultation was launched the Competition and Markets Authority (CMA) have finalised their report and investigation into exclusivity of the motorway charging sector. The resolution will mean that exclusive contracts will no longer apply once RCF-funded capacity comes online and is available to be used, and at the latest from November 2026. The feedback from the consultation suggested the majority of respondents were in favour of competition on site at MSA locations. The RCF will be an opportunity to ensure that MSA sites that receive funding have the full benefits of competition. The consultation responses suggested that introducing competition on site at smaller A road sites could have a detrimental effect on the viability of the business case for CPOs and may limit investment and growth within the sector. We will consider this in the design of the RCF, given the early stage of the EV market and the scale of the transition it is vital to ensure that innovation and business growth is not hindered. Therefore, we will not be taking this forward in primary legislation.

## 5.3 Open access charging

In the consultation, we proposed taking powers to enable DfT SoS to require that providers of chargepoint services at MSAs make their chargepoints open access rather than only open to an exclusive network or group of networks or manufacturers. This would ensure that MSAs provide fair access to charging to all road users. This could also be used to prevent future closed networks.

**Questions**

Q39. Do you agree or disagree that we should have the power to require CPOs to offer open access charging at:

Q39.1. service areas?

Q39.2. large fuel retailers?

Q39.3. Comments:

Q40. How do you think we should define open access charging?

Q41. Do you agree or disagree that we should be able to act as the freeholder of an electricity connection for:

Q41.1. service areas?

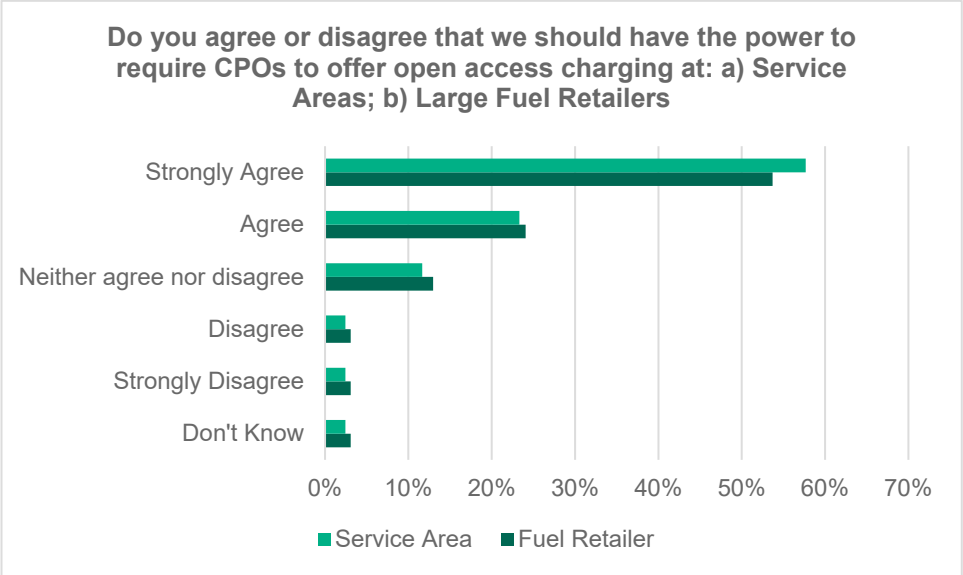
Q41.2. large fuel retailers?

Q41.3. Comments:

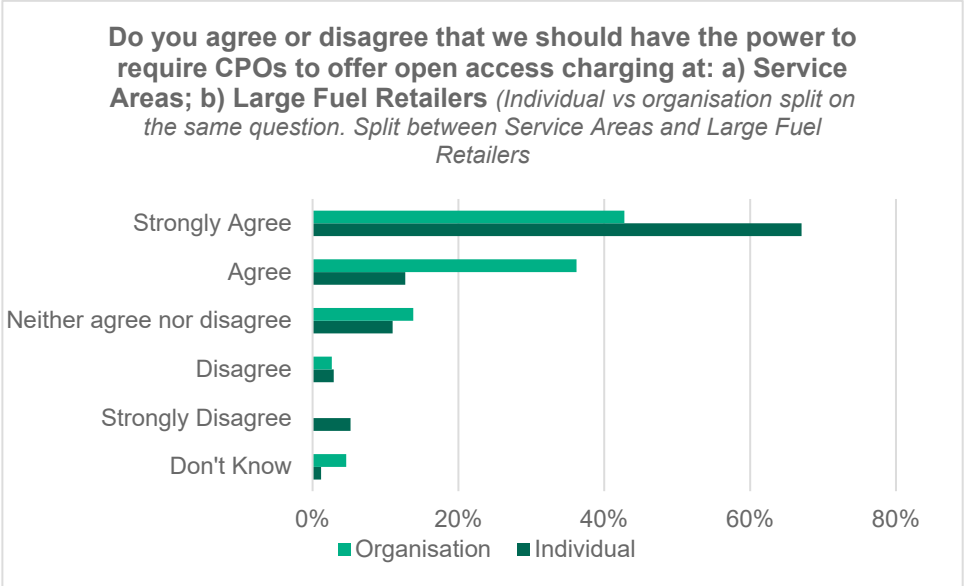
Q42. Do you agree or disagree that we should be able to make a body to administer, operate and own these connections? Answer: Comments:

## 5.31 Comments

Of those who responded, the majority (79%) agreed or strongly agreed that government should have the power to require CPOs to offer open access charging at MSAs and large fuel retailers. Only 6% of responses disagreed, or strongly disagreed with the proposal.




There was little difference between responses for MSAs and large fuel retailers, with responses only slightly more favourable (3% more agreement) towards offering open access charging at MSAs. The largest difference between response types was seen with 58% of those who responded strongly agreeing with offering open access charging at MSAs, falling to 54% strongly agreeing at large fuel retailers.




Those responding on behalf of organisations and individual responders were broadly aligned on the issue of opening closed networks. The individual responders displayed a wider range of opinion. The overall positive / negative split difference was larger than the questions on competition and mandating chargepoint numbers: organisations 79% positive, 3% negative; individuals 80%, 8%. The majority of responses from organisations were either agree or strongly agree (79%), whereas responses from individuals were more split with 68% strongly agreeing (vs 42%) and 6% strongly disagreeing.

The main concern from individuals who strongly disagreed with the proposals was that by restricting private companies' business activities, the government would be preventing EV growth in the country. It was stated that some EV companies would not continue to invest into the market if a key aspect of its business (closed-network charging) was removed.

Another cost cited would be the additional upgrades required to make all networks open-access.

Those in favour of implementing these proposals suggested a number of potential benefits of doing so. Just under half of those who responded said that the key benefit of open-access charging would be an improvement in the overall customer experience. Other commonly cited benefits included a potential decrease in the cost to charge for customers, and an overall increase in the provision of chargepoints.

## 5.32 Next steps

We will not be taking this forward. The RCF will only be used to fund connections for open access chargepoints.

## 5.4 Mandating chargepoint numbers

In the consultation, we proposed taking a power enabling DfT SoS to require that service area operators and large fuel retailers meet minimum chargepoint numbers at specific sites, and at increasing levels over time. These powers are to ensure the successful delivery of the RCF and to ensure that there is sufficient provision of chargepoints across the strategic road network.

### Questions

Q43. Do you agree or disagree that we should have the power to require a progressive increase in the number of chargepoints provided at:

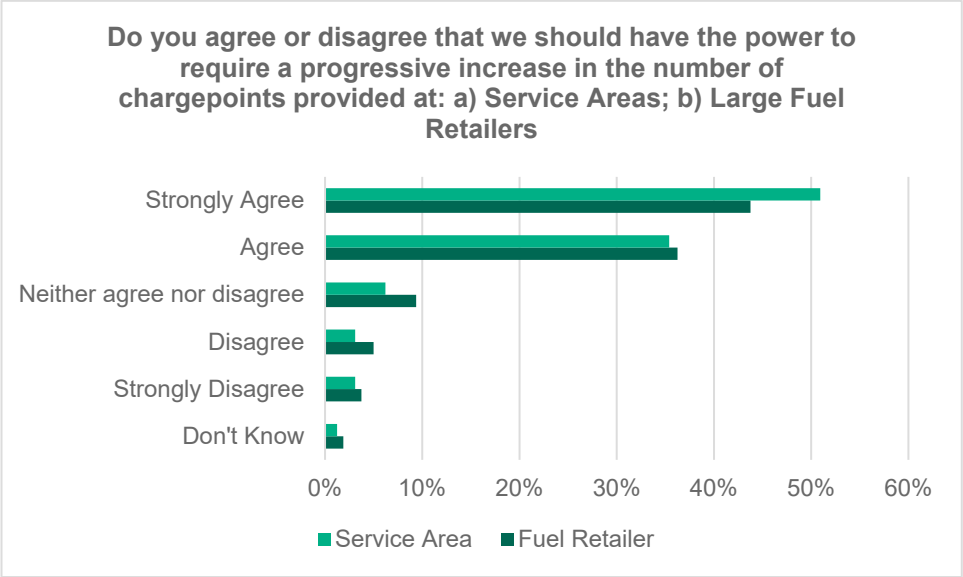
Q43.1. service areas?

Q43.2. large fuel retailers?

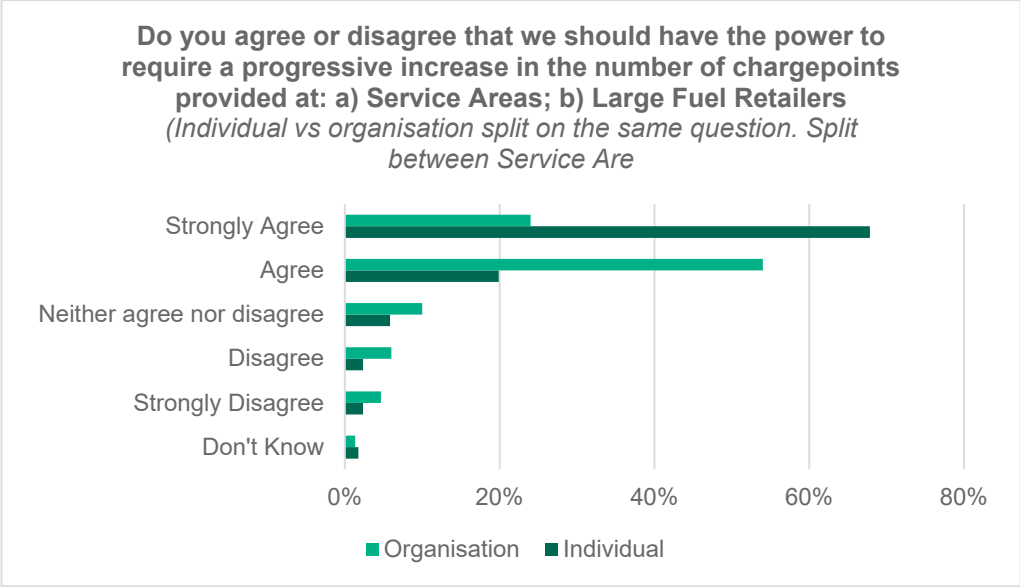
Q43.3. Comments:

## 5.41 Comments

Of those who responded, the majority (83%) of responses agreed that the government should have the power to require a progressive increase in the number of chargepoints provided at MSAs and large fuel retailers. Only a small proportion (8%) of responses disagreed, or strongly disagreed with the proposals.




There was more support for mandating chargepoint numbers at MSAs than large fuel retailers. The number of positive responses in favour of mandating chargepoint numbers fell from 86% at MSAs to 80% at large fuel retailers. The negative response percentages were 6% and 9% respectively.




Those who responded on behalf of an organisation and individual responders were broadly aligned on the issue of mandating chargepoint numbers at MSAs and large fuel retailers. The greatest difference was between agree and strongly agree responses, with those answering on behalf of an organisation tending to answer *agree* (54%) and individuals tending to answer *strongly agree* (68%). The overall positive / negative split difference was small, with individuals overall more strongly positive on the proposals compared to organisations: organisations 78% positive, 11% negative; individuals 88%, 5%.

Some CPOs answered that they are best placed to ensure that they invest sufficient chargepoints to stay ahead of demand, but not investing too early so as to undermine the business model. They argued that powers to mandate this would undermine the investment case and risk under-utilised assets. A trade association argued that the need

for chargepoints should be based on location, not size of the retailer. They said that mandating this would cause certain sites to have more chargepoints than necessary at great cost to the retailer. Indeed, the most commonly stated cost of those who responded cited increased installation costs.

There were many potential benefits stated by those in favour of implementing these proposals. Just under half of those who responded said that the key benefit of mandating chargepoint numbers was that there would always be an adequate provision of charging facilities. Another commonly cited benefit included an improvement of the consumer experience. However, 10% of those who responded believed that chargepoint numbers should be demand led, and not mandated by government.

## 5.42 Next steps

We have commenced Section 11 of the Automated Electric Vehicles Act (2018). The Government may develop secondary legislation to mandate provision of chargepoints at strategically important sites. This would be subject to consultation. In the meantime, government will continue to work with DNOs to review the grid connection process to accelerate chargepoint delivery. This will build on the government's commitment to improve the grid connections process, as set out in the Powering Up Britain Plan and the Plan for Drivers.

# 6. Improving the experience for electric vehicle consumers

## 6.1 Background

A positive consumer experience is essential to increasing public engagement and overall confidence in EV charging. As the transition to EVs accelerates and the charging network expands and evolves, it is critical that regulatory arrangements keep step with consumer needs.

The recently laid Public Charge Point Regulations 2023 set out requirements to improve reliability, simplify payment including mandating payment roaming, enable consumers to better understand the price of charging, and opening chargepoint data. Based on the consumer experience consultation, existing user research and our wider engagement, there are additional issues that can negatively affect EV consumers which we may lack sufficient powers to address. As such, we sought views on taking new primary powers that would allow us to ensure futureproofing in two broad areas, if required: consumer protections and chargepoint design.

## 6.2 Ensuring adequate consumer protections when using public chargepoints

High consumer standards play an essential role in supporting consumer confidence in a competitive market system. As such, consumer trust and confidence in EV charging infrastructure is paramount to supporting the switch to cleaner vehicles. Swift, fair resolution of complaints and access to adequate financial redress, irrespective of where the issue arises in the consumer journey, will be essential to achieving this.

In 2021, the Electric Vehicle Energy Taskforce[1] (EVET) identified the need to ensure market boundaries do not constrain effective complaints handling for EV consumers. To improve the consistency of consumer service across the multiple industries and sectors involved in EV charging, EVET proposed a set of common, principle-based complaints

[1] The Electric Vehicle Energy Taskforce (EVET) brought together senior stakeholders from energy, infrastructure, automotive and transport to advise Government and industry on electrifying road transport.

handling standards. Government is considering the most appropriate forum to develop this work further.

We are already intervening to ensure a high-quality consumer service at public chargepoints. The recently laid Public Charge Point Regulations 2023 set minimum baselines for a positive user experience. These include mandatory reliability requirements for rapid chargepoint networks and requires operators to offer a free 24/7 staffed telephone helpline to support consumers when something goes wrong, which we expect will improve the overall minimum level of service and therefore mitigate complaints.

These new regulations will not oblige chargepoint industry participants to respond to complaints within a given timeframe, nor to offer redress to consumers. Current redress coverage for EV charging depends on whether the company at fault is signed up to a certified Alternative Dispute Resolution (ADR) scheme. The complex nature of EV charging transactions and blurring of market boundaries means it is not always clear who is liable for redress, and there is no clearly defined or standardised complaints escalation route to resolve disputes associated with EV charging.

Parts of the charging market are regulated, such as the sale of domestic electricity, and consumer protections are therefore already in place. However, these may not cover the full range of issues consumers may encounter while charging at home.

As such, this consultation sought views on taking powers to implement a new consumer protections regime, to ensure a clear route to redress for issues encountered in all charging settings. Since regulating in this area is likely to require new primary legislation, we sought views to determine whether intervention might be needed in the medium term.

**Questions**

Q49. Stating clearly, do you agree or disagree that we should implement a consumer protection service, including the option of financial redress to consumers?

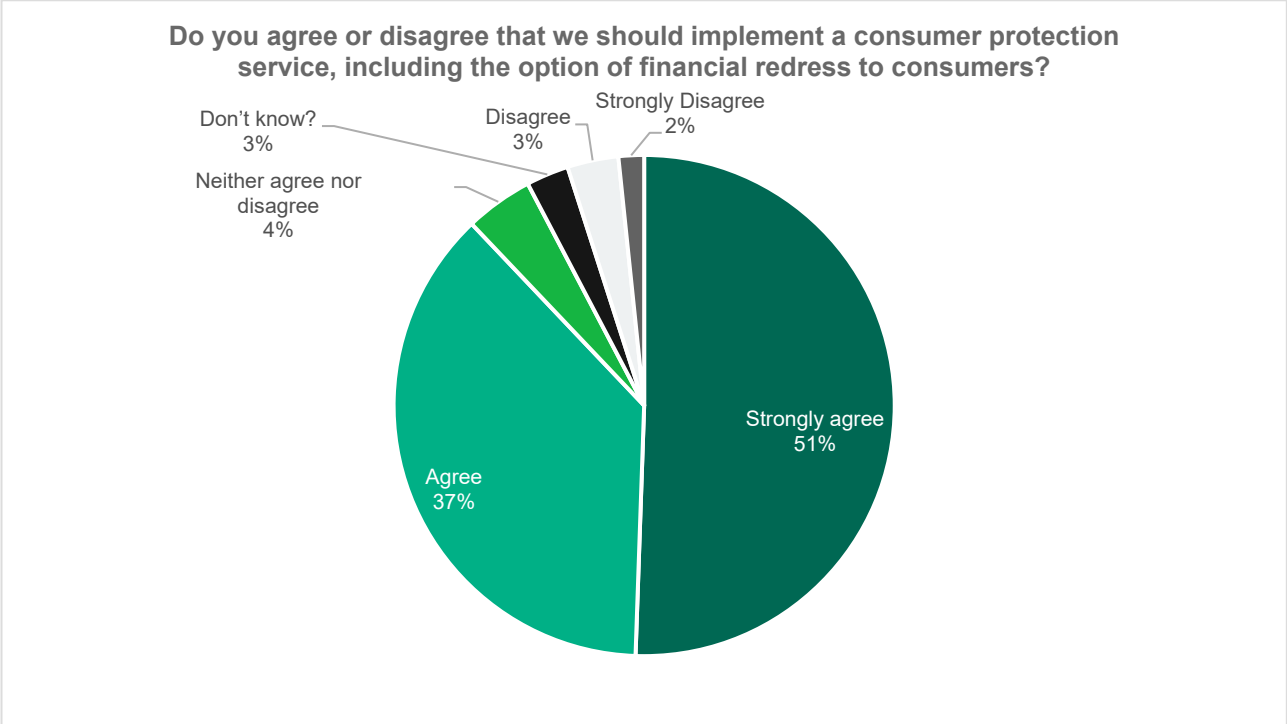
Q50. Stating clearly, do you agree or disagree that there be a mechanism for an enforcement body to impose penalties and sanctions on CPOs for poor consumer service?

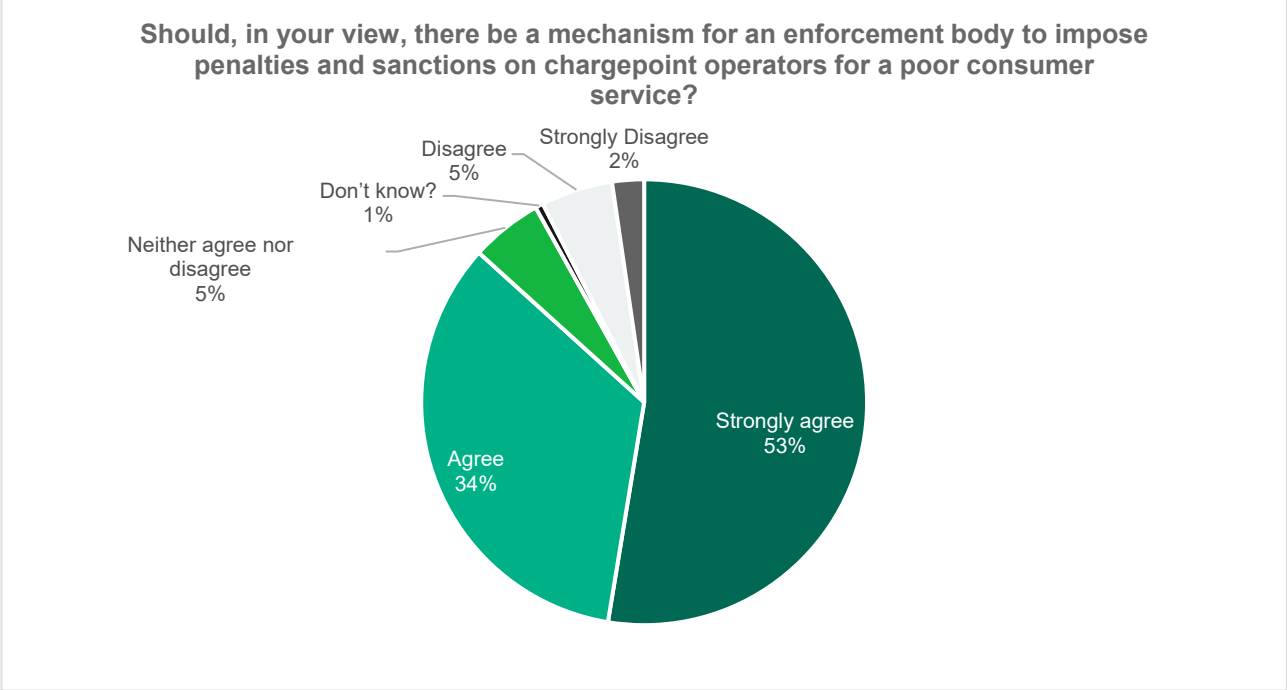
Q51. What, in your view, are the cost implications of establishing a new consumer protections system, including complaints and redressing services (whether government-led or an independent entity)?

Q52. What, in your view, do you think will be the financial cost to the consumer of these consumer protection powers?

## 6.21 Comments

Almost all respondents (88%) agreed that government should implement a consumer protection service for EV charging, including the option of financial redress to consumers. There was similar support (87%) for a mechanism for an enforcement body to impose penalties and sanctions for a poor consumer service.




It was noted, particularly by consumer groups, that consumers should enjoy the same protections as they do in other sectors such as energy and telecommunications. These

respondents also highlighted the need for clear responsibilities for resolving complaints, and for these to be defined and allocated between different market participants, acknowledging the complexity of this task. Some, particularly industry stakeholders, suggested that regulating in this area would be premature given the early stage of the market and the need to understand the impact of upcoming consumer experience regulations (which had not been announced at the time of this consultation).

Views were split on who might bear the cost of establishing and administering such a consumer protections service. Several individual and local authority respondents felt that the chargepoint industry should fund this service, although it was noted that this approach would almost certainly come at a financial cost to the consumer. Others commented that government should carefully consider the distributional impacts of a new consumer protections regime, balancing potential higher costs to consumers with overall improvements to standards of service and consumer confidence. Other local authority and industry respondents suggested that government should fund a new consumer protections service, with the costs recouped through penalty revenue. A significant minority, from a cross-section of organisations, stated that the introduction of a consumer protections service should not bring any additional costs to the consumer. Additionally, several suggested it would be preferable for any new consumer protection services for EV charging to be absorbed by existing bodies, to avoid high costs and a disproportionate regulatory burden.

## 6.22 Next steps

Consumers should feel confident that there is a high-quality, consistent minimum level of service across the charging sector, with high standards of protection available at every stage of the customer journey if issues arise. We anticipate that the recently laid Public Charge Point Regulations 2023 will help alleviate the major causes of consumer complaints. In parallel with implementation of these regulations, we will continue to work with industry and consumer groups to gather evidence on existing or emerging areas of harm on the public and private charging networks.

We fully support the EVET proposal to develop a cross-industry agreed position for consumer complaints handling standards. Government is considering the most appropriate forum to develop this work further. In parallel, we expect to see improved levels of take-up of other consumer codes such as the Electric Vehicle Consumer Code by industry, and clear sign-posting to where consumers can access help and support.

Next steps for EV consumer protections will align with cross-governmental policy work to provide more support for consumers and traders to resolve disputes independently (by working to increase the uptake of ADR and improving the quality and oversight of ADR services - thereby avoiding the need to go to court). More detail on this approach is set out in the response (April 2022) to BEIS's 'Reforming Competition and Consumer Policy' consultation.

We do not intend to take new primary powers in this area at this time. Consumer protection is an area of importance and significant complexity. We are mindful of the need to balance current and future consumer needs against potentially burdensome new

regulatory requirements, noting the relatively early stage of the EV charging market. However, we are committed to keeping consumer protection under review and continuously monitoring options for future intervention. Should any primary powers be taken forward at a later point, we would subsequently consult on the detail of any supporting secondary legislation, including on roles and responsibilities.

## 6.3 Setting accessibility and safety standards at public chargepoints

As the EV transition gathers pace, it is essential that charging infrastructure meets the needs of all consumers. Based on previous consultation, user research and other emerging evidence, we know that various aspects of charging infrastructure design can present challenges to some EV consumers. We want to ensure that those with mobility, dexterity, or other impairments can easily locate and access charging infrastructure suitable for their needs. In addition, all consumers should feel safe while charging at any time of day. Finally, the placement of chargepoints should not impede others in the surrounding built environment. We want charging infrastructure to be rolled out at scale which avoids barriers such as these. Accordingly, we sought views on whether we should take powers to mandate certain aspects of inclusive chargepoint design.

**Questions**

Q53. Stating clearly, do you agree or disagree that we should mandate accessibility (inclusive design) standards for public chargepoints that includes the area around the parked car and the chargepoint?

Q54. If yes, what in your view are the benefits to mandating accessibility standards?

Q55. If no, what in your view are the constraints to mandating accessibility standards?

Q56. In your view, what are the costs to implementing any inclusive design?

Q57. Stating clearly, do you agree or disagree that we should mandate accessibility standards for private residential chargepoints?

Q58. Stating clearly, do you agree or disagree that we should mandate industry participants to provide a safe charging experience at public chargepoints?

Q59. If yes, what in your view are the benefits to mandating industry participants to provide a safe charging experience?

Q60. If no, what in your view are the constraints to mandating industry participants to provide a safe charging experience?

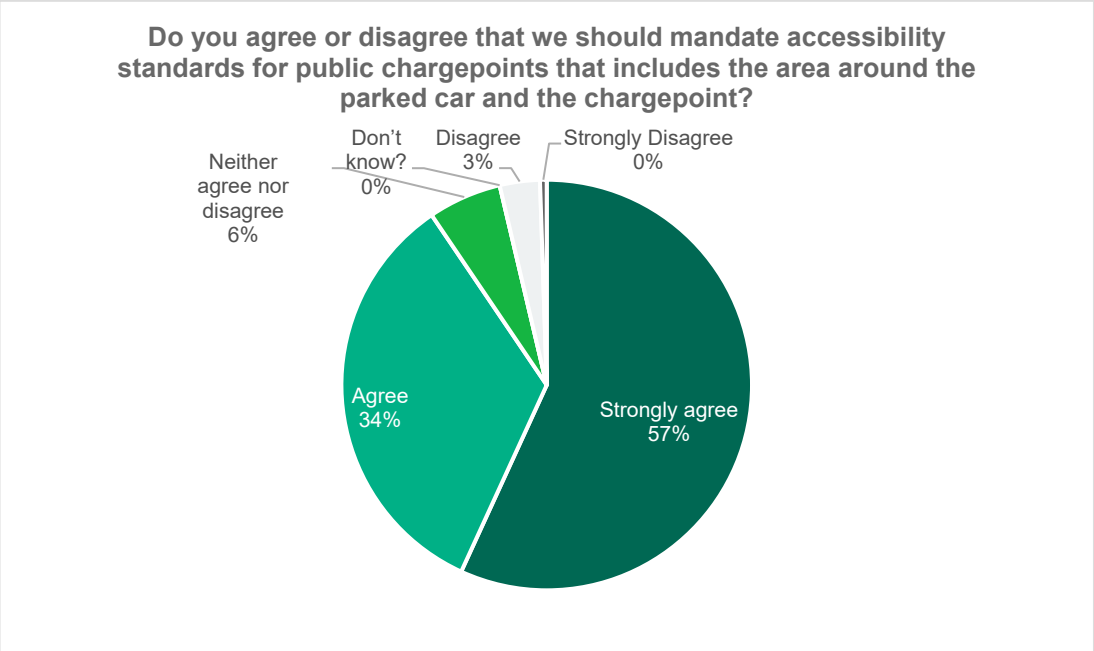
Q61. In your view, what are the costs to implementing any mandatory requirements on industry participants to provide a safe public charging experience?

Q62. What, if any, measures do you think we should introduce to make people feel safe while charging their vehicle?

Q63. Stating clearly, do you agree or disagree that we should take the powers to mandate requirements on industry participants to provide a safe charging experience for private residential chargepoints?

## 6.31 Comments

Almost all respondents (91%) were supportive of proposals to mandate accessibility standards across public chargepoints, including the area around the parked car and chargepoint.




Qualitative responses generally focused on the benefits and constraints of introducing accessibility requirements for public chargepoints. Respondents highlighted that the EV transition should be inclusive for all users, including disabled people, and that taking powers to mandate accessibility requirements would improve EV uptake. Other benefits suggested included an improved and more consistent overall user experience, increased trust and confidence, improved air quality as well as compliance with anti-discrimination legislation. A number of industry participants noted that it would be premature to legislate in these areas in the short term given a lack of standardised best practice definitions, noting the British Standards Institution (BSI) accessible charging standard (Publicly Available Standard 1899:2022, Electric vehicles - Accessible Charging - Specification, 'PAS 1899') was in early development at the time of consultation[2].

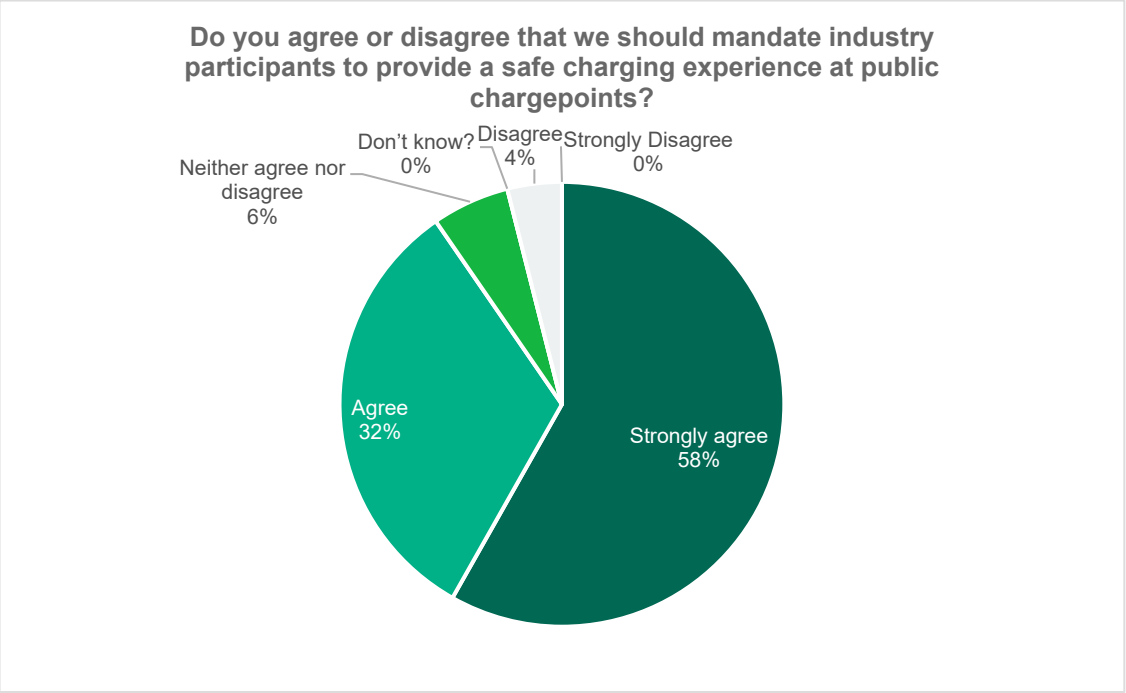
Industry respondents further noted they agreed in principle with taking new primary powers to mandate accessibility standards, although cautioned against government imposing overly prescriptive requirements in the short term. Additional concerns were raised by industry respondents around lost parking revenue for site owners and other potential higher costs (including equipment, signage and retrofitting) they suggested would be passed onto the consumer.

Others noted their views that any new requirements should not be 'one size fits all', given significant variation in charging sites. Some also expressed opposition to any requirements on industry to retrofit existing equipment - although others noted that mandating new requirements now could be preferable to acting later from a cost-to-business perspective. Several noted that further detail on proposed requirements is needed to reliably comment on costs.

Almost all respondents (90%) were in favour of the principle of mandating minimum safety standards across public chargepoints, defined as the requirement that chargepoints are

[2] Subsequent to the future of transport regulatory review consultation, PAS 1899 was published on 11 October 2022.

situated in safe locations and/or that mitigations are provided, such as adequate lighting and weatherproofing.

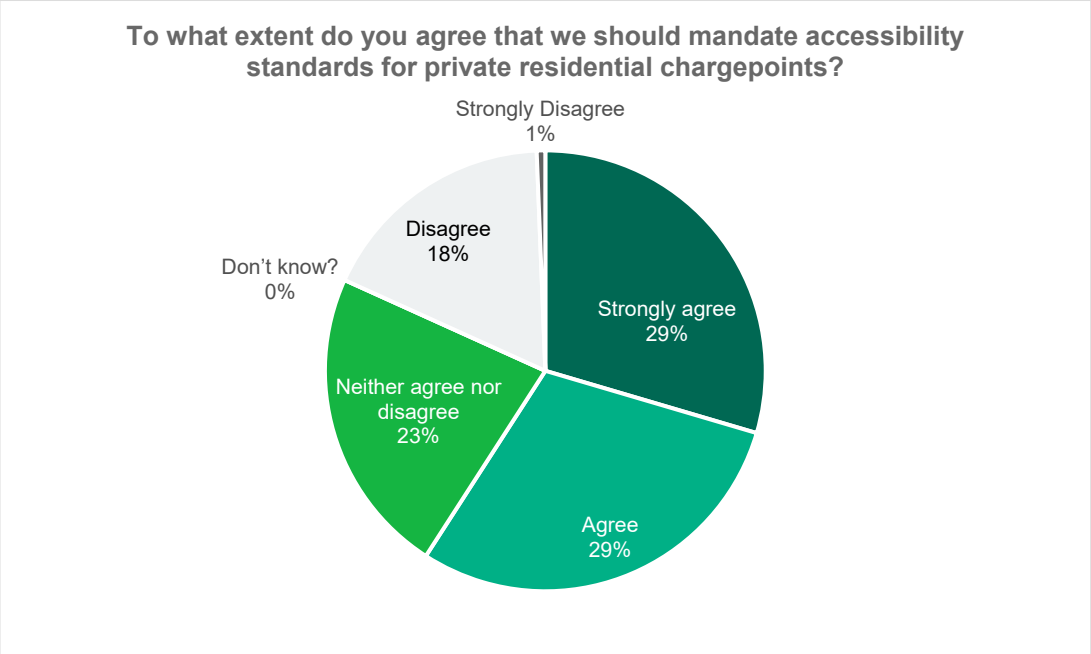


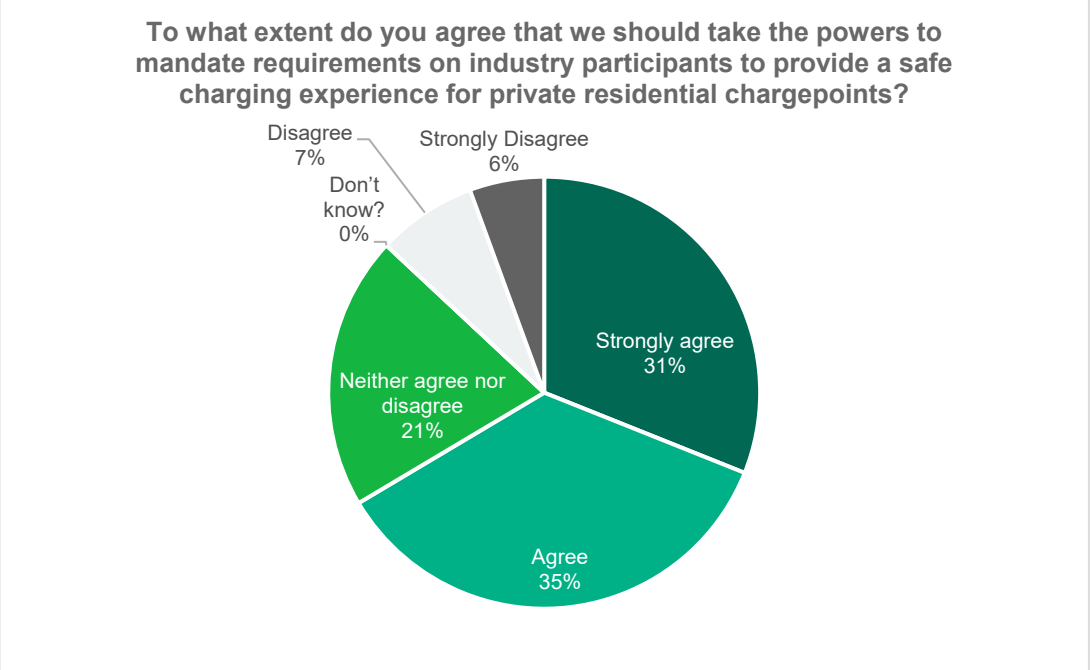

Many respondents noted that this proposal would ensure a more positive, inclusive charging experience - particularly at night - due to improved perceived and/or actual personal safety. Several, including local authorities and consumer groups, suggested this would ensure a level playing field for industry to provide for reasonable safety requirements, suggesting that consumers having greater peace of mind could also give businesses a competitive advantage.

Several respondents noted that consumers should feel as safe charging an EV as they do refuelling at petrol forecourts. Respondents commonly identified lighting, CCTV, clear signage, shelter, proximity to amenities and choice of location as examples of elements we should consider mandating. Several emphasised that new safety requirements would improve confidence among female drivers, who they noted may feel particularly vulnerable charging in dark, isolated locations.

Several constraints to introducing minimum safety requirements were identified by industry respondents, including where liabilities for a safe charging experience would lie - noting that where CPOs do not own or manage land on which they operate, many elements that could provide a safe charging experience (e.g. CCTV, adequate lighting, weatherproofing) lie outside of their direct control. Some industry respondents urged against overly prescriptive requirements being introduced, noting that depending on the stringency of requirements that costs could be substantial. A significant minority noted that further detail on proposed requirements is needed in order to reliably comment on costs, proposing the development of best practice guidelines as a precursor to regulation (if required).

There was lower support overall for accessibility (58%) and safety (66%) requirements being introduced for private residential chargepoints, with several of those opposed noting that this should be a matter for individual homeowners.




## 6.4 Mandating aspects of chargepoint design

The aesthetic and functional appearance of public chargepoints varies significantly. Consequently, the user experience can be inconsistent as consumers need to adapt to individual chargepoint designs. We sought views on taking new powers to enable government to require that public chargepoints are designed such that they are easy to use, recognisable and provide a consistent consumer experience.

### Questions

Q64. Stating clearly, do you agree or disagree that we should have the power to mandate the entirety of, or defined aspects of, the recognisable design of public chargepoints?

Q65. If yes, which, if any, aspects of the design should we be able to set (for example, size, colour or form and shape)? If yes, what, in your view, are the benefits to mandating a recognisable design?

Q66. If yes, what, in your view are the costs to implementing any recognisable design?

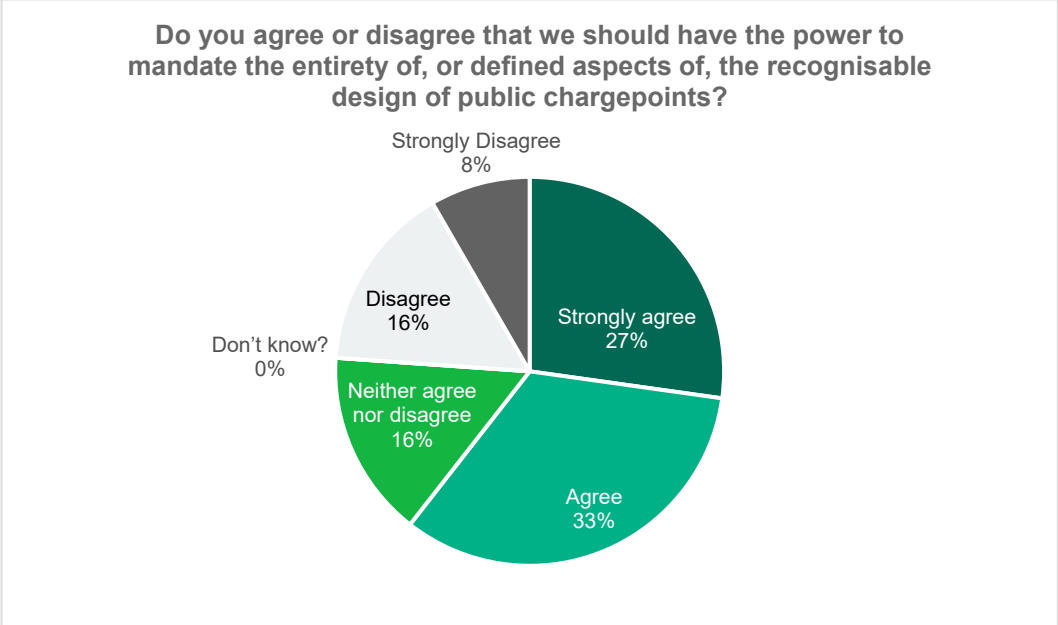
Q67. If yes, do you agree that the mandated recognisable design should apply to all public chargepoints in: all locations, or only specific locations?

Q68. If no, why not?

Q69. If no, what in your view are the constraints to mandating a recognisable design?

## 6.41 Comments

A majority of respondents (60%) were supportive of standardisation of defined aspects of, or the entirety of, the recognisable design of public chargepoints.




It was commonly noted that some design elements may benefit from standardisation but that room should be left for variation and innovation. Views were split on which, if any, design aspects government should be able to set. A significant minority of respondents noted that any such mandate should be limited to accessibility and safety features, as per questions 53-63. Several respondents highlighted consistent signage as particularly

important, both in familiarising consumers with EV charging infrastructure but also enabling them to easily locate chargepoints. Others were supportive of government being able to set a wider range of design features, such as a defined colour for all public chargepoints and cable lengths.

A significant minority, and the majority of industry respondents, questioned the role of government in standardising any aspect of aesthetic chargepoint design and suggested there would be considerable constraints if such a mandate was pursued. These respondents expressed significant concerns around associated monetary costs and the potential of new requirements to be overly prescriptive. Industry respondents were particularly resistant to proposals to standardise the entirety of a physical chargepoint design, noting the importance of a competitive market and the risk of new requirements constraining design innovation in a rapidly evolving industry. It was commonly suggested, especially by industry respondents, that mandating any recognisable design would stifle competitive innovation, restrict flexibility for a range of designs to be developed accounting for different user needs, add substantial costs to industry (which would be likely passed onto the end user) and ultimately delay the roll-out of EV charging infrastructure while new designs were implemented.

## 6.5 Next steps on accessibility and safety standards and mandating aspects of chargepoint design (6.3 and 6.4)

Inclusive chargepoint design is an important area that we are already taking action to address. In October 2022, the British Standards Institution (BSI) published PAS 1899, the UK's first technical specification for accessible EV charging infrastructure, co-sponsored by Government and disability charity Motability. In addition to defining accessibility specifications for public chargepoints (including those situated adjacent to accessible parking bays), PAS 1899 provides good practice guidance on establishing an inclusive charging environment, including personal safety considerations. This standard was developed in close collaboration with industry, disabled users, accessibility experts, charities, consumer groups and the devolved administrations. This work builds on the 2021 chargepoint design project and resulting considerations document, published in March 2022, which sets out principles for how chargepoint design can ensure a positive experience for consumers and those using the wider environment.

We will strongly encourage industry to adopt the technical specifications set out in PAS 1899 and will monitor for progress over the next two years. We will also work with local authorities to engage them on PAS 1899 and encourage them to incorporate accessibility into their procurement models and OZEV grant scheme applications. In addition, to help ensure chargepoints are integrated into the wider streetscape in a way that reduces potential negative impacts on other road users, we will encourage industry to follow the built environment accessibility best practice in our Inclusive Mobility guidance. The Public Charge Point Regulations 2023, laid in July, mandate open chargepoint data, to ensure consumers can locate the right chargepoints for their needs.

As set out in the Plan for Drivers, the government will also publish guidance for local authorities, to ensure that any cross-pavement charging infrastructure is implemented safely.

We have carefully considered the principle of new accessibility and safety requirements against potential implications of adding new and potentially burdensome regulatory requirements to an emerging market. We acknowledge progress already being made by industry to adapt chargepoint and site designs to accommodate a wider range of user needs. Our expectation is that our actions described above will further improve the offer for all EV consumers, including those with specific access needs, without the need for additional intervention at this stage. We are already introducing new 'minimum baselines' to improve reliability and ease of payment on the public charging network and are mindful of the sum of requirements on the chargepoint sector.

We are not intending to take new powers to futureproof any aspect of chargepoint design in the immediate term. Chargepoint design is a complex policy area and significant work is required to identify any specific areas requiring new legislation and associated costs and benefits. However, as best practice starts to emerge, we will continue to assess options for mandating minimum requirements to ensure an accessible, safe, charging experience. Should any primary powers be taken forward at a later point, we will consult on the detail of supporting secondary legislation before enforcing any new requirements, including on roles and responsibilities.

# 7. Conclusion

In the consultation, we said that the Future of Transport Regulatory Review may conclude that substantive legislative reform is required. When parliamentary time allows, we intend to take powers through future primary legislation on a statutory obligation on local authorities to plan for and deliver charging infrastructure.

We will continue to monitor and evaluate the rollout of charging infrastructure in existing non-residential car parks. If installation rates do not progress at the required pace to support the 2035 phase out date, when parliamentary time allows, we will consider legislative powers to place minimum requirements for charging infrastructure provision on landowners of all types of non-residential car parks.

We will continue to engage with stakeholders and will consult on the detail of any supporting secondary legislation, including exemptions to the minimum requirement, before enforcing any new powers.