

Will councils be forced to install EV charging?

The central government's Net Zero commitments will require the use of high carbon combustible fossil fuels to decline in order to meet its targets. A ban on new combustion engine vehicles from 2030 (and 2035 for certain hybrid models) is due to be imposed in order to reduce emissions, assisting with its Net Zero goals.

20 October 2021

This article is taken from October's public matters newsletter. [Click here to view more articles from this issue.](#)

The central government's Net Zero commitments will require the use of high carbon combustible fossil fuels to decline in order to meet its targets. A ban on new combustion engine vehicles from 2030 (and 2035 for certain hybrid models) is due to be imposed in order to reduce emissions, assisting with its Net Zero goals.

However, according to the [Competition and Markets Authority](#), there is still work to be done regarding the UK's charging infrastructure to ensure that nationally, electric vehicle (**EV**) charging is convenient and accessible as "forecasts suggest that up to 480,000 public charge points will be needed by 2030". There are currently over [25,000 public EV chargepoints](#), showing the present weakness in the EV infrastructure which must be overcome if electric vehicles are to replace diesel and petrol models.

What is the current position as regards local authority (LA) EV charge points?

The Office for Zero Emission Vehicles (**OZEV**) says that currently, LAs generally deliver charging infrastructure where private chargepoint operators are not expected to invest as a result of low current demand and a lack of commercial viability. However, as demand increases as a result of the accelerating transition to EVs, the OZEV expects that there will be increasing delivery by chargepoint operators at on-street locations, and that the role of LAs will become a strategic one, planning the best locations for chargepoints to be installed by commercial operators.

However, a [report by the Local Government Association](#) sets out various concerns or barriers raised by LAs in their rolling out of EV charging infrastructure. These were:

- "lack of coherent strategic direction at a national level, including no articulation of the vision for the future and lack of clarity over the role authorities were expected to play in delivering EV charging infrastructure;
- funding and resource constraints, with current funding structures too short term to allow strategic planning, and as they are based on competitive allocation do not focus on delivering where infrastructure is most needed;
- lack of data to support decision making, including not having modelling of future demand;
- difficulties engaging with DNOs [Distribution Network Operators] on energy planning and grid connection, and as with other areas a lack of strategic approach to energy planning;
- concerns over procurement approaches, with questions over whether authorities have the right commercial skills, and whether best practice is being shared across the sector, as each authority is developing new contracts and documents;
- concerns over current market constraints and the extent to which this was driving commercial arrangements and decision making;
- [and]
- questions over the appropriate technology to invest in and apprehension about future technology obsolescence".

How is the government looking to solve EV charge infrastructure issues?

The Office for Zero Emission Vehicles (OZEV), a cross government support team which is tasked with supporting the UK's transition to EVs, as well as providing funding to support the UK's EV charging infrastructure, is currently consulting on whether new primary legislation should be introduced which would provide impose statutory obligations on local authorities to plan for and provide EV charging infrastructure for their communities. It should be noted that the consultation also considers whether to place these duties on chargepoint operators or energy companies.

Commentary

It is clear that for some LAs there is current uncertainty over EV infrastructure. The Local Government Association report highlighted a number of issues which contribute to the difficulties that LAs have in planning for and implementing such infrastructure. Although many LAs have made 'zero carbon' commitments themselves and are taking steps to reduce emissions resulting from transport in their areas, the financial position of many LAs means that funding has to be prioritised for the support of critical services and the provision of zero carbon transport is often heavily supported by grants from central government. If a duty to plan for, and implement such infrastructure is imposed on LAs, will it be accompanied by adequate funding from central government for carrying out these additional obligations, or will LAs be expected to deliver on these obligations from already stretched resources?

While the proposed statutory obligations are not guaranteed (the proposal can be [found here](#), and closes 22 November 2021), central government is clearly considering whether imposing specific duties to plan for and implement EV infrastructure is something that can be used to help drive the net zero carbon agenda. LAs are uniquely placed to understand the needs of their communities and will likely to be key stakeholders in driving EV infrastructure across the UK in the future; however, with so many LAs already committed to the zero carbon agenda, and energy companies and chargepoint operators also in the OZEV's sights, it remains to be seen whether, and where any such duty will be imposed, and if it is, how the eventual duty holder will be supported financially to meet any such commitments.

It should be noted that the UK's subsidy control regime clearly has a role to play in this, as it is likely to be easier to fund LAs to deliver this type of support than it is for private companies and this may be one factor in the decision making process. As advisers to many local government EV and EV charging projects, we await the outcome of the consultation with interest.

Contact



Mark Hickson

Head of Business Development

onlineteaminbox@brownejacobson.com

+44 (0)370 270 6000

Related expertise

Environmental

