

Street works access: electric vehicle chargepoint operators

Introduction

Thank you for responding. Your information will help to decide if we should amend legislation to grant electric vehicle chargepoint operators the right to carry out street works using a permit rather than a section 50 licence, which is the current practice.

Closing date is 12 April 2024.

Accessibility statement

Read our [accessibility statement for SmartSurvey forms \[opens in a new window\]](#).

Confidentiality and data protection

The Department for Transport (DfT) and Office for Zero Emission Vehicles (OZEV), who will both be joint controllers of this data, are carrying out this consultation to amend legislation to grant electric vehicle chargepoint operators (EV CPOs) the right to carry out street works using a permit rather than a section 50 licence, which is the current practice.

The [DfT online form and survey privacy notice \[opens in a new window\]](#) and [OZEV privacy notice \[opens in a new window\]](#) give more information on how your personal data is processed in relation to this survey.

In addition to the information outlined in the privacy notices, we are asking for the name of your organisation and the type of organisation you are, for identification.

Personal details

1. What is your name?

2. What is your email?

3. Are you responding on behalf of an organisation? *

- Yes
- No (Go to 'Proposals')

Organisation details

4. Your organisation's name is?

North Tyneside Council

[Note. North Tyneside's Cabinet Member delegated decision to submit a response to the consultation was taken on 10 April 2024. Since such decisions may be subject to a 'call in' process, this response should be treated formally as a draft until confirmation is received in due course.]

5. You are:

- an organisation responsible for installing EV chargepoint infrastructure
- a highway authority
- a utility company (not responsible for installing EV chargepoint infrastructure)
- a representative body
- another type of organisation

Proposals

We are proposing to amend legislation to grant electric vehicle chargepoint operators (EV CPOs) the right to carry out street works using a permit rather than a section 50 licence, which is the current practice.

This would mean that EV CPOs would require access to the Street Manager digital service, which is used for co-ordinating street works across England.

We are asking if you agree or disagree with:

- 1. Giving EV CPOs this right and if implemented the potential benefits and drawbacks from this proposal.*
- 2. Allowing EV CPOs holding a permit the ability to install chargepoints without further permission.*

[Full information on the consultation is available \[opens in a new window\].](#)

Legislation amendment

Legislation should be amended to give electric vehicle chargepoint operators the right to carry out street works using permits instead of section 50 licences.

6. Do you agree or disagree with our proposal to give electric chargepoint operators access to permits rather than licences?

- Agree (Go to 'Benefits and drawbacks')

- Disagree
- Don't know (Go to 'Continue with survey')

Legislation amendment reasoning

7. Why not?

[Not applicable]

Continue with survey

You have indicated that you:

- *disagree with our proposal to give electric chargepoint operators access to permits rather than licences*
- *are non-committal about our proposal to give electric chargepoint operators access to permits rather than licences*
- *are unaware about our proposal to give electric chargepoint operators access to permits rather than licences*

Subsequent questions in this section are about this proposal and the potential effect of implementing this proposal which you have not shown a preference to do. As a consequence you may now either:

- *go to the next section*

or

- *continue answering the survey questions*

8. Do you want to answer the rest of the questions? *

- Yes, I want to continue answering the questions
- No, I want to skip the questions and go to the next section (Go to 'Additional permissions')

Benefits and drawbacks

We believe the potential benefits from the proposal are:

- *it should be much cheaper and quicker for EV CPOs to be able to obtain a permit than a section 50 licence*
- *fees and timescales for permits are set out in statutory guidance and are consistent in every highway authority (HA) area*
- *all permit applications can be applied for online via the Street Manager digital system, which is in use by every HA in England, so there will be one way of applying for permits for all areas*
- *it will help both HAs and EV CPOs to better coordinate works and make it easier to establish ownership of apparatus. Information about planned and live works would be included in the open data that we stream to a range of data users*
- *no further development is needed for Street Manager*
- *EV CPOs would have to pay Street Manager charges and permit fees, but we expect this to be much cheaper than the costs of section 50 licences this will:*
 - *save administration time for HAs and EV CPOs*
 - *mean Street Manager charges and maximum permit fees are set by us*
 - *mean charges for Street Manager cover service support, continuous improvement and the cloud data storage*
- *EV CPOs must, as now, comply with other requirements for the [New Roads and Street Works Act 1991 \[opens in a new window\]](#), such as those relating to reinstatements and safety*

We believe the drawbacks from the proposal are:

- *granting EV CPOs the right to carry out street works would be a novel approach*
- *other organisations with a statutory right to carry out street works are licensed by an industry regulator, typically these are known as statutory undertakers and the public services they provide are subject to industry regulators, there is currently no such regulator for EV CPOs*

We are asking if you think there are if you think there are additional benefits and drawbacks that we should consider.

9. What do you believe would be the additional:

benefits, if any, of giving electric vehicle chargepoint operators access to the permit regime rather than licences

As statutory undertakers, CPOs would be subject to a thorough inspection process in line with the industry regulator's procedure.

Highway authorities would have greater control of the process in terms of arranging for defects to be rectified in a reasonable time frame as CPOs would be subject to the defect process as per the code of practice for inspections, and all inspections will be visible on Street Manager.

drawbacks, if any, of giving electric vehicle chargepoint operators access to the permit regime rather than licences

None identified

10. What, if any, specific:

positive impacts do you believe that we should consider if operators were given access to permits

[No specific points]

negative impacts do you believe that we should consider if operators were given access to permits

[No specific points]

positive consequences do you believe that we should consider if operators were given access to permits

[No specific points]

negative consequences do you believe that we should consider if operators were given access to permits

[No specific points]

Additional permissions

We are asking you if EV CPOs, who hold the appropriate permit, should be allowed to install chargepoints without further permission from the highway authority.

In order to do this we would be required to alter section 115E [\[opens in a new window\]](#) of the Highways Act 1980.

11. Do you agree or disagree that EV CPOs, who hold the appropriate permit, should be allowed to install chargepoints without further permission from the highway authority?

- Agree
- Disagree
- Don't know (Go to 'Technical questions')

Additional permissions reasoning

12. Why?

We would not agree that businesses should have the ability to place EV chargepoints on the public highway when they have obtained only streetworks permission. The location and type of equipment proposed for installation should be discussed with the highway authority at an early stage: this should include any requirements for traffic regulation orders (TRO); impact on wider parking provision; accessibility considerations; and consideration of any pre-existing proposals to install EV chargepoints in the area.

Technical questions

We have some additional technical questions that we would like you to complete. This will help us to develop our analysis and to assess the potential impact of these proposals. These questions are to do with your current licence experiences and are not required for your view on the proposals stated already. The remaining questions are only for:

- organisations responsible for installing EV chargepoint infrastructure
- highway authorities

to answer. However you will have an option to bypass these should you choose to do so.

13. You are:

- an organisation responsible for installing EV chargepoint infrastructure
- a highway authority (Go to 'Highway authority operations: continue with survey')
- neither an organisation responsible for installing EV chargepoint infrastructure or a highway authority (Go to 'Final comments')

EV chargepoint operations: continue with survey

14. Do you want to answer the permit experience questions? *

- Yes, continue
- No, go to the final comments section (Go to 'Final comments')

EV chargepoint operations

We are asking for information about your current and past Section 50 licence activity.

15. What do you currently pay, on average, when applying for a Section 50 licence?

- Don't know
- Less than £250
- £250 and up to £500
- Between £500 and up to £750
- Between £750 and up to £1000
- Between £1,000 and up to £1,250
- Above £1,250:

16. In your view does the application fee for a Section 50 licence offered vary regionally in different parts of England?

- Yes
- No (Go to 'EV chargepoint operations')

Don't know (Go to 'EV chargepoint operations')

Varying fees

17. How much do the application fee for a Section 50 licences vary regionally in England?

- Fees vary significantly
- Fees vary slightly
- Don't know (Go to 'EV chargepoint operations')

Varying fees reasoning

18. How do the application fees for Section 50 licenses in regions vary?

[Not applicable]

EV chargepoint operations

We are now asking about your Section 50 licence applications in 2022, January 2022 to December 2022.

19. In 2022 how many Section 50 licences did you apply for?

- 0 licences
- 1 to 99 licences
- 100 to 249 licences
- 250 to 499 licences
- 500 to 1000 licences
- Above 1,000 licences:

Chargepoints

20. In 2022, what was the average number of chargepoints that were covered by your single Section 50 licence application?

1 chargepoint

2 to 10 chargepoints

11 to 50 chargepoints

Above 50 chargepoints:

21. Approximately how many people in your company were involved in submitting applications for Section 50 licences in 2022?

Don't know

0 people

1 to 2 people

3 to 4 people

5 to 6 people

7 to 8 people

Above 8 people:

We are asking about the amount of time you spend processing section 50 licences.

For example if it takes 2 staff members a day (7 hours) to process a Section 50 licence, this would count as 14 hours.

22. Approximately, what was the average total hours-worked for all staff to submit one Section 50 licence in 2022?

Don't know

0 hours

1 to 10 hours

11 to 20 hours

- 21 to 30 hours
- 31 to 40 hours
- Above 40 hours:

We are now asking about your potential experience if the proposal, which would grant EV chargepoint operators the right to carry out street works using permits rather than a licence, were to be implemented.

23. If implemented what impact would you anticipate the proposal would have regarding the hours worked during the application process?

- I think it would significantly increase the number of hours worked for the applicant
- I think it would slightly increase the number of hours worked for the applicant
- I think the number of hours worked for the applicant would remain unchanged
- I think it would slightly reduce the number of hours worked for the applicant
- I think it would significantly reduce the number of hours worked for the applicant
- Don't know (Go to 'EV market growth')

Impact reasoning

24. Why?

[After answering go to 'EV market growth']

Highway authority operations: continue with survey

25. Do you want to answer the permit experience questions? *

- Yes, continue
- No, go to the final comments section (Go to 'Final comments')

Highway authority operations

We are asking for information about your current and past experience Section 50 licence application experience and permit applications via Street Manager.

26. How many people are involved in processing Section 50 applications?

- Don't know
- 0 people
- 1 to 4 people
- 5 to 8 people
- 9 to 12 people
- 13 to 16 people
- Above 16 people:

27. What is the average fee you currently charge for one Section 50 application from an EV Chargepoint Operator?

- Don't know
- Less than £250
- £250 to 500
- Between £500 and up to £750
- Between £750 and up to £1000
- Between £1000 and up to £1250
- Above £1250:

We are now asking about your Section 50 licence applications in 2022, January 2022 to December 2022.

28. How many Section 50 applications did you receive from EV Chargepoint Operators in 2022?

- 0 licences
- 1 to 99 licences
- 100 to 249 licences
- 250 to 499 licences
- 500 to 1000 licences
- Above 1,000 licences:

We are asking the time taken to process applications within your authority. For example if it takes 2 staff members a day (7 hours) to process a Section 50 licence, this would count as 14 hours.

29. On average how many hours are required for processing a Section 50 application?

- Don't know
- 0 hours
- 1 to 5 hours
- 6 to 10 hours
- 11 to 15 hours
- 16 to 20 hours
- Above 20 hours:

Street manager

30. How many people are involved in processing permit applications via Street Manager?

- Don't know
- 0 people
- 1 to 4 people
- 5 to 8 people
- 9 to 12 people

- 13 to 16 people
- Above 16 people:

We are asking about amount of administration various permit have on your organisation in both time and personnel. We would like you give give time answers in hours, for example if it takes 2 staff members a day (7 hours) to process a Street Manager application, this would count as 14 hours.

31. On average how many hours are required for processing a permit application via Street Manager?

- Don't know
- 0 hours
- 1 to 5 hours
- 6 to 10 hours
- 11 to 15 hours
- 16 to 20 hours
- Above 20 hours:

EV market growth

32. In your view you would state that:

- the current system requiring EV Chargepoint Operators to apply for Section 50 licenses in order to undertake street works increases EV market growth
- the current system requiring EV Chargepoint Operators to apply for Section 50 licenses in order to undertake street works restricts EV market growth
- the current system requiring EV Chargepoint Operators to apply for Section 50 licenses in order to undertake street works does not affect EV market growth
- you don't know the effect of the current system of requiring EV Chargepoint Operators to apply for Section 50 licenses in order to undertake street works has (Go to 'Final comments')

EV market growth reasoning

33. Why?

Not applicable

Final comments

34. Any other comments?

It is important to learn the lessons from recent experience which other types of business, e.g. fast broadband companies, which have sought to install infrastructure over a wide local area quickly and with limited local advance notice. This became very resource-intensive for highway authorities to manage (e.g. quality of works and reinstatements). This should be borne in mind as details of the proposed changes are finalised.