

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

AUTOMATED AND ELECTRIC VEHICLES BILL

Sixth Sitting

Tuesday 14 November 2017

(Afternoon)

CONTENTS

CLAUSES 9 TO 15 agreed to.

Adjourned till Thursday 16 November at half-past Eleven o'clock.

Written evidence reported to the House.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Saturday 18 November 2017

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The Committee consisted of the following Members:

Chairs: MR ADRIAN BAILEY, † SIR EDWARD LEIGH

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|---|---|
| † Argar, Edward (<i>Charnwood</i>) (Con) | † Mann, Scott (<i>North Cornwall</i>) (Con) |
| † Brown, Alan (<i>Kilmarnock and Loudoun</i>) (SNP) | † Rodda, Matt (<i>Reading East</i>) (Lab) |
| † Duffield, Rosie (<i>Canterbury</i>) (Lab) | † Stephenson, Andrew (<i>Pendle</i>) (Con) |
| † Efford, Clive (<i>Eltham</i>) (Lab) | † Stewart, Iain (<i>Milton Keynes South</i>) (Con) |
| † Foxcroft, Vicky (<i>Lewisham, Deptford</i>) (Lab) | † Tracey, Craig (<i>North Warwickshire</i>) (Con) |
| † Hayes, Mr John (<i>Minister for Transport Legislation and Maritime</i>) | † Turner, Karl (<i>Kingston upon Hull East</i>) (Lab) |
| † Jones, Graham P. (<i>Hyndburn</i>) (Lab) | † Western, Matt (<i>Warwick and Leamington</i>) (Lab) |
| † Kerr, Stephen (<i>Stirling</i>) (Con) | |
| † Knight, Sir Greg (<i>East Yorkshire</i>) (Con) | Farrah Bhatti, Mike Everett, <i>Committee Clerks</i> |
| † Letwin, Sir Oliver (<i>West Dorset</i>) (Con) | † attended the Committee |

Public Bill Committee

Tuesday 14 November 2017

(Afternoon)

[SIR EDWARD LEIGH *in the Chair*]

Automated and Electric Vehicles Bill

Clause 9

PUBLIC CHARGING POINTS: ACCESS AND CONNECTION

2 pm

Karl Turner (Kingston upon Hull East) (Lab): I beg to move amendment 3, in clause 9, page 6, line 22, at end insert—

“(4) The Secretary of State must consult charge point operators and vehicle manufacturers on the prescribed requirements for connecting components (before regulations under subsection (1)(b) are made).”

This amendment requires consultation with charge point operators and vehicle manufacturers on the requirements for connecting components for the charging of electric vehicles.

It is always a pleasure to serve under your chairmanship, Sir Edward. The amendment requires consultation with charge point operators and vehicle manufacturers on the requirements for connecting components for the charging of electric vehicles. As the Bill is currently drafted, the Secretary of State has the power to make regulations in relation to the components of charging points. What the Bill does not do is define what criteria will be used or who will be consulted when making that decision.

The Bill presents a significant opportunity for the UK to lead globally in encouraging uptake of electric vehicles. Making the most of that opportunity will require action in a number of areas. One is the availability and interoperability of charging points. As Members will know, there is some concern about differing design standards for charging points. Those Members, such as myself, who have electric cars, or know constituents who do, will know how frustrating it is to come to a charging point when there is no common universal standard. It is extremely annoying to pull up, try to plug in and then, all of a sudden, realise there is no opportunity to charge. It is important to avoid the situation in which vehicles have a wide range of different connecting components because they will have to be reflected on forecourts. A wide range of different connecting components will be absolutely impractical and create confusion, as we have already discussed. The amendment would require the Government to consult charge operators and vehicle manufacturers on these vital infrastructure decisions.

Sir Edward, I do not intend to press the amendment to a vote. Its purpose is to probe a little deeper to ensure that the Government consult properly and widely on the final form and implementation of those connecting components, specifically consulting recharge point operators and vehicle manufacturers.

Sir Oliver Letwin (West Dorset) (Con): My main purpose in speaking to this clause and the amendment is to raise the same broad issue that I tried to raise on Second Reading. I have had a chance since then to talk to some of those involved in various elements of the industry and I am reaffirmed in my view that the scope of the regulations proposed in clause 9(1) and 9(2) is too limited.

It is clear that, if we take clauses 9 and 10 as a whole, they miss out a very important, critical element of the scene, without which we will not succeed in engendering the spread of electric vehicles that we seek. That is the assembly—many thousands in the one case and many hundreds of thousands in the other—of apartment blocks on one side and homes on the other side that do not have off-street car parking. In my own constituency, a very large proportion of the population does have off-street car parking because it is a rural area. Many suburban areas fall into the same category, but in our major cities there are many people who live in homes that do not have off-street car parking. Except at the very top end of the market, almost all people living in apartment blocks do not have full off-street car parking that is particularly associated with them. There may be a place where people park but it is not one that can be guaranteed to belong to a Mr or Mrs X. At the moment there is nothing in the Bill that mandates any off-street car parking under either of these circumstances.

My right hon. Friend the Minister may say, as he is wont to do in the Committee, “This Bill is only the beginning.” Yes, but it needs to be a beginning that is sufficient to bring about the largest part of what we seek to achieve. I urge him to talk to his colleagues in the Department for Business, Energy and Industrial Strategy to work out how, in connection with the clean growth strategy, he can provide, probably in the other place rather than on Report, although either would do, an amendment to clauses 9 or, conceivably, 10, or even a new clause, to provide powers for a Secretary of State—probably the one for Business rather than the one for Transport—to ordain that district network operators have to install off-street parking on some rational basis.

Clearly, a lot of consultation is needed with the manufacturers of the relevant equipment, as the shadow Minister said, but principally with the utilities themselves—the district network operators—to work out the best way through that. My feeling when I was involved in this as a Minister was that there is a great deal of difference between taking this in marginal steps as streets are being broken anyway for the purpose of repair or expansion of the network, and doing it all at once. Asking the DNOs to put in off-street car parking on all city streets and for apartment blocks that have not got it and where parking is permitted would be expensive and overplay what is needed in the first year or two. It is doable, but it is excessively costly for the consumer of electricity on whom the cost would fall—assuming it was allowed into the regulatory asset base, which it obviously needs to be. If, however, it is a programme of work that proceeds as streets are broken—I have done a little investigation, although the Minister’s counterparts in BEIS will be able to do much more, which suggests that over about a 10-year period almost all city streets would be able to have off-street charging installed at the same time as works went on—there will obviously be a marginal cost, but it is small.

I made an error in my remarks on Second Reading, because I thought at that time that the rational way to do this was to provide for fast charging off-street through what *Hansard*, with a delicious benevolence, transcribed as “free-phase charging”. That is a lovely idea, but I hope what I actually said, and I certainly meant to say, was 3-phase charging, which is fast charging. I thought that would be necessary off-street to provide for people to come home from work, charge off-street and then set out for supper or whatever. I have now been told by three different groups of manufacturers, so I begin to believe it, that that is not judged to be necessary and that low-voltage charging would do. That is because, in experience so far, almost everyone who engages in off-street parking or indeed any kind of charging at home does it overnight, in which case low-voltage does perfectly well.

That makes the proposition I am making considerably cheaper. If it is just a question of putting in lamp posts and bits of street furniture that have plugs, it is not complicated. It would be much aided if what the shadow Minister is requesting happened and there was a universalised plug system—but in any event it is perfectly doable at reasonably low cost if done over a period when streets are being broken anyway. If that does not happen, we will not see anything like the spread of electric cars that we would otherwise see, because about half the population does not have access to off-street parking, so it is a very important thing to do.

I want to anticipate one thing that I know from experience the Minister will be told by people in BEIS if his officials ask its officials. That is why I ask him to talk directly to our mutual friend, his counterpart Minister there, about it. He will be told that it is okay because Ofgem has powers within its current regulatory regime to modify licences in order to bring this about and it has powers to allow things to be charged to the regulatory asset base. Those propositions happen to be true, but I do not think that they are a good basis for not taking the power, because the next thing, which the Minister may or may not be told but is also true, is that Ofgem is an independent entity and one cannot guarantee that it will actually use the powers, because if we look at its duties in the underlying primary legislation, we see that it does not have the duty to promote the use of electric vehicles. It may interpret its duties to the electricity supply industry, in terms of balancing and economics, as meaning a large amount of renewables and the prospect of a large battery for the nation residing in its cars. It may interpret its duties as meaning that it ought to do this, but it might interpret its duties differently. It may say that the electricity consumer should not have to bear this cost, and therefore I think that Ministers need the powers directly. They may well never need to exercise them, because they may be able to say to Ofgem, “Look, we have a regulation-making power here. Rather than us using it, why don’t you just enforce this?” But one way or the other, I think that the power should be taken, and it could be taken in a form that allows a very moderate, slow roll-out over, say, a 10-year period. That would broadly do, because I do not think any of us imagines that tens of millions of our citizens will have these kinds of cars 10 years from now. We want there to be able to be tens of millions of our citizens with these cars 20 or 30 years from now, so it would do if this was done gradually as streets were broken.

I hope that that is clear and the Minister is willing to consider it, in conjunction with BEIS, between now and the final passage of the Bill through the other place.

Iain Stewart (Milton Keynes South) (Con): I rise briefly to seek the thoughts of my right hon. Friend the Minister on clause 9(2), which deals with the potential regulations covering the payment methods for charging points. During an evidence session, one of the most powerful pieces of evidence that we got was from Robert Llewellyn, who pointed to the chaotic situation that existed in California and Ireland, where different providers had different payment cards and methods and there was no standardisation until they legislated for it. My reason for speaking is to hear a little more about what the Minister intends under clause 9(2). Is it his intention to seek a common payment mechanism, and if so, is the current wording of the clause sufficient? The evidence that we had from Robert Llewellyn was that the industry itself will not come up with a common payment mechanism and that will require Government intervention. The Minister may argue, and I will be perfectly happy to accept, that the clause as drafted does it, but perhaps he will wish to consider a slight alteration in the wording to set out that expectation.

Matt Western (Warwick and Leamington) (Lab): I want to amplify the points made by the right hon. Member for West Dorset in talking about the opportunity we have—I think he was saying this—to be more ambitious and to mandate more for the provision of public charging points on our streets, and the challenge that we face particularly in urban areas. Many of us will appreciate the financial pressures that local authorities are under, and we need to look at introducing LED street lights, whereby we invest in order to save in the budgets employed by councils in the provision of street lighting. Linked to this is a huge opportunity for those authorities to invest in and provide street charging points, and for electric vehicles. I want to broaden the thinking. We are talking in the main about electric cars—that is the mindset we are focused on. However, particularly in urban areas, other forms of electric mobility will offer us a huge opportunity. We need to be cognisant of that, especially electric bicycles—I think that will be a huge growth area.

2.15 pm

Sir Greg Knight (East Yorkshire) (Con): Does the hon. Gentleman agree that the private sector will undoubtedly play its part in providing charging places? I am thinking in particular of pubs, which are always looking for ways to increase their takings. In Yorkshire there is one pub, near my constituency, which has introduced three electric charging points that are there now, ready for use. Many supermarkets have their own car parks, and it seems to me natural for a supermarket to start providing charge points in their car parks.

Matt Western: I totally agree. There is an opportunity both for the market and for authorities to seize this. It is really about showing leadership and ambition in the sector.

Stephen Kerr (Stirling) (Con): I am thinking about the planning implications of all this for the provision of off and on-street charging points. Do we need to think more widely and, again, more ambitiously, in terms of stipulations that surround planning permissions?

Matt Western: Planning is not my specialism, but I agree that that does come into it, as we recognise what the opportunity is. I think that in China there is already significant progress in electric mobility. Certain cities are adopting this in its entirety. Of course, they are starting from a green field to develop these new eco-cities. It is within our remit to consider these things and to think about planning new elements under local plans that are going through many of our local authorities right now, and how that might be provided for. It is something that we need to do now. Perhaps I can only speak from a Warwickshire perspective, where I know there is a wholesale plan. The right hon. Member for West Dorset spoke about the renewal plan—the accelerated plan to start putting in LEDs and all sorts of other street furniture. It is a terrific opportunity. If we put the framework in place we could help to accelerate, if the Committee will excuse me using that term, that introduction, which would be a very healthy one.

The Minister for Transport Legislation and Maritime (Mr John Hayes): What a delight to sit under your chairmanship again, Sir Edward, to participate in this exciting exchange of views. As I mentioned informally earlier, we moved from autonomous vehicles to electric vehicles apparently seamlessly, but with equal determination and diligence.

This clause provides powers to improve the consumer experience for gaining reasonably straightforward, easy access to all public charging infrastructure, regardless of where motorists are driving in the UK. The aim is essentially to improve confidence in the purchase and use of electric vehicles, which in itself is part of our efforts to reduce emissions by encouraging people to buy those vehicles that emit fewer NO_x things. We spoke earlier about particular material, the effect it has on human wellbeing and our determination as a Government to take action to counter its effects.

At the moment drivers face myriad different charge points, as we have heard in the course of the debate. I suppose that partly because the industry is developing, the technology is evolving. Like all technological change in its first phase, a variety of different options is still available to the consumer. Perhaps that is the inevitable consequence of the early stage of the development of technology. Usually technology settles around a few common standards and often around a single common standard. That may be the natural consequence of a rationalisation in the market.

I had an interesting conversation about two pervasive and—by the fact that they are widely believed—apparently persuasive myths with two members of the Committee over lunch, not from the Government side, by the way. The two myths we discussed were the misconception that the market would necessarily and automatically settle these matters itself. That is not my view. The second myth was that all technological change is, by its nature, intrinsically efficacious. That is not my view either. It is a lazy assumption that all change is for the better and an even lazier one that all technological change, by its very nature, because it is exciting, fresh and enthralling, must be in the interests of the people. That is not so. It is our job to ensure that these things are encouraged where they are indeed virtuous but constrained where they are not, and, as my right hon. Friend the Member for West Dorset and others have

mentioned, to shape change for the best effect. That is precisely what the Bill tries to do with electric charge points.

I have many notes ahead of me, some of which I will use and some of which I will not because I want to address directly the points that have been raised. There seem to be four points. The first point is about access to charge points and making that access, as I described it a moment ago, straightforward, readily available and widely understood. That is not the case now, as the shadow Minister said of his own experience as an electric car driver. The Bill creates powers for us to achieve what I think he wants. The powers will be sufficient to allow us to define a single means of access and to link to that a single payment method. The problem at the moment is not only about interoperability—although it is about that—it is also about how you pay. Some power points are paid for in advance, some are pay-as-you-go. There are different payment methods, which adds to additional doubts—for the purposes of *Hansard*, that was alliterative; it was tautological as well as alliterative, to be precise, Sir Edward.

The Chair: I am afraid the Minister cannot rewrite *Hansard*.

Mr Hayes: Quite. I know the *Hansard* writers are wonderful people.

The aim of the Bill is to create greater clarity and consistency about access and payment. We are confident that the powers are sufficient to do that. It is necessary to consult the industry on this and I commit to doing so. We want to do this as much as we can as a result of that collaborative, co-operative dialogue, but we will take powers as necessary to provide the certainty that we all seek. That seems to me to be important and urgent and it is very much in tune with what the shadow Minister said.

The second point made by my right hon. Friend the Member for West Dorset was about the location of charge points in those places where it is less straightforward and where there is not easy access.

Matt Rodda (Reading East) (Lab): I thank the Minister for giving way and for mentioning our brief conversation at lunch time; it is very good of him. On his point about the location of charge points, as someone who represents a constituency with poor quality air—we suffer greatly from air pollution in Reading, as do many other urban areas, even relatively small or medium-sized ones—I not only commend his interest in encouraging charge points but urge him to speak to his officials and other partners, including the industry and local authorities, to see whether areas with air pollution problems can be prioritised as we roll out this new technology. Residents in those areas would be very grateful and appreciative if thought were put into whether that is possible.

Mr Hayes: The hon. Gentleman, with great courtesy, gave me notice as part of the civilised conversation we had at lunchtime that he would raise that very point. When he mentioned it to me informally, I said that it was an interesting thought. It is not incompatible with the zonal approach we have taken to air quality. As he

knows, we have developed an approach that focuses on areas that are particularly severely affected by poor air quality. I cannot give a definitive commitment to do exactly what he says, but I am certainly prepared to think about it. It would not be out of tune with the Government's approach; as well as raising the quality of air for everyone, we have done extra work in parts of our country—typically urban places—that are particularly badly affected. I think he can take that as a small win, in that he has made his point, which I have acknowledged and committed to going away to think about more.

My right hon. Friend the Member for West Dorset made a point about existing powers. He will be aware of the powers granted by the Alternative Fuels Infrastructure Regulations 2017, which I think he referred to. They have just been introduced in the UK and will go part of the way to solving the problem. Those regulations require that all charge points offer ad-hoc access without requiring people to have membership, as some existing systems do. They are about creating the greater consistency that he seeks.

In a former life I was the Energy Minister, and I remember dealing with Ofgem and others, as my right hon. Friend will have done in the roles that he has had. I hear what he says about the practical business of ensuring that the appropriate powers are employed in the way that we seek, and I will think more closely about that, too. It might be necessary to do that in primary legislation in the way that he described, but there may be other ways of achieving that end, and I want to give it further consideration.

It is certainly essential, if we are going to make this multiplicity of charge points as widely available as possible, to address the issue of off-street charge points. As my right hon. Friend and others will know, some local authorities have already made progress in that regard. I am delighted to be able to tell the Committee that just this weekend, London boroughs took the lead. Wandsworth approved a plan to convert all lampposts so that they have charge points, which is notable and important, and Kensington and Chelsea announced the conversion of 50 lampposts as a first step to converting all its lamp posts. So, there is some progress in London.

Sir Oliver Letwin: It is indeed encouraging that those things have been done, but does my right hon. Friend agree that the scale of the ambition is wholly different? Fifty charge points is fine, but I am talking about something like 10 million. I think that I am right in saying that there are about 20 million cars in this country, so about 10 million will be owned by people in places where there is off-street car parking. I do not think that local authorities, Ofgem or utilities companies have got the idea at all that we need to build the infrastructure far in advance of the cars if we are ever going to have the cars. That is why I beg him to consider primary legislation that puts it beyond doubt that Ministers could, if necessary, just make this happen wholesale. That way, they will probably avoid ever having to use those powers.

Mr Hayes: Well—

Graham P. Jones (Hyndburn) (Lab) *rose—*

2.30 pm

Mr Hayes: Before I give way, I will quote Ruskin. I know that the hon. Gentleman will want to be informed by that before he contributes. Ruskin said:

“Quality is never an accident. It is always the result of intelligent effort.”

The effort required is of a scale and of the kind that my right hon. Friend the Member for West Dorset mentions. I shall be able to offer extra, exciting news in a few moments.

Graham P. Jones: I am more likely to quote Rousseau than Ruskin. To take the point made by the right hon. Member for West Dorset and talk about it practically, in my constituency 50%-plus of properties are terraced and the lamp standards are set back, not kerbside. That causes a difficulty, because even if we were to fit charging points, we would still have trailing wires. We therefore have all sorts of issues about how we interconnect a property with the kerbside when the lamp standard is set back towards the property, not the road.

By 2040, of course, all vehicles will have to be electric vehicles. The houses will still be there—we are not going to demolish or reconstruct them—so there will have to be a process of adaptation between now and then. The right hon. Member for West Dorset was talking about 10 million charging points and 20 million cars, and I do not think he is too wrong. Who knows? With smaller vehicles, there may be more vehicles than that. How does the Minister envisage resolving that?

One thing the Minister could do, though it would not bridge the problem of open wiring and cabling from a property to the kerbside, is on parking bays. One of the problems in terraced areas will be the competition for parking outside. If a person has a charging point on their property, with the Government having alleviated the problem of cabling across the kerbside, they still have the problem of accessibility when they come home. The Government need to consider how the charge is transferred from the property to the roadside and how to prioritise, because someone who has just bought an electric vehicle will want to be able to park outside their house to connect the cable up at the shortest point. Those are issues the Government need to consider. When we look at the scale mentioned by the right hon. Member for West Dorset and where the volume of terraced properties is like mine at 50%-plus, we see there is a major challenge for the Government.

Mr Hayes: Yes, and one might say, paradoxically, that the challenge is both urban and rural. In many urban areas, people may not have convenient roadside parking, while in many rural areas people may live remote from main arterial routes and therefore major retailers. The Bill mentions major retailers, and I want to deal with that in greater detail. The point was made by the hon. Member for Kilmarnock and Loudoun in considering the previous incarnation of the Bill—the first Bill that dealt with these matters, which never came to fruition because of the general election—that rural areas in the north of England and Scotland and elsewhere could be disadvantaged if charging points are focused on main routes and urban places. I want to deal with that in my remarks and the subsequent actions I take.

The hon. Member for Hyndburn is right that there is a technical challenge in making sure that the infrastructure is in place to deliver the charging points. There is also

[*Mr John Hayes*]

the planning challenge. My right hon. Friend the Member for West Dorset describes the efforts of Wandsworth and Kensington and Chelsea as just the beginning. Those were not his words, but I want to ensure that no one felt he was being critical of those brave local authorities.

Yesterday, I met the Secretary of State for Communities and Local Government and discussed this with him. In two respects, planning is critical. It is very important that we ensure that, first, electric car charging points are part of any application for new housing—an implicit part of new developments—and secondly, in respect of local authorities, we achieve greater consistency in the provision of charging points for the very reason that my right hon. Friend gave. The numbers involved require all local authorities to consider them and act on those considerations, or we simply will not get enough charging points—or, just as seriously, we may get them clustered in certain places and absent in others. That will not build the confidence we require to encourage the purchase and use of electric vehicles.

Clive Efford (Eltham) (Lab): I agree with the principle that we need to expand the infrastructure as quickly as possible to create the space for the development of these vehicles. However, when we legislate for these things, as we must, there is the risk of hidden consequences. For instance, in an area where there is a high demand for kerbside parking spaces, particularly in central London, if these parking spaces are exclusive to electric vehicles that reduces the number of spaces for other road users. That may be one of the reasons why some of the boroughs in central London are resistant to creating large numbers of spaces, because they are going to lose the revenue from the car parking on the kerbside and the parking meters. These are the hidden consequences and we have to consider how we roll this out, because it could inconvenience a great many people. It certainly would in my constituency.

Mr Hayes: Yes. It is possible, as the hon. Gentleman says, that there could be contradictory needs, and incentives and disincentives such as those which he describes. We need to be careful about how we put in place those additional requests and requirements. That is about the conversation we will have with the Department for Communities and Local Government. I am writing to the Secretary of State as a direct result of my conversation with him about this yesterday evening. I knew the Committee would want to know about it and I made sure I had it before we met today. I anticipated that the Committee would want reassurance, which I am now ready to offer, that I intend to take this as far as we need to go. This would be done not only by taking these pretty extensive powers, which allow us to make regulations to ensure the easy accessibility of charge points to a common access method as a minimum, but also through the work of other Government Departments. I include BIS, where I used to be a Minister—now called BEIS—and DCLG.

Sir Oliver Letwin: This exchange across the Committee is important. We need collectively to adjust our view of what we are trying to achieve. Hitherto, we have been talking about putting in—if I can put it in these terms—a few charge points here and there in the hope of getting

some useful experimentation with electric vehicles, which has all been good. We now have to move into an entirely different world, in which we, by no means exclusively reserve places for electric vehicles, nor do we have a few of them. We have to build out the infrastructure, just as with mobile telephony we have to build out the masts and therefore the capacity to deliver long before people will buy the machines to use it. We have to build out charge points everywhere, right across the country. Every parking place must be a place where you can park an electric vehicle and charge it, because that is the only way we will move quickly as a country from next-to-zero to millions and millions of electric vehicles.

We have a choice as a country. We could be a laggard; we could pass nice Bills, preen ourselves that we are interested in these matters and watch the countries that are going fast go fast. We have done that with some technologies and it is always catastrophic to our competitive status, but we could do it. I do not think that is what the Minister wants, I do not think it is what the Government wants, I do not think it is what the clean growth strategy demands and I do not think it is what the Committee wants. If we do not, we have to envisage regulatory powers that will force the build-out right the way across the street so every on-street car parking place is an on-street car charging place.

The Chair: Order. Interventions are becoming longer and longer and more and more discursive. So, interventions should be short—anybody in these Committees can speak whenever they like—and to the point.

Mr Hayes: Let me be crystal clear: I have no intention of being behind the curve. I am not satisfied to be on the curve, we are going to be ahead of the curve. That is why we must think about housing developments and local authorities but, more than that, about workplaces. I want the Committee to know that the Government have already put into place grant funding to encourage workplaces to put charge points in place, so that people who do not have easy access to a charge point on the street and have not charged at home can charge at their place of work.

I want every local authority in the country to know that there is grant funding available for on-street charge points and I encourage them all to apply. We are not simply speaking of regulations or guidance that encourages or obliges them to consider these matters. We are prepared to help to fund this roll-out.

Workplaces, homes, local authorities, on-street, working across Government—this will not simply put us ahead of the curve, it will make us a leader in this field. I personally am not a laggard, and neither are the Government.

Graham P. Jones: I am grateful to the Minister for giving way. He raises a good point: it is desirable to have charging points in workplaces, and I hope the Government will follow through on the Minister's advice. People do not want charge up at home. There is obviously an issue there: the energy is coming from their own power point and, even if they have solar panels, they will be at work during the day when the sun shines and their vehicle is more likely to be at work. So the workplace is a great place for people to charge electric vehicles. That is desirable in the UK because if we are charging during the day—most people work during daylight hours—it will be from a renewable energy source.

Let me just return to the Minister's point about local authorities. My local authority is about to implement a planning policy making charging points automatic in every new build. They are progressive, but they are still left with this legacy. I put this to the Minister today, in my constituency of Haslingden and Hyndburn—where 50% of homes are terraced houses and the lampposts are set back—what incentive do people have to buy an electric vehicle when they cannot charge it at their property? Either they cannot get an access space, or they would have to run a cable. There is the technical problem of running a cable from the property to the car. What is the Minister's response today, to get the electric vehicle market growing, and to get it growing in constituencies like mine?

Mr Hayes: It is straightforward: greater interoperability, greater shared and common access, consistency about payment method, and much greater availability—in homes, on streets and in workplaces. We simply have to have a step change in volume, but a fundamental change too in the ease of use of charge points.

It is true that most people who currently have an electric vehicle, for most the time, charge at home, and typically they charge overnight. That point was made earlier in the debate. But unless people have the confidence that they can charge straightforwardly elsewhere—with a system they understand and a payment method that is easy to use—they will not have the confidence to purchase or drive an electric vehicle. We see this as absolutely critical to our bigger ambitions for low emission vehicles, which is why we introduced the Bill. The whole purpose of the Bill is to address one of the principal reasons people might cite for not switching to an electric vehicle.

Craig Tracey (North Warwickshire) (Con): What scoping have the Government done of alternative charging methods? I ask because there was a scheme run in Israel, which admittedly did not work, but it failed because of lack of critical mass of electric vehicles. The technology was in place for service station-type set-ups where the entire battery could be replaced within five minutes. A car would go in, and come out with a fully charged battery. That would seem to get round quite a few of the problems we talk about in terms of roll-out and range, but also cover the areas that do not currently have any electrical charging points.

Mr Hayes: I do not know about the Israeli experience but I am more than happy to ask my officials to explore it and to see what we can learn from it. Other countries are engaged in the same process: electric vehicles are becoming increasingly popular across the world, so most Governments are looking at the barriers to entry to the market and what they can do to remove them. Certainly we should learn from the best international examples and see if it is right to emulate them.

The scale argument is well made by my right hon. Friend the Member for West Dorset, the accessibility argument well made by the shadow Minister. Neither one is the more important. As I have said, accessibility, interoperability, ease of payment and scale all matter, but they must also sit alongside an appropriate consideration of design. The Committee would be disappointed were I not to say more about that, because part of the problem with charge points at the moment is that they are not easily recognisable. One could drive past the Department for Transport's electric charging point and

not know it was there, because it does not stand out like a beacon. Perhaps it should. Anywhere in the country, it would be better to know what an electric charging point looked like, particularly a roadside one in an unfamiliar place. People know their own locality, but this will be a national network of charging points and we have to consider people who are driving outside their locality.

2.45 pm

I have mentioned previously, and am happy to cement today into our consideration, the idea of a competition. We will launch a competition in December for an iconic design for publicly accessible electric vehicle charging points, which would be widely deployable across the United Kingdom. We have already attracted the interest of the Royal College of Art, the National Transport Design Centre and the Design Council, with whom we have had early meetings. I will describe the competition in greater detail when I launch it but it will happen in concert with and alongside the progress of the Bill, and certainly before the Bill fulfils its destiny and becomes a landmark Act, for which we will all take some credit, Sir Edward. I want the design competition to be launched and advanced, if not completed, by then.

Clive Efford: I welcome that competition. May I suggest that, if the points are to be easily distinguishable, they should be bright golden? If they were named after the Minister, they could be known as the bright golden Hayes. If one were put in a meadow, even better.

Mr Hayes: The Hayes hooks, as I think they were dubbed by a former Member of this House, now gone on to other—I will not say greater—things, are my only hope of emulating my predecessor Leslie Hore-Belisha with his beacons. I do see myself as a beacon, as you know, Sir Edward, and my charging points would be a lovely contribution to posterity.

The Chair: Order. In respect to the Chair, should they not be called Leigh leads?

Mr Hayes: I will take that, Sir Edward, with the courtesy that you deserve, as a bid and consider it alongside other helpful suggestions.

So, the design competition will be launched shortly. A combination of that readily recognised design, with the pervasive policy that will result from the work that we are going to do with other Government Departments and the powers we are taking here, will mean that, as with the old red telephone boxes, when they were more common, and pillar boxes that still are, people will know exactly what a charging point looks like and how they can access one.

Perhaps inspired by the hon. Member for Kilmarnock and Loudoun, I want to deal with the matter of rural areas, which is not in my notes. I am mindful of the experience of mobile telephone coverage or the roll-out of broadband. Members of the Committee who represent rural areas who, if they have not said something already, will at least be thinking, what about Dorset, Lincolnshire or Cornwall? We love driving on the main arterial routes, but will we be neglected? I think we need to do more work on that. We have mentioned major retailers in the Bill, but by their nature they may well be disproportionately located in the places where populations are concentrated and where most vehicles travel, and not in the rural areas represented by a number of members of this Committee.

[*Mr John Hayes*]

We should think creatively about how to ensure that rural areas are not neglected. We must not end up with an inadequate number of charging points in parts of the country and therefore a disadvantage for the people of, for example, Gainsborough. I know you would not want that, Sir Edward. That is an additional consideration that I offer the Committee. I do not think it is an automatic consequence of the Bill, but it should accompany it as a further piece of work. There may be ways in which we can encourage certain local authorities. There may be ways to monitor and then ensure a consistent roll-out of charge points across the country. This is not unlike the suggestion that was made by the hon. Member for Warwick and Leamington about how we might apply different aspects of the policy in different ways at different locations.

Alan Brown (Kilmarnock and Loudoun) (SNP): I welcome those comments, but obviously this will not be in the Bill. How can we make sure that the work goes ahead on assessing rural capability and the actual roll-out in rural areas?

Mr Hayes: This part of the Bill facilitates a regulatory environment that would allow us to address a range of challenges. The Bill anticipates regulations, though I do not yet know whether this needs to be done by regulation or whether it can be done by other means. I wanted to highlight that I share the hon. Gentleman's concern. I know that the Committee felt that there is, not a risk or a likelihood, but a possibility that we might end up concentrating charge points, even though they are interoperable and easily accessible and wonderfully recognisable and beautiful, and that rural areas would consequently be at a disadvantage. I will look at the matter closely and see whether we need regulation, or whether we can use other means.

I must say a word about amendment 3, as it is the subject of the debate. The hon. Member for Kingston upon Hull East suggests that we require the Secretary of State to consult charge point operators and vehicle manufacturers before regulating. I can absolutely assure him that we will be consulting charge point operators and vehicle manufacturers before we make regulations. He has my certain assurance that that consultation will take place. I do not feel that the amendment is necessary, because it is implicit in the way in which the Government will go about their work. Ruskin said:

"Remember that the most beautiful things in the world are the most useless; peacocks and lilies for instance."

That does not mean that useful things must be ugly. It is perhaps true that the most beautiful things are useless, but let us make useful things as beautiful as they can possibly be.

Graham P. Jones: Presumably, Sir Edward, with your permission, we are also speaking to clause stand part?

The Chair: I think we have had a very discursive and wide-ranging debate. If the hon. Gentleman wants to add anything, he should speak now.

Graham P. Jones: The clause states that the Secretary of State will make regulations on these matters. What is the timeframe for this and what is the process? Who will be involved in some of these decisions and in formulating

some of the ideas? When in the near future will some of these regulations be laid? As I said earlier, 50% of the issues for my constituents are simple technical matters: terraced property, road and the kerb that sits in the middle. When will the Secretary of State bring forward the regulations in clause 9 and who will be involved in that?

Mr Hayes: Well—

The Chair: Could the Minister wait for Mr Stewart?

Iain Stewart: Forgive me if I was so mesmerised by the prospect of the competition that the Minister has just announced that I missed his comments, but can he clarify the point I asked about the common payment mechanism, which I think would be an important feature of the interoperability of these charging points?

Mr Hayes: Let me deal with that first. I wholly agree that the regulatory powers we have taken are designed to produce a common payment method. That is very important. As I offered a moment ago, we will engage with the industry to work to that end, but we could use these powers to oblige that. It is intolerable that people might turn up thinking they could charge their vehicle, find that the charge point was compatible because of the steps we have taken, and then find that they had to have pre-booked, prepaid or have a special card to do pay. It is probably right that we go for a pay-as-you-go method, but I do not want to be definitive about that. Let us have those discussions to achieve the end my hon. Friend suggests.

On the other matter, will the hon. Member for Hyndburn remind me what he said? I have now waxed so lyrical that I cannot remember.

Graham P. Jones: It was about the process and the involvement of the regulations that the clause says the Secretary of State will introduce. When are we likely to see them? Fifty per cent of my constituents have a technical problem that could be resolved quite soon. Perhaps the Minister's office and the regulations might resolve that for them.

Mr Hayes: I know that when I display my scepticism about the free market, it excites my Opposition friends whose views on such things are closely aligned with mine. I have to say, however, that the market is not entirely undesirable. We hope that through co-operation and collaboration, consultation and discussion, we can bring about a happy series of outcomes. We want to work with manufacturers and industry to ensure that we get to the destination that we all seek, but the regulations ensure that if we do not get there, we take the powers. My view is simple: we will introduce regulations when it is necessary to do so. We will not regulate unless we have to. As my right hon. Friend the Member for West Dorset said, there seem to be persuasive arguments that if we do not establish the ability and, in some instances, the actuality to do so, the market will not necessarily deliver all these outcomes, but that is a matter to gauge when we see how things develop. The

important thing is that the Committee can be proud of putting in place the means by which Government can do just that.

Alan Brown: Building on the Minister's commitment to look at the considerations for the roll-out in rural areas, I make a plea for him to consider the associated factors that need to be taken into account, such as mobile coverage or communications connections. I ask him to take account of those wider issues to get the full big picture of what is required to enable roll-out.

Mr Hayes: I am a great believer in allowing one's ideas to formulate and develop through scrutiny. I am inclined to say that we should do a mapping exercise to see where charge points are now and where we envisage them developing in the short term, and to identify the further steps that need to be taken at an early stage. With the other technologies that the hon. Gentleman and I have mentioned, we are playing catch-up. Good work has been done by this Government, the previous Government and the Government before that in trying to get there, but anticipating some of those problems by doing a detailed mapping exercise might allow us to take early steps of the kind that the hon. Gentleman and I wish to see. I commit to do that as a result of this scrutiny.

Stephen Kerr: The Minister provides us with a number of interesting packages. I am thinking of the areas that criss-cross with devolved areas that belong with the devolved Administrations, and the competition that he has announced. Has he consulted the devolved Administrations so that we can have a United Kingdom approach to the competition and the design?

Mr Hayes: Where matters of beauty are concerned, I tend to rely on guidance from the good Lord, as I see beauty as inseparable from truth, rather as Keats did. None the less, in moving forward it is absolutely right that we should engage with all organisations that might want to play their part. It is perfectly reasonable that we should have those discussions, albeit driven by the expression of truth in the form of beauty.

3 pm

Sir Oliver Letwin: It is regrettable that my right hon. Friend, even after 20 years of discussions between us, has failed to take on board Kant's distinctions between beauty and truth, but we will leave that aside for the purpose of the clause.

I do not disagree with anything my right hon. Friend said about making charging points more accessible and more uniform, including making the payments system more uniform. In every respect it is admirable that he wants to encourage local authorities and many others to participate in providing them. That is all fine, but it will not do the job. I urge him to attend to the question of the distribution network operators; they, and they alone, are capable of rolling out on-street charging on the scale we require.

Let us think about what it feels like in public choice theory terms—that is, what it feels like to the official who is trying to do it. If a local authority seeks to put in charging points, the official has to ring up the DNO, if they can find the number—it is not easy to find numbers

for DNOs—and ask them whether they would like to put them in. The DNO's immediate response is, "No." Why? Because the DNO is not allowed that in its regulatory asset base. They then engage in a negotiation, which goes on for some months, about how much the local authority will remunerate the DNO for putting in the relevant wires. The official in the DNO who is having this conversation is on the commercial side, but unfortunately, people on the commercial side of DNOs are not good at talking to the engineering people in DNOs, so they usually have to go up to a manager above each in order for a manager then to come back down to the engineering side. At this point, the engineering side decides that it has a lot on its plate, because it is engaged in reinforcements, repairs and design, so it does not particularly want to do this. There are some more months of negotiation between them, the manager and the commercial side of the DNO. About a year or two later, if we are lucky, 50 charging points arise.

I am not speculating about that; it is what we have seen happen so far. If there were explicit, primary statute powers in the Bill to regulate the DNOs—I recognise that that is a radical idea, because it is not the structure we currently have for most purposes—the upshot would be that my right hon. Friend, acting through his colleagues in the Department for Business, Energy and Industrial Strategy, would have the whip hand. He would be able to say to the DNOs, "You have to do this. You can put it in your regulatory base, and therefore it is a cost not to you but to electricity consumers as a whole. Here is a national plan for doing it." We could then be confident that over a number of years, there would be on-street charging the length and breadth of the cities where it is needed. I do not think anything less would do the job.

I recognise that that creates an oddity: this Department for Transport Bill would in effect have to become a DFT and BEIS Bill for the purposes of that set of measures. It is not complicated otherwise. I do not think that there is a compelling regulatory structure that would allow that to happen. Obviously nothing will be done now or on Report, but I urge the Minister to talk to BEIS and to introduce some such provision in the Lords. It is a no-regrets policy, because if it turns out that I am wrong and the charging points are put in by local authorities without the need for those powers, the powers will just sit there and not do any harm. If I am right, the powers might solve a problem that would otherwise have to be solved by someone coming back in one, two or three years from now with a further Bill. That would be a terrible waste of time when we can do it right now.

Several hon. Members *rose*—

The Chair: I am not sure who is speaking now.

Sir Oliver Letwin: Well, I have stopped speaking.

The Chair: You have. My attitude is that you reply to that point, Minister, and the two hon. Gentlemen on your left may intervene on you if you wish—are you happy with that, Minister? Perhaps you want more time for cogitation—I call Clive Efford.

Clive Efford: I was going to speak on this matter under the next clause, but it seems more relevant to this debate, so I will get it out of the way. Clauses 9 and 10 overlap.

My starting point is this: why are we taking powers in clause 10 that impose requirements but are not imposing requirements in other areas? The Government have to go away and come up with an overall strategy that involves DCLG and BEIS in planning how to roll out charging points in a variety of places. Clause 10 refers to large fuel retailers, but in a sense their sites are not a logical place for vehicles to park for long periods. We will need charging points in more realistic, more strategic places where people park for long periods, which is large retail outlets and other sites. For instance, in workplaces we could put a surcharge on parking spaces that do not have electrical charging points, which could be hypothecated back into a grant that would allow businesses—

The Chair: Order. Will the hon. Gentleman try to stick reasonably close to the amendment?

Clive Efford: It is about extending the number of charging places, Mr Leigh. We could look at a strategic approach from the Government.

Matt Western: One of the interesting things that came out of the evidence, particularly from the likes of National Grid and others, was the challenges they face in particular in their dealings with developers, whether it be for commercial or residential property, and the fact that they are very much driven by the price or cost envelope that they are being driven to. As the right hon. Member for West Dorset described, they were saying at the meeting—or perhaps afterwards, in the evidence—that they will only put in the minimal amount of cabling that is necessary. They are not thinking strategically; they are not forward-thinking, because they are commercial and are working within a budget envelope. That is why I believe this has to be mandated and we have to take that responsibility in this.

Clive Efford: I agree with my hon. Friend. I think that the charging point operators need to have their toes held to the fire. For instance, we have spoken about the problems that may arise for council tenants who live in a tower block and are unable to access these points. Earlier, the Minister said that if charging points go in they have to be open access, so that anyone who needs a charging point can access one, but that can create problems. We all have parking areas in our constituencies around tower blocks where parking spaces are at a premium and fines are imposed on people who do not live in those properties who go and park there. If we start to lose parking spaces, we can foresee the conflicts that will arise, hence the need for what the right hon. Gentleman the Member for West Dorset proposed.

We need an explosion of charging points, so that we overcome competition for roadside parking spaces. It may be that we should talk to providers about how we use renewable energy. The top of a tower block could be a wonderful place for a wind turbine feeding into a power point downstairs for charging electric vehicles; perhaps we could make that accessible using the key fob to the tower block, so that the people from the block benefit. If those people are on low incomes, that brings

back into play the whole social mobility issue that the Government have mentioned in regard to this Bill in the past.

There is a variety of ways that we need to look at expanding the provision of charging points. It needs to be part of an overall strategy that different Government Departments are signed up to—not just the Department for Transport but DCLG and BEIS. We need a sea change, to bring the benefits of electric vehicles and make a huge impact on the growing problem of air quality that we have to address.

Mr Hayes: I will be brief, because I need only to address two matters that have not been covered extensively already. It is absolutely clear what the Government's intent is and what the Bill does to make that intent binding. My right hon. Friend the Member for West Dorset raised a point about DNOs. All I will say to him is that we will certainly work with Ofgem, and I will facilitate that work as a result of this debate. We have already had conversations, but I will make sure that they are intensified with the network industry. I think that he is right that that must not become a barrier, even with local authorities' enthusiasm growing, as was illustrated earlier, so I will certainly do that.

As for the point made by the hon. Member for Eltham, I am very happy to consider whatever approach is necessary to ensure that the infrastructure roll-out is as effective as it can be. I am mindful of the circumstances he described of someone who lives in a tower block and cannot get access to a charge point. I talked about the potential disparity between urban and rural areas, but there is also a disparity between people who live in houses with easy access to a street charge point or who have off-street parking or their own parking, and those as he described who may have none of those things. Are we really going to say to those people that they cannot have ready access to electric charge points and therefore remove their incentive to buy an electric vehicle? Of course not. So we certainly need to take his point into account, and we will.

Karl Turner: This has been a very instructive debate and it is clear that the Minister has thought very carefully about this issue. On that basis, I am happy to beg leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 9 ordered to stand part of the Bill.

Clause 10

LARGE FUEL RETAILERS ETC: PROVISION OF PUBLIC CHARGING POINTS

Karl Turner: I beg to move amendment 4, in clause 10, page 6, line 34, at end insert—

‘(2A) Regulations under subsection (1) must provide exemptions for retailers and operators in instances where adhering to such regulations would—

(a) require an expansion of land, or

(b) result in any other disproportionate costs for retailers and operators.’

This amendment ensures that there are exemptions for operators with limited forecourt space who are unable to accommodate public charging points without an expansion of land and that retailers and operators do not incur disproportionate costs for complying with regulations.

The Chair: With this it will be convenient to discuss amendment 5, in clause 10, page 6, line 36, at end insert—

(4) The Secretary of State must publish, in draft, the criteria and definition of “large fuel retailers” and “service area operators” at least six months before regulations under subsection 10(3) are made.’

This amendment would require the Secretary of State to consult on and publish criteria to be used for the definitions of “large fuel retailers” and “service area operators”. This will make clear to the industry which kinds of companies are covered by these regulations.

Karl Turner: Amendment 4 would ensure that there are exemptions for operators with limited forecourt space that are unable to accommodate public charging points without an expansion of land, and that retailers and operators do not incur disproportionate costs for complying with the regulations.

As it stands, the Bill allows the Government to impose requirements on what are described as “large fuel retailers” and “service area operators”, but the problem is that Ministers have yet to define or outline the criteria for what those actually are. The requirements will apply to large fuel retailers and service area operators, and the definition of those is what the Government say they are. Amendment 5 is designed to resolve that issue by requiring the Government to publish in draft the criteria for and the definition of large fuel retailers and service area operators that they intend to use.

It is just as important to consider how charging infrastructure can be expanded in supermarkets, shopping parks and workplaces. Those are all points that have been raised by my hon. Friends and others. All those things seem to go well beyond the kind of charging infrastructure it is envisaged the Bill covers. In the meantime it is worth putting on record that businesses are concerned what the Government taking the kind of powers conferred by the Bill will mean for them. I think, for example, of a small fuel retailer in my constituency. It is a small business that is very important to the local economy and to local people, but the investment that it would have to make might be absolutely huge and the business might not be in a position to make that financial commitment.

These are much more immediate, practical issues, but the Government’s impact assessment lays out the potential significant costs to the operators affected by this part of the Bill, which could run into many millions of pounds. The Minister will correct me if I am wrong, but I think that the average cost of installing a charge unit runs up to about £50,000.

3.15 pm

I hope that the Minister can provide greater clarity on these issues, so that operators of motorway and other service areas know a bit more about who is likely to be affected, what will be required of them and how much it will cost. In Committee on the Vehicle Technology and Aviation Bill, the Minister gave assurances that he would consult and introduce draft regulations on the matter as soon as possible. I hope that he can do that again today. On that basis, I will not press the amendment to a vote.

Amendment 5 would require the Secretary of State to consult on and publish criteria to be used for the definitions of “large fuel retailers” and “service area

operators”. That would make clear to the industry which kinds of companies were covered by the regulations. Fuel retailers, particularly those with limited forecourt space, are worried that they simply will not be able to meet the requirements of the regulations that the Government bring forward, particularly if they have to accommodate a variety of charging and connecting points. Inevitably, some fuel retailers will not have the space to implement the changes without expanding the land that is immediately available to them. The amendment would provide an exemption when meeting the regulations would result in disproportionate cost to the retail business.

A number of operators are concerned about the costs involved. They are also concerned that they will not have the forecourt space to install the charging infrastructure. They are very worried about this issue. I hope that the Minister will acknowledge the need to give them greater clarity and certainty on such matters. On amendment 5 and the broader question of the scale and scope of the powers that the Minister seeks, I hope that this will help to clarify things and that the Minister will ensure that before the powers are enacted, there is full consultation of all stakeholders.

I hope that the Minister will use this opportunity to address some of those concerns. As I said, I do not intend to push amendment 4 to a vote.

Graham P. Jones: The Minister talks about Ruskin, and a quote from Rousseau comes to mind:

“What wisdom can you find that is greater than kindness?”

That probably sums up the Minister’s efforts in Committee, and I greatly appreciate the tone and manner in which he always conducts Bill Committees in which he leads for the Government.

I want to take up the comments of my hon. Friend the Member for Eltham, who said, “Why just fuel stations?” It seems a good question. If the Minister and the Government can regulate for the imposition of charging points at fuel stations, why not do so for other places? My hon. Friend talked about workplaces, which seem an ideal location, for many reasons. They may be able to capture renewable energy, for example—and people spend a lot of time at workplaces. Why not retailers? If we are going to have fast charging, why not in a big car park, with plenty of space? Sometimes fuel stations are a bit more limited in the space that they afford the motorist. In fact, they are very limited in some cases, particularly in metropolitan areas. Why not public spaces? Why not encourage a whole new enterprise culture whereby people provide, in open spaces, charging points? Why is it just fuel stations?

I am concerned that this seems like a restrictive practice. We are accelerating an advantage for fuel stations, rather than thinking about the benefit to the nation of rolling out as many charging points as possible, as the right hon. Member for West Dorset has said numerous times this afternoon.

There is another disadvantage that ought to be mentioned in restricting the acceleration of charging points. For those homeowners, middle or upper class, who have off-street car parking, a drive and a garage, and are probably charging off the solar panels on the roof or can even afford to charge out of the mains grid at home, that is fine. However, restricting access will result in poor people in my constituency paying a price. If those

[Graham P. Jones]

in a detached or semi-detached house with off-street car parking are charging a vehicle using renewable energies or using the grid, then they will be doing so at a cheaper and more affordable price. Over 50% of my constituents live in terraced properties, and there is no way that they can access a domestic charging point. It is not there. They would have to use a commercial charging point, and there is a cost to that. We are imposing a cost on the poorest people: the cost of moving the vehicle to the location wherever that is, the cost of leaving the vehicle there, and then the cost of paying for that service. The middle-class or wealthy person in my constituency with a drive and off-street car parking can, however, enjoy all the advantages of a home consumer.

We are making regulations for only a few places, but I urge the Minister to see that there are far-reaching consequences to the policy. My hon. Friend the Member for Eltham made this point: we ought to be rolling out charging points everywhere. We should be mindful, as I have said previously, that we are not doing enough for some of our poorest constituents in some of the properties least able to be adapted. Those people are going to end up paying higher premiums should they wish or be able to acquire an electric vehicle. This restricted availability is wrong. It does not allow for social mobility and it denies some of the poorest people access to the market. I would ask the Minister to reconsider and—when he wants to encourage or even mandate retailers or anyone in society that can afford and offer a charging point—to think positively about how many charging points we can achieve over the period of time, how many opportunities there are and why we are restricting it to just a single section of the market.

The cynical person might say that this is the petrol retailers, that as the market changes from fossil fuels to electricity we have to give them some kind of commercial advantage. Perhaps it is in the Government's mind to say, "Let's give them a heads-up and a lead on this issue." I would say that it is not right, that electric charging points should be made available to all and that we should be thinking about the nation and the national interest, not a limited commercial interest that seems to be in clause 10. I would urge the Government to rethink this clause.

Sir Oliver Letwin: There are two specific points that I would like to raise in relation to clause 10, but before I do so I would like to explain why they arise.

As I understand it, about 90% of charging for current electric vehicle use goes on at home, largely overnight at low voltage. In trying to achieve the Minister's aim—which is the Government's aim and the cross-party aim of the House of Commons as a whole—of achieving a step change in which we move from 100,000 electric vehicles to tens of millions of them, one of the things that needs to be addressed is what we were discussing a moment ago: the issue of overnight, on-street parking. However, there is a paradox.

Even if there were 10 million on-street parking charging points working beautifully, unfortunately, there would not be very many electric cars using them because there is range anxiety. That is another limiting factor in the expansion of electric car take-up. That range anxiety may in due course be resolved by the advance of battery

technology, the introduction of solid state batteries and so on—I very much hope that it will be. The Minister, I and the Committee as a whole recognise that we cannot predict the speed at which battery technology will advance to the point at which relatively cheap and light batteries can carry someone for 400 or 500 miles on a reliable basis. The overwhelming majority of journeys per day are 20 miles and under in the country and do not actually cause any range problems.

I am sure that other Committee members feel, as I do, inhibitions about purchasing a vehicle that will run out of charge if I am trying to make the journey from London to my constituency, then travel around my constituency, if I cannot find a point at which to charge it. Unlike the position on the overnight charging, range anxiety can be cured—unless we adopt the Israeli model, which I am not recommending—only by very high voltage, fast charging at points on the journey that are not too far from the start and are interspersed at relatively short distances. We could debate whether that distance is 50 miles or 100 miles, but if we fixed in our mind the importance of making sure that nobody who started in London and was trying to get to any point in the country would find that it was more than 50 miles before the next fast charging point was actually available—I do not mean was sitting there and being occupied by some other car, but was actually usable at the time they wanted it and could charge their car in five or 10 minutes, at a reasonable price, while we went to buy the paper, went to the loo and did the other things we do at service stations on motorways—range anxiety would be at an end in the UK. Is that achievable, and does clause 10 allow the Government to ensure that it will quickly be achievable? Those are the questions that we need to address.

The answer to the first question—is it achievable?—is yes, it is abundantly achievable. The National Grid is conducting a trial with UK Power Networks to show the cost of stringing lines from the nodes on the high-voltage network to service stations, which will establish the cost of a core network of 50-mile spaced service stations, on the motorway network in the first place and, quickly thereafter, on those parts of the trunk road network that are necessary to cover in relation to, say, Cornwall or Scotland.

I stress that it is all about Highways England, the National Grid company and a few of the DNOs from time to time. Nobody else needs to play a part. If they were all working together to install the relevant infrastructure quickly, it is perfectly doable and not terribly expensive. I have spent time talking to the National Grid company about the likely cost of this, and even if we take quite a high estimate, the effect on bills for customers buying electricity would be in the order of 0.1p per kilowatt hour. It is very small beer. I cannot overemphasise the importance of curing range anxiety early—if we do, we will get scale, and if we get scale the price of electric vehicles will drop, then we will get demand. We would get a virtuous circle. The speed with which we do that will very much influence the future industrial history of this country, because if we do it quickly enough, so that we get scale in electric vehicles before other European countries do, we will be ahead of the market and all sorts of investment decisions will flow to the UK. If we are slightly behind them—and I welcome what the Minister said about being ahead of

the curve—it will have the opposite effect. They will be built in Germany and later exported to the UK. That must be our aim: to establish a national network of fast charging points, supported by very high-voltage cables, quickly installed at distances along our motorways and trunk roads, which enable people to make a journey from any point to any point in the UK without anxiety about range, even if their vehicle only has 75 miles of battery range.

Two items are missing from clause 10 that would enable the Government to achieve that. First, there is no power to compel the National Grid company to install such links. It goes back essentially to the same kind of structural point that I was making about DNOs in relation to on-street charging, although the item here is quite different: we are talking about a big, heavy-duty, high-voltage cable. However, the principle is the same. At the moment there is no knowing whether Ofgem would allow NGC to charge to its regulatory asset base such links, because there is no power in the Bill or anywhere else that allows the Minister or the Secretary of State to mandate the creation of such links. That is another item that I strongly hope the Minister will consult his friends at BEIS about and, in due course, come forward in the other place with appropriate minor amendments.

3.30 pm

There is a second lacuna. We heard in the evidence sessions a pretty strong plea from the representative of service stations and petrol retailers that the Minister should not regulate them as suggested in clause 10. The more I heard of that plea, the clearer it became that the Minister was right to take the powers he is taking in clause 10. It seems to me abundantly clear that if someone is running a motorway service station that is a monopoly franchise, and if there is in that station a provider of charge points that is in itself a monopoly franchise—for reasons that defeat me, that is how it has grown up—it is absolutely right that the Minister should have powers to regulate them into providing, once the cables are there from NGC, the right kind of charging equipment in the right quantities to cure the range anxiety.

However, as I said, there is a lacuna. If a monopolist is told by a Minister that under a regulation, they have to provide those things, they will consult their economics textbooks and discover that they can exact a monopoly rent. They can charge an unlimited amount of money and thereby seek to prove to Ministers that they should not be telling the monopolist to build too many of the charge points because, at the exotic prices being charged, not many people are using them. The only problem with all that is that we would not get the electric cars.

In order to complete the circle, the Minister needs a power not contained currently in clause 10: the power to impose price caps on the provision of these services. Those caps ought to enable providers to earn a normal return on the asset, as in any other utility transaction. Ofgem is quite capable of adjudicating those matters, but it needs some primary legislation enabling the Minister to impose those price caps or to impose on Ofgem the duty to construct such price caps. I neither know nor care which way it gets drafted, but it needs to be drafted to the effect that, one way or another, NGC puts in the high-voltage cables in the appropriate points to give us

the appropriate network, and the providers of the charge points in those service areas in the motorway and trunk road network have to provide them at a capped price. Then all the other things the Minister has provided for in the Bill about making regulations to ensure that the charge points are of the right kind, are paid for in the right way, are uniform in their connection to cars and so on would apply. We would close the circle and get the golden combination of enabling our population to charge up at home overnight at low voltage, cheaply, and curing range anxiety by charging very fast at relevant points on the trunk and motorway networks when making long journeys.

Sir Greg Knight: Does my right hon. Friend not accept that the argument he is now developing applies today to retailers of petrol and diesel on our motorways, some of which charge exorbitant prices because they are in a monopoly position? Should the price cap not also apply to them?

Sir Oliver Letwin: I think it is an academic point, but my right hon. Friend is completely right. I have always regarded the regulation of motorway service stations in Britain as an abomination. In terms of both quality and price, they do not compare with their properly regulated counterparts in many European countries. However, I am not sure we ought to detain Parliament by legislating for the past when we can now legislate for the future. I think this will be much quicker than many people think. My guess is that about 20 years from now, we will not have very many petrol vehicles on our roads. I would much prefer to persuade the Minister to regulate for electric charging points, but if he is minded to pay attention to my right hon. Friend the Member for East Yorkshire and fold in a power to regulate for petrol too, I do not mind.

The last thing I want to say about clause 10 is that I think there is a missing entity, as well as missing powers. Interposed between the service station provider and the motorist lies the bizarre phenomenon of the national monopolist who provides the power points at service stations. That is a very odd feature of the scene. I do not understand why it has grown up this way, but we need to make absolutely sure that the powers in clause 10 can apply to anybody who holds any kind of market power over the provision of the charging points in the service stations, and not just over the service station operators. Parliament often legislates and thinks it has legislation that will have the effect that it intended, then discovers that it is not there. This could be such a case unless the lawyers have thought about all that. If they have and it is drafted appropriately, no one will be more delighted than me.

Mr Hayes: I will deal with the last point first: yes, it does apply in the way my right hon. Friend said.

Let me now deal with the issue of motorway service areas, about which I have very strong views. I am the Minister responsible for motorway service areas, so I am in regular dialogue with them. I visit them with alarming regularity—from their point of view, not mine. I am determined that we can do more and better, and so are they, by the way. They are committed to building on the progress that has been made in motorway service areas over a considerable time, but we can do more. I

[*Mr John Hayes*]

want more particularity, more local source of supply and better design. I want them to be places that people choose to go to rather than have to go to. I want the quality of motorway service stations and their connection to the localities to be a thing of style and grace, and that includes the provision of electric charge points.

The reason we have spoken about major retailers is very much as a start. This is not a reason that limits what we might do later. In fact, we will need to do more later. It is an attempt to make an important start in providing more charge points. Highways England has already committed £15 million to ensure there is a rapid charge point every 40 miles on the strategic road network in England. That picks up the point about battery life, of course, because this is about the regularity of provision. People need to know that, on a major route, they are never more than 40 miles away from a charge point. Highways England is running a procurement exercise as we speak to fill the gaps to achieve that end and it expects to deliver on that commitment as soon as possible. That was part of the road investment strategy, which I launched when I was a Minister in the Department on a previous occasion. I have been a Minister in the Department on many occasions, and when I launched the road investment strategy, that was part of it and one of the commitments we made then.

I know that the good point that my right hon. Friend the Member for West Dorset made about the link to Ofgem is a particular concern of his, as he expressed it in an earlier part of our debate. It is important that we facilitate the kind of work with the providers of power that he describes. I am determined they should not be a barrier to growth in the number of charge points. As I said earlier, and I do not want to become tediously repetitive—repetitive while it is exciting, but not tediously so—we will make sure that those discussions are exaggerated helpfully as a result of this short debate.

We have spoken already about our determination to grow the number significantly. My right hon. Friend poses an interesting challenge: that we should lead the field internationally and be ahead of our principal competitors. That is a perfectly reasonable challenge and one I am happy to meet. I am determined that Britain should be a leader in this field. We have often led in the field of technology and we can again. As I said, it is a challenge I welcome and which I am determined to meet.

With regard to the amendment, which the hon. Member for Kingston upon Hull East spoke to, I am going to abbreviate my remarks a little. I have quite a long speaking note, but I want to come to the core elements that address the arguments the shadow Minister advanced. The shadow Minister drew attention to our debate in the Vehicle Technology and Aviation Public Bill Committee, on which some members of this Committee sat. They will remember the helpful debates we had then and how we have moved on in a sense, although we set out our ambitions in that Bill. I committed to be more precise about the regulations and the shape they might take by publishing a draft. To be helpful today, I ought to say what that draft is likely to contain in respect of the specific circumstances that any regulations would need

to take account of in mitigating the effects of the obligations that we are creating in the Bill to make charging points available.

Certainly, where the commercial viability of fuel retailers, their forecourts and service areas and the effect that mandatory electric vehicle infrastructure would have upon that are concerned, we would need to be mindful of the interests of retailers. We are not in the business of creating such a burden that people, first, will not do it and, secondly, will be compromised by it.

Secondly, there is the issue raised by the hon. Gentleman about places where there is not space available and the total land take makes provision impossible. Thirdly, there is the point about the impact on the local electricity grid. Fourthly, there is the proximity of other charging points, which relates to the consideration we enjoyed earlier about concentration. We do not want a cluster of charging points in a small area and yet no charging points for a long stretch. The proximity of the electric vehicle infrastructure and of other fuel retailers and service areas also seems to be salient.

The hon. Member for Kingston upon Hull East was right in moving the amendment to say that we need to be mindful of the practical effect of the obligation we are creating. It must not be crude in its effect; it must be measured, and the regulations will ensure that. They will certainly contain the elements that I have set out. The hon. Gentleman is also right that clause 15(3) specifically commits the Secretary of State to consult with appropriate persons before making regulations under this part of the Bill. Given that the effect of the Bill is to make the provision of charging points mandatory, it is right that we should consult.

Equally, we should be bold and ambitious. I think it was Ezra Pound who said that when faced with two options, choose the boldest. That is very much the recommendation of my right hon. Friend the Member for West Dorset and the hon. Member for Kingston upon Hull East. We do need to be bold and ambitious, but we need to be measured. We must not create an obligation that is heavy handed in its effect. I want to achieve what the Committee has recommended to me, which is to lead the field. The best way to do that is to put in place regulations that can be effected quickly, efficiently and effectively.

We will consult. The consultation needs to be wide ranging and thorough, and we would like to commence much earlier, so that the regulations come into force after proper reflection—probably earlier than the six months proposed by amendment 5, but not so early that I do not have time to consider the results of the consultation.

3.45 pm

Clause 14 already allows for exceptions to the requirement imposed in the regulations under this part of the Bill. Those exceptions, as I have already described, can be incorporated into the regulations in the manner I described. There are promising signs already—for instance, there is a charging point in the vast majority of motorway service areas—but we do have this continuing challenge of ensuring that they are consistent, accessible, easy to use and have the same payment methods.

My right hon. Friend the Member for West Dorset was right: if there was a monopoly provider with a particular kind of charge point, people might turn up at

the service station only to find that they could not plug their vehicle in, did not know how to pay or did not have the means to pay because of the particular regime that applied in that location. That would be intolerable and certainly inconsistent with our desire to make these things as straightforward as possible.

With the assurance I have offered that we will ameliorate these obligations in the way I have set out, I hope that the hon. Member for Kingston upon Hull East might withdraw the amendment.

Karl Turner: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 10 ordered to stand part of the Bill.

Clause 11

INFORMATION ABOUT PUBLIC CHARGING POINTS

Question proposed, That the clause stand part of the Bill.

Sir Greg Knight: My right hon. Friend the Member for West Dorset referred earlier to petrol cars as being in the past. Let me say to him: not quite yet. Although manufacturers estimate the average life of a car to be 10 to 12 years, I have to tell him that I have a petrol-powered car that is 81 years old, and I still enjoy driving and using it.

Can the Minister confirm his intentions regarding subsection (2)(c)? Whether their car is powered by a battery or by petrol, the motorist has a right to expect the Government to intervene to protect him or her from being ripped off. Clearly, where the retailer is in a monopoly, or near-monopoly, position, such as a petrol or diesel retailer on a motorway—or indeed the provider of a charging point on a motorway—it is essential that the motorist is made aware, before he or she commits to a purchase, of the price they are going to be asked to pay. Can the Minister confirm that he will use the power in the Bill to require the electric charging point providers to display the cost to the motorist—as is now the case for petrol and diesel suppliers—so that if there is an intention to overcharge and rip off the motorist, that motorist has the opportunity to drive away and go to the next retailer?

Graham P. Jones: Does the right hon. Gentleman also agree that that information should be displayed in a manner that the customer understands?

Sir Greg Knight: Absolutely, and I would go further and say that it also has to be displayed in position where it can be read from the interior of the car, before the motorist has alighted from the vehicle and made his or her way right up to the charging point.

Stephen Kerr: Does my right hon. Friend agree that the information should perhaps also be available in open data format, so that when apps are constructed to advertise the availability of charging points, as described in the Bill, the price should also be there in plain sight?

Sir Greg Knight: I can answer my hon. Friend very simply: absolutely. He is absolutely right on that point.

Mr Hayes: When my right hon. Friend the Member for West Dorset spoke of the past, he may have been doing so mildly pejoratively. I take the view that we are the past: all we are is what we remember; now is an illusion, as it becomes then in an instant, and the future—as we have said repeatedly in our considerations on this Bill—is an uncertainty. So when my right hon. Friend the Member for East Yorkshire speaks of those vehicles, vintage and classic, that he holds so dear, I can say with certainty that the future of Jaguar XK120s, 140s and 150s, Bentley Continentals, Humber Snipes, Singer Gazelles, Ford Anglias, Morris Minor Travellers, and Jensen Interceptors, among many others, is secure in my hands.

The substantial point that my right hon. Friend makes is about clarity when it comes to price. He is right that petrol stations show the price of the goods they sell—petrol, diesel, et cetera—and it is right that we should be clear about that. I believe we can ensure that that happens in the way that he sets out, as it seems to me perfectly fair and reasonable.

Sir Oliver Letwin: I am, as ever, grateful for my right hon. Friend's mellifluous misinterpretations of philosophy, but to return to the matter in hand, while I very much welcome what my right hon. Friend the Member for East Yorkshire has said about transparency of pricing, I hope he will agree that, at least in the interim, that is not going to be enough. The reason it works for petrol is that the petrol engine and the fuel tanks that go with it now have range capacities, which mean that people can almost always choose where they want to fill up. At least for the short term—that is, the crucial moment in which we either will or will not achieve a transition to a vast scale of electric vehicles in this country—electric vehicles do not have a range that enables people to make that choice under all circumstances. Therefore, having people know that they are going to be ripped off when they get to the relevant service station, which is the only one they can charge at, is adding insult to injury, because they are told in advance that they are going to be ripped off, but they are still ripped off because they have no choice. Therefore, at least in the interim, we do need price-capping powers—which, alas, my right hon. Friend the Minister did not mention in his response to the last clause, but which I hope he has taken on board.

However, the point I want to make in relation to information is different. Clause 11 begins very well, by saying in subsection (1):

“Regulations may require operators of public charging points to make available prescribed information relating to such points.”

Unfortunately, subsection (2), if I have understood the way it is articulated correctly, limits that power by saying that what can

“be prescribed under subsection (1) in relation to a public charging point is such information as the Secretary of State considers likely to be useful to users or potential users of the point”,

which is followed by a perfectly sensible list. That is a very valuable power to have, because, for the reasons that my right hon. Friend the Member for East Yorkshire advanced, and other reasons, it is good that there should

[*Sir Oliver Letwin*]

be transparency for users and potential users. I very much agree with a point that my hon. Friend the Member for Stirling made about open data sources and apps, but there is an information flow that is even more important than the information flow to the users.

We need to look ahead to the time when there are 20 million of these electric vehicles in the UK, or even to when we are a quarter or half of the way to that total. At that point the dynamics of the electricity supply industry will—as my right hon. Friend the Minister knows from his time in Energy—fundamentally change. We will have the capacity to deal with intermittent provision of energy to the grid by a flexible demand response engendered by electric vehicles, in their millions, either ceasing to charge or ultimately delivering electricity to the grid at points when the intermittent supplies from, shall we say, solar energy are not available and when the load curve would otherwise create additional demand that could not be met.

That is a huge gain to our country, and it could eliminate very expensive investment in fixed storage or additional capacity from fossil fuel or nuclear stations. In order for that gain to be realised, there needs to be a flow of data back from every kind of charging point all over the country into National Grid, so that the National Grid planners can plan ahead in the knowledge of the patterns that are being established, dynamically, as there are more and more electric cars and the interactions of those with the smart charging points and the smart grid change.

This is really a very important flow of information indeed. At the moment it does not exist, and there is nothing in the Bill that gives the Secretary of State the power to mandate that it should exist. It would be a simple matter to do so; we would need only to enlarge the scope of the power in clause 11(1) and (2) by changing the drafting so that it is possible to mandate information useful not only to users or potential users, but to operators of infrastructure relevant to charging: the grid, for example. I am not trying to draft on the hoof—it is obviously easy for the Minister to commission the appropriate drafting—but I hope that the intent is clear. It would make a significant difference.

I am told by National Grid that at the moment it has considerable difficulty accumulating any serious information about patterns. Car manufacturers do not want to give it, because they regard it as commercially sensitive information, and the commercial operators of the current charge points do not want to give it, for the same reason. Therefore, the Minister will need powers that compel a range of people providing various different kinds of charging points to provide that information back to the grid if the grid is to have a reliable supply of data to enable it to plan in an appropriate way.

The grid—and the DNOs, to the extent that we are talking about distributed power—has good information at the moment on the generating side, and it will get pretty good information from people's homes through centralised computing after the smart meter roll-out. However, that brings me to my last point. As I understand it—I do not know how it happened; the Minister might have been responsible, or me, or one of our colleagues at the relevant time—unfortunately, by oversight, we have not so far required the information that electricity

suppliers get through the central computing system attached to smart meters to be transmitted to the DNOs and the NGC. Therefore, to the extent that cars are being charged off-street, at people's homes, they are unable to get that data flow. That goes back to a decision by our right hon. Friend Lord Maude to allow the continuation of the use of suppliers rather than DNOs to supply smart meters in people's homes.

Be that as it may, it is now also urgently necessary that the data flow be mandated back from the smart meters in people's homes to NGC, so that as electric cars are charged overnight off-street at people's homes, that can also be built into NGC's planning horizons. If we can do those two things—mandate data flows from all public charging points and all smart meters installed in private residences back to NGC—the Minister will be able to contribute significantly to the much more economically efficient development of our electricity supply industry, as part of the roll-out of electric vehicles, which is part of the aim that the Government have always had.

Mr Hayes: I will deal briefly with the two points made by my right hon. Friend; I think that he is wrong about both. In respect of the powers, I am advised that work is under way with the Department for Business, Energy and Industrial Strategy on that. He will understand that, as he said earlier, that needs to be a cross-governmental piece of work. That work is designed to consider what we can do to catalyse the deployment of technology, including potential funding for innovation.

The key point is that the powers proposed in the Bill are sufficiently broad to allow for regulations to include requirements for information relating to vehicle-to-grid charging. That would include information between the vehicle and the grid. Obviously, that would have to be defined in regulation, but I understand that powers can be introduced to fill the gap that he describes in providing information back to the grid about demand and supply.

Sir Oliver Letwin: I would be delighted if the Minister is right, but can he explain how the phrase

“likely to be useful to users or potential users”

in subsection (2) allows the mandation of the information to be provided to the grid, which is neither a user nor a potential user of the charging point?

4 pm

Mr Hayes: I will return to that when I have dealt with what my right hon. Friend got wrong in his first point. On the relationship between subsections (1) and (2), he is right that, in his words, subsection (2) limits subsection (1)—I would say explains it, but that is a matter of interpretation and semantics. Subsection (2) sets out a series of pieces of information that, for example, the Secretary of State might deem appropriate. It is not an exclusive list, although it is pretty comprehensive:

- “(a) the location of the point and its operating hours,
- (b) available charging or refuelling options,
- (c) the cost of obtaining access to the use of the point,
- (d) the method of payment...
- (e) means of connection...
- (f) whether the point is in working order, and
- (g) whether the point is in use.”

The Secretary of State may prescribe other matters as he sees fit, but those are offered “for example”, as the subsection states. I think that my right hon. Friend is wrong about that, or perhaps he will tell me why he is not.

Sir Oliver Letwin: I do not doubt that the list is a very good one, or that it is a list of examples; as the Minister says, the subsection states “for example”. My problem is with the governing phrase above that:

“likely to be useful to users or potential users of the point”.

The National Grid Company is not a user or potential user of the point. Therefore, I do not think that the Minister has the powers under subsection (2) to prescribe that the information flows to it. As he has already said, subsection (2) explains or interprets or restricts (1), so I do not think he has those powers under that subsection either. I am not trying to be a parliamentary jobsworth and I would be delighted to be proved wrong.

Mr Hayes: We come to the nub of the difference between us, over which I think we can reach a Hegelian synthesis in the few short words I will offer my right hon. Friend. I understand that he accepts that subsections (1) and (2) are about providing information for people who might seek to charge their vehicle. He freely acknowledges that the list is not exclusive, although it is extensive. What concerns him is that the subsection does not stipulate any link back to the providers of power—it provides information to the users of power but not to the providers of power. That is because the powers to which I am referring are contained not in this part of the Bill, but in clause 12. I do not want to debate that clause now, because you will not let me, Sir Edward, but I highlight the fact that clause 12(2) speaks of the ability

“(a) to receive and process information provided by a prescribed person,

(b) to react to information of a kind mentioned in paragraph (a) (for example, by adjusting the rate of charging or discharging)” and so on. We believe that there is sufficient power in clause 12 to get to the destination that my right hon. Friend seeks. If that is not the case by the time we come to debate clause 12, I will explain why not and put that right. I hope that for the time being at least I might have satisfied him.

Sir Oliver Letwin: Of course I will wait until we get to clause 12. I do not read it the way the Minister does, but we will come to that.

Question put and agreed to.

Clause 11 accordingly ordered to stand part of the Bill.

Clause 12

SMART CHARGE POINTS

Karl Turner: I beg to move amendment 6, in clause 12, page 7, line 29, after “security” insert “and provide safeguards against hacking”.

This amendment clarifies that smart charge points must have measures in place to safeguard against the risk of being hacked.

The Chair: With this it will be convenient to discuss new clause 19—*Cyber Security and hacking of electric vehicle charge points*—

“The Secretary of State must, within 12 months of this Act receiving Royal Assent, consult with such persons as the Secretary of State considers appropriate on what steps will be required for the effective cyber security of electric vehicle charge points to protect those charge points against hacking.”

This new clause would require the Secretary of State to report within 12 months what steps would be required to protect electric vehicle charge points against hacking.

Karl Turner: Amendment 6 and new clause 19 address the issue of cyber security and hacking in relation to charging points. A lot of what we covered this morning applies to the amendment and the new clause, so I do not want to repeat what has already been said. Any element of data, digital infrastructure or digital function is incredibly valuable and increasingly involves a risk of being hacked. The data infrastructure and digital function behind the charging infrastructure and its interface with electric and automated vehicles are no different. We need to address cyber-security and data protection in relation to all these areas, including charge points.

Amendment 6 relates to charge point cyber security. Clause 12 contains a range of non-exhaustive specifications—we discussed them a few minutes ago—that a charge point must comply with. It appears that will involve a large amount of data being transmitted from the charge point. Measures are therefore needed to ensure that charge points and the data they process are protected against attempts at hacking. I think that is what the Government are getting at in subsection 2(e). Will the Minister clarify whether that provision also covers cyber security and the risk of hacking? I also invite him to clarify who the information that clause 12 refers to is to be shared with and where.

We need safeguards. It is not beyond the realms of possibility that if the safeguards are not in place, information could be downloaded from an electric or automated vehicle being serviced that would allow hackers to obtain information or—perhaps worse—control safety-critical elements of the vehicle’s functions.

On new clause 19, I will not repeat the points made this morning, but I would be grateful if the Minister could indicate what work has already been done. I am aware that a great deal of work is being done behind the scenes, but it would assist us to know who specifically his Department is consulting.

Sir Oliver Letwin: In this useful dialogue we have got to the point of agreeing that it is necessary to have the information flow back to NGC, and that clause 11 does not provide for that to be mandated. The Minister ended his remarks on clause 11 by saying that clause 12 does allow the Secretary of State to mandate the provision of that information by charge points to the National Grid Company.

I said that I did not read clause 12 the way the Minister does, and that is because I suffer from this problem of reading the thing as if it were in English and I were a speaker of English. Let me illustrate to the Minister why a normal reader of English would not take clause 12(1) and (2), as currently constructed, to have the effect he is describing. If he can then explain to me why a lawyer reading it in some other language

[*Sir Oliver Letwin*]

believes that it will have that effect, I will gracefully and happily give way, because I have no desire to engage in unnecessary redrafting.

In English then, clause 12(1) states:

“Regulations may provide that a person must not sell or install a charge point unless it complies with prescribed requirements.” That is entirely about the design of the charge points; it says nothing about the provision of information. It is perfectly true that clause 12(2), again in English, states in the governing phrase:

“The requirements that may be imposed under subsection (1) include requirements relating to the technical specifications—”.

It then gives some examples—I take the point that this is not an exhaustive list—which do include, in clause 12(2)(g), the capability of the machine in question to be “accessed remotely” and, in clause 12(2)(a),

“to receive and process information provided by a prescribed person”

and even more appositely, in clause 12(2)(c),

“to transmit information...to a prescribed person”.

I accept that clause 12 is drafted in such a way that, when read in English, it would enable the Minister to pass a regulation stating that the charge point in question must be designed to have the capacity to transmit information to the prescribed person—namely, the NGC, if the Minister prescribed that. I accept all that, but having a machine with the capacity to transmit certain information does not entail the person who has the machine in their possession actually transmitting or allowing the transmission of the data in question.

There is nothing here in English that gives the Minister the power to mandate that the person who owns or supplies the relevant charge point has to allow the transmission of those data. I know of no obvious principle of jurisprudence that would mean that having a machine of a certain capacity means that it has to be used in a way that lives up to that capacity. It would indeed be strange if there were such a thing, because there are many instances in which people have things with capacities that are lawful, or even mandated, without having the obligation to use them in that way.

If the Minister can explain why enforcing a rule that the charge point has the capacity to deliver the relevant information to the NGC will automatically entail the machines all doing that, I will be delighted and I shall stop inquiring about it. If he cannot, this clearly needs some adjustment so that he has the further power to mandate the flow of data and not just the capacity of the relevant equipment to transmit such data.

Mr Hayes: Let me deal first with the shadow Minister’s comments about cyber security. I am grateful for his brevity, because we dealt with this at length in your absence this morning, Sir Edward. The Government take cyber security very seriously, and the shadow Minister is right that we need to be mindful of the risks associated with malevolent activity, including, as he described it, the hacking of software and other matters. It is important that in the Bill the Government take account of the requirements relating to security, and I simply say to him that they do. If he looks at clause 12(2)(e), we specifically speak of complying with “requirements relating to security”. It is right that information should be shared with those persons who are prescribed in regulations. That would include security measures and, by the way,

might also include the National Grid. We are taking powers in the Bill to ensure that information will be made available in the interests of ensuring security.

I turn to the remarks made by my right hon. Friend the Member for West Dorset about whether clause 12 is sufficient to provide the mechanism that I described earlier and the information that he sought in his speech—this is about creating greater clarity over electricity supply and demand, as he described it, and I will not repeat what he said for the sake of time. I am advised that that is the case, but I am inclined to reflect and write to the Committee. It may be, as with our earlier considerations, that in doing so I am able to satisfy him. When we were debating clause 1, he made the point that the wording of the Bill was not sufficient to make clear its full extent, and I think my supplementary letter helped to clarify that. I suggest that I might do that again, which will allow us to make more rapid progress. I know that will please the whole Committee, and not least you, Sir Edward.

Karl Turner: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 12 ordered to stand part of the Bill.

Clauses 13 and 14 ordered to stand part of the Bill.

Clause 15

REGULATIONS

4.15 pm

Karl Turner: I beg to move amendment 7, in clause 15, page 8, line 32, leave out from “consult” to end and insert—

- “(a) the National Grid,
- (b) large fuel retailers and service area operators as defined under section 10, and
- (c) any other such persons as the Secretary of State considers appropriate.”

This amendment would require the Secretary of State to consult specifically with the national grid, large fuel retailers and service area operators before introducing regulations.

The Chair: With this it will be convenient to discuss the following:

Amendment 13, in clause 15, page 9, line 33, at end insert—

“(3A) Before making regulations under this Part, the Secretary of State must consult the Scottish Government, the Welsh Government and the Northern Ireland Executive and have regard to their views.”

New clause 5—*Review of regulations in Part 2*—

“(1) Within 12 months, and once in each 12 month period thereafter, the Secretary of State must lay a report before Parliament on the regulations made using powers granted in Part 2 of this Act.

(2) The report must consider—

- (a) the effectiveness of the regulations,
- (b) the impact the regulations are having on public charge point operators,
- (c) the impact the regulations are having on fuel retailers,
- (d) the impact the regulations are having on the National Grid, and
- (e) how the regulations are impacting on the uptake of electric vehicles.”

This new clause would require the Secretary of State to lay a report before Parliament each year assessing the effectiveness and impact of the regulations in Part 2.

Karl Turner: I rise to speak to amendment 7 and new clause 5, which appear in my name. Amendment 7 would require the Secretary of State to consult the National Grid, large fuel retailers and service area operators before introducing regulations. New clause 5 would require the Secretary of State to lay a report before Parliament each year assessing the effectiveness and impact of the regulations in part 2.

Amendment 7 would require the Government to consult widely before regulations were implemented. One significant area that our proposals will deal with is the potential impact of the expansion in the number of charging points on the national grid. To be frank, the Bill barely addresses this issue. There is a fear that huge, sudden spikes in demand could easily damage the network and even lead to power cuts in extreme situations. Serious planning and consultation between the Government, the grid and the charge point operators are required if the policy is to work. I appreciate that the Government are trying to address some of that with smart charging, but the risk is still there, particularly if rapid charging is used at charge points during peak rush hour.

Those concerns need to be carefully considered, and the impact must be monitored in the roll-out of infrastructure changes. Will the Minister commit to considering the matter further, to consulting with the necessary bodies to ensure that the impact is limited, and to ensuring that measures—including smart charging—will be in place to prevent network overload? The Government will have to consider a great many things that they do not know now. They do not yet know what regulations they want to bring in, who these will affect, nor how they will be affected. That underlines the importance of the Government consulting with stakeholders, as requested in amendment 7.

I am not opposed to the use of secondary legislation, because it is necessary to future-proof the Bill, but it is important for the Minister to come back to Parliament with more detail and specific proposals for regulation, particularly on something that, as it stands, does not include much detail. I am sure the Minister will agree that regular reviews can help not only in assessing how things are working, but in guiding future action.

The new clause would require the Government to lay a report before Parliament each year that considers how the regulations are working, specifically their impact on charge point operators, fuel retailers, the National Grid and the overall uptake of electric vehicles. The Government's intention is for the Bill to enable and encourage the uptake of electric vehicles, and we all want to achieve that goal. I think we are right to do that. It would therefore make sense for them regularly to review whether that is actually happening, and whether things need to be changed down the line. Involving Parliament in this issue would not only be beneficial to the Government; it would enable them to regularly reassess their efforts. I would like to think that the Minister would say that to us if our seating arrangements were reversed. We must keep the matter constantly under review and we should be prepared to revisit it if the circumstances require it.

I do not intend to press the amendment to a vote, but I give the Minister notice that we definitely wish to return to this issue. I hope that, as the Bill continues its progress through the House, the Minister reflects on that. Perhaps on Report, his position will have changed

and we can consider using the affirmative procedure. New clause 5 is about review, and if the Minister can give assurances that he is prepared to review, reassess and change the legislation as necessary, I do not intend to press it to a vote.

Mr Hayes: The amendments and the new clause address the issues of consultation and review, as the hon. Gentleman briefly set out. I could give a short version of my speech and simply say to him, "Yes, yes, yes, yes and yes," but I am not sure that that would satisfy the more demanding members of this Committee, so let me explain what I mean.

The hon. Gentleman is right that consultation must be part of the continuing determination to ensure that the objectives of the Bill are met. I am determined that we should consult with the National Grid, large fuel retailers and others before making regulations. I completely agree with him that it will be important to consult a wide range of stakeholders on making regulations under these powers, and that will include the devolved Administrations detailed in amendment 13.

The hon. Gentleman will note that we have an obligation, set out in clause 15(3), to do so:

"Before making regulations under this Part, the Secretary of State must consult such persons as the Secretary of State considers appropriate."

It is right that the hon. Gentleman asks, "Well, who does the Secretary of State consider appropriate?", because these are broad powers. It would certainly include all the organisations he has mentioned and, by the way, others across the industry. The providers of charge points and others must be consulted, as I have emphasised throughout our consideration of the Bill. He can have the binding assurance from me that we will consult in precisely the way his amendment suggests.

Furthermore, I agree with the hon. Gentleman about the business of review. Given that I have emphasised, as I think have other members of the Committee, that this is a rapidly changing area of work, with evolving technology—the modest nature of the Bill means that we know more will need to be done, both in secondary legislation and, I suspect, beyond—it is important that we keep a close eye on how things are developing.

I have already agreed, as a result of the brief exchanges between myself and the hon. Member for Kilmarnock and Loudoun, both today and in earlier consideration of these matters, that we should map the provision of charge points across the country. It is very important that we monitor closely how charge points are rolled out. We have spoken about workplaces, local authorities, service stations and so on and so forth, but we need to get a clear view about where the concentrations of charge points are and what needs to be done to fill in any gaps that emerge.

More than that, it is appropriate to review more generally. I draw the attention of the hon. Member for Kingston upon Hull East to the Small Business, Enterprise and Employment Act 2015, in particular to section 28. He will remember, probably having debated it at other times and in other places, that section 28 creates a

"Duty to review regulatory provisions in secondary legislation"—in my judgment, absolutely properly. Section 28(2) makes it clear that:

[Mr John Hayes]

“The Minister must—

(a) make provision for review in the secondary legislation in which the regulatory provision is made...or

(b) publish a statement that it is not appropriate in the circumstances to make provision for review in that legislation”.

Either the Minister must justify why he is not reviewing, or review.

My strong indication to the Committee is that in those circumstances, we would want to review and consider the ramifications that result from the legislation, for the very reasons I have just given. It is a rapidly evolving and changing field and we want as much debate and scrutiny of it as possible. It is not a matter of contention, but a case of the whole Committee—indeed, the whole House—wanting to get it right. There is provision for us to do so; we have committed to that in clause 15. For those reasons, and with the strong assurances I have offered, I hope that the hon. Gentleman will withdraw the amendment.

Alan Brown: I agree with the principle of amendment 7, and it is good that the Minister says he will take that on board and do the necessary consultation. New clause 5 is about annual review, reporting and updating Parliament, so I would like to hear a wee bit more about how the Minister will do that kind of review of the uptake of electric vehicles and feed back to Parliament, working out, if necessary, what targeted interventions might be required on the back of that.

The Minister said that he would consult the devolved Administrations listed in amendment 13, which appears in my name. I welcome that, but the whole purpose of the amendment was to get the involvement of the devolved Administrations into the Bill, to absolutely ensure that it happens. Based on his earlier intervention, I am sure that the hon. Member for Stirling would agree with that concept.

Certainly, there are advantages to a UK-wide approach, and that requires the involvement of the devolved Administrations. For example, Scotland has its own electric and automated vehicles strategy, which was announced in this year’s programme for government. Scotland is trying to take a lead in the roll-out of such vehicles, and we have set a target of 2032 as opposed to 2040. If the Bill had not been so tight, I would have tabled an amendment to bring forward the 2040 deadline, but unfortunately I have not been able to do so. There is a different strategy in Scotland, and the UK Government need to take that on board, with the Scottish Government.

Scotland has an excess of commercial and academic expertise in smart grids and data management, and we need to ensure that that expertise is tapped into in the consultation and brought forward for the benefit of everyone. I have mentioned the Scottish Government; clearly, other devolved Administrations might have their own priorities that need to be fed in as well. The Minister said that he would give that assurance, but I will look to see how it is taken forward and whether we need to revisit amendment 13 on Report.

I am happy not to push the amendment to a vote; I am just looking for that certainty on an ongoing basis. The Minister is probably aware, regarding the Brexit negotiations just now, that the Scottish and Welsh Governments have raised concerns that they are not fully involved and are getting overlooked. We cannot be in a position where decisions are imposed on the devolved Administrations without consultation and without those decisions being agreed.

Mr Hayes: The hon. Gentleman is not the first, and will not be the last, to clamour to hear more from me, but I do not want to tire the Committee unduly. I have given the commitment that he will have heard about the consultation, but just in case he is uncertain about the good will that lies behind it, let me say, merely on the grounds of unvarnished self-interest, that the Government would certainly want to consult, because we want to get this right. Frankly, there is little for the Government to lose from that kind of dialogue with the devolved Administrations and the whole of the industry. Any responsible Government would want to engage in such dialogue and consultation. I do not suggest for a moment that the hon. Gentleman does not trust my good will, but just in case he does not want to depend on it, I assure him that it is in the Government’s interests to ensure that we get this absolutely right.

Karl Turner: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 15 ordered to stand part of the Bill.

Ordered, That further consideration be now adjourned.
—(Andrew Stephenson.)

4.29 pm

Adjourned till Thursday 16 November at half-past Eleven o'clock.

Written evidence reported to the House

AEVB 11 Addison Lee

AEVB 12 Vivergo Fuels

AEVB 13 LEVC

AEVB 14 Daniel Scharf

AEVB 15 Matthew Roberts

AEVB 16 Tom Vanstone

AEVB 17 David G. Edwards

AEVB 18 H S Marks

AEVB 19 Andrew Fischer

AEVB 20 Cycling UK

AEVB 21 Simon Hilton

AEVB 22 Mayor of London and Transport for London

AEVB 23 Stephen Mason

AEVB 24 UK Power Networks (supplementary)

AEVB 25 Guide Dogs for the Blind Association

AEVB 26 UK Petroleum Industry Association (UKPIA)

AEVB 27 Letter from the Minister on levels of automation

AEVB 28 Letter from the Minister on Handover period and contributory negligence

AEVB 29 Hubject GmbH, supported by EV Driver Ltd, PlugSurfing GmbH and The New Motion BV

