On the move | Plugging into electric vehicle opportunities

Introduction

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As part of the global energy transition, the uptake of electric vehicles (EVs) is gathering pace. In the UK alone, sales are going up and 20% of all vehicle sales are expected to be electric by 2025. 'Beyond petroleum', once a famous PR strapline, is now the direction of travel for multiple industries linked to the EV revolution.

The trend towards electrification has hugely positive environmental implications. But it also presents a unique opportunity for UK businesses to support and develop the charging infrastructure required to meet the needs of EV drivers.

The road is a long and winding one, but the journey has already begun. At COP 24 in Poland in December 2018, governments reaffirmed their commitment to the Paris Agreement to limit global temperature rises to two degrees Celsius above pre-industrial levels.

Decarbonisation is essential, especially in the transport sector, which accounts for 26% of greenhouse gas (GHG) emissions in the UK, with road transport accounting for 91% of these emissions in 2016. According to the Department for Transport, between 2003 and 2015, UK road transport was responsible for 22% of all domestic GHG emissions. EVs and their associated charging infrastructure are now core components of the global energy transition, and central to future energy scenarios mapping the shift to a sustainable energy future.

This whitepaper provides an overview of the UK EV landscape and assesses the implications for key sectors including clean energy, real estate, financial services, retail, food and beverage, digital employers and the public sector. It considers the local and global drivers of e-mobility and explains how charging models will vary in different geosocial settings and scenarios. By equipping yourself with the information provided in this paper, you can begin to make informed decisions about specific EV projects and obtain relevant legal guidance and support.

Key takeaways

- There is a lack of EV charge points in the UK and greater awareness amongst real estate owners is needed. Joint ventures will be particularly attractive ways forward and are likely to trigger further uptake and awareness of electric vehicle charging infrastructure (EVCI) by all businesses over the coming year.
- Continued growth of adjacent clean technologies like solar generation and battery storage will help to ensure that electricity supply keeps pace with demand, as consumers switch to e-mobility. These technologies have their own potential revenue streams – further driving involvement in EVCI by businesses and creating a symbiotic relationship between EVCI and the broader clean energy market.
- The opportunities for EV infrastructure, battery and clean energy generation projects to support EV chargers are many and varied. They span central and local government, retail, manufacturing, long distance and last mile logistics, the leisure, food and drink sector and employers.

"Electric vehicle growth, smart charging and vehicle-to-grid technology can actively support ...decarbonisation."

National Grid, Future Energy Scenarios

The shift to electric vehicles

In the UK, the energy sector is currently undergoing major transformation and disruption. The way electricity is produced, distributed, sold and consumed is changing rapidly, and recent technological advancements have helped to make battery storage and EVs a reality.

The UK government has signalled strong commitment to the transition from petrol and diesel to zero-emission vehicles. In September 2018, the government hosted the world's first Zero-Emission Vehicles Summit in Birmingham and has announced a series of policy measures and investment packages designed to promote EV growth. These measures include:

- The Road to Zero strategy, which sets out plans to put the UK at the forefront of the design and manufacture of zero-emission vehicles
- A £400 million Charging Infrastructure Investment Fund to help accelerate infrastructure deployment
- The Automated and Electric Vehicles Bill, which will ensure houses, streets, carparks, service stations and other public environments are 'EV ready' in terms of charge point access and availability
- Within the Road to Zero strategy, the government has set out the following targets:
- All new cars and vans to be effectively zero emission by 2040
- At least 50%, and as many as 70%, of new car sales and up to 40% of new van sales to be ultra-low emission by 2030
- Every car and van to be zero emission by 2050

And already, sales of EVs are going up year on year, with National Grid suggesting there could be as many as 11 million EVs on the road by 2030 and 36 million by 2040. But it's not just consumer preference that's driving uptake; in certain areas, clean air strategies are

11m EVs by **2030** & **36m** by **2040**.

"For many Londoners, and for residents of other major cities, EVs could soon become the only viable vehicle option."

forcing the issue. In London, the Ultra-Low Emission Zone was introduced in April 2019 within the current congestion charging area. The majority of older diesel and petrol cars passing through the zone will face penalties on a 24/7 basis. What's more, from October 2021, this zone will be expanded to cover a much larger area of inner London, encompassing some 3.6 million residents.

With clear government targets for all new cars and vans to be effectively zero emission by 2040, and interim targets along the way, for many Londoners, and for residents of other major cities, EVs could soon become one of the few viable vehicle options. The question is, how and where will people charge them?

"[The Road to Zero strategy] adds up to nearly £1.5 billion of investment and one of the most comprehensive packages of support for the transition to zero vehicles in the world."

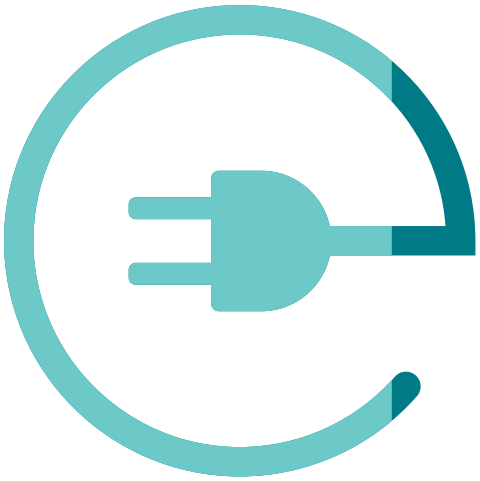
Chris Grayling MP, Secretary of State for Transport

The charging infrastructure opportunity

In order to meet consumer and industry demand for EVs and achieve government targets, the associated charging infrastructure needs to keep pace. With over a million EVs predicted to be on the road in the next two years, there is currently an 83% shortfall in charge point access and availability. According to a recent study, the UK needs a six-fold increase in EV charge points if it is to successfully match supply with demand. The report, carried out by EMU Analytics, suggests an additional 83,500 charge points will be required by 2020.

Recognising this challenge, the UK government is now investing heavily in infrastructure network development. This investment, and supporting policy measures, present multiple opportunities for UK organisations across a range of sectors, including real estate, retail, food and beverage (F&B), digital, public sector, financial services and clean energy.

These opportunities (see pages 5-10) have been enhanced by the emergence of clear and compelling charging models. Of course, different geosocial settings and scenarios will require different charging options, but four in particular look set to stimulate EV expansion in the UK:



83%

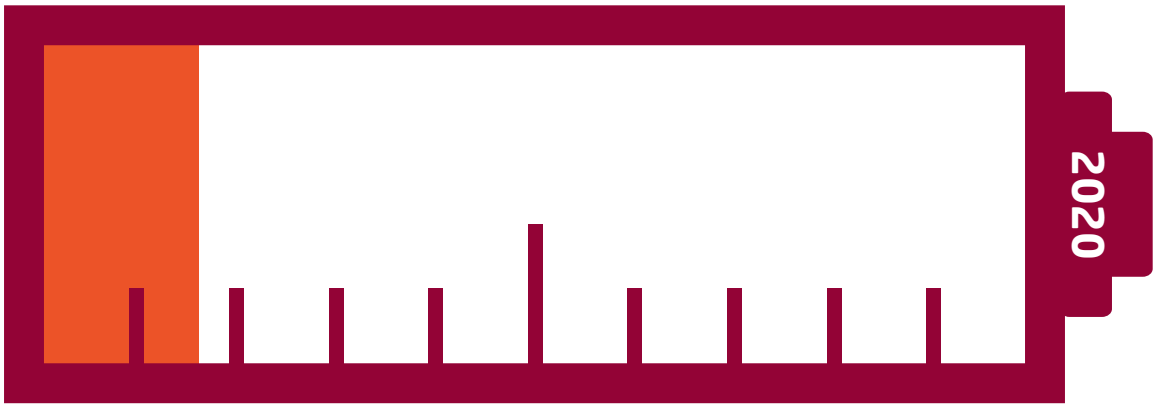
shortfall in charge point access and availability

1 Rapid/forecourt charging

Rapid charging, aka 'journey charging', is based on the petrol station forecourt model. Designed for EV drivers who need to charge on the road, it employs higher capacity outputs to expedite the charging process (typically providing an 80% charge within 30 minutes). It is best suited to long-distance or 'journey' driving, with charge points located on or near motorways or major trunk roads. It may also be the default option where other alternatives are not available.

2 Destination charging

While rapid charging is all about minimising dwell time, destination charging (aka 'grazing charging') is all about keeping people on site for longer. For retail, there is a commercial opportunity to get consumers to shop, eat, drink, relax and browse while their EVs are charging, which has the added benefit of not having to deploy higher capacity charging infrastructure with the more expensive kit and grid demand that this involves. Enhancing the all-round consumer experience, this model opens up new possibilities for cross-sector collaboration in the development of EVCI.



EMU Analytics, suggests an additional **83,500** charge points will be required by **2020**

This model also applies to workplace and other all-day parking facilities, like railways carparks. EVs can be charged more slowly, and charging can be smart i.e. part of demand side response or even a vehicle-to-grid (V2G) solution (see page 7).

3 Fleet-based charging

In larger cities, charging infrastructure for fleet vehicles, especially taxis, buses and vans, is essential and at the same time offers attractive economies of scale for developers and funders. In London, the aim is for 9,000 TX electric cabs to be in service by 2021, with TfL ruling that only low emission cabs can join the city's taxi fleet. Used more during the day, fleet vehicles will most likely require overnight charging, which could give rise to V2G solutions (see page 7). Council waste recovery fleets, for example, operate on very predictable schedules, giving charge point operators (CPOs) complete visibility of dwell time and control over power flow through charge points.

This model could also leverage battery storage to manage peaks in charging demand, or to generate revenue from grid services when EV demand is low. Fleet-based charging would also support 'transport as a service' type offerings, such as car clubs, with hub charging for fleet cars when not in use.

4 Home/residential charging

Ensuring new build houses are EV-ready is a core part of the Road to Zero strategy, and the UK government plans for all new homes to have charge point availability. Home-based charge point infrastructure for new builds will enable people to charge their EVs overnight or at other times when not in use. It will enable EVs to be connected to the grid, with vehicle batteries connecting to home electricity systems. Smart charging (see page 7) will most likely be necessary to avoid peak grid demand issues, with options to link to wider smart home solutions (as Tesla and Nissan have explored), such as solar and battery storage.

Both on and off-street charging options are also being developed for residential areas, and the government plans for all new street lighting columns to include charging points, where appropriately located, in areas with current on-street parking provision.

Sector-specific implications

These charging models frame the EV network infrastructure opportunity, which now has very real implications for UK business across a range of sectors.

Real estate, property & housing

Land and property (both residential and commercial) will be essential to charging infrastructure expansion, providing the physical assets required for wider EV uptake. EV is likely to be part of the bigger picture alongside energy storage and clean power generation – the three being complementary and part of how institutional investors and their real estate managers are seeking to find new revenue streams and meet the needs of occupiers. Landowners and property owners will be key stakeholders in this area.

Opportunities, trends and developments:

- **Workplace charging**

  Organisations offering parking for employees or visitors should consider providing onsite charging schemes (financial support is available through the government's Workplace Charging Scheme).

- **Commuter charging**

  Public carparks used for commuter parking will need to provide charge point access.

- **Home charging**

  Private home owners will be able to buy directly into charge point schemes, although they will most likely need access to off-street parking options (e.g. garages and driveways).

  At communal housing sites, developers will be able to purchase EV charging solutions designed to serve multiple properties.

  Grant support is available through the Electric Vehicle Homecharge Scheme, with installations becoming smart-enabled.

- **Key to success**

  Generally the challenges include interoperability (different vehicles all being able to plug in), connectivity (using the same smart technologies to talk to each other) and managing redundancy risk.

"Institutional investors and their real estate managers are seeking to find new revenue streams from their holdings and also meet the needs of occupiers."

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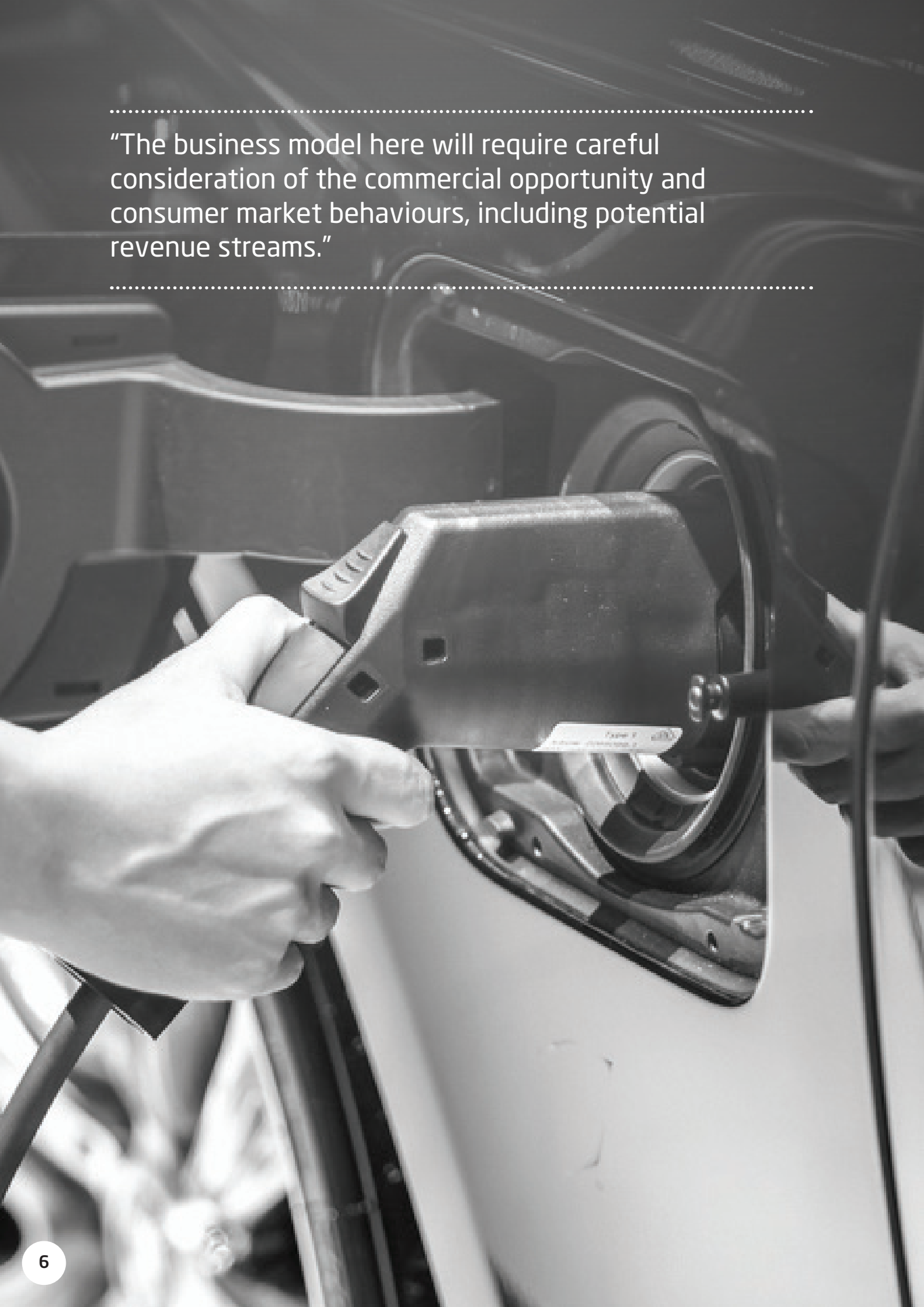


Retail, food and beverage

The destination/grazing charging model is predicated upon consumer interaction. The business model here will require careful consideration of the commercial opportunity and consumer market behaviours, including potential revenue streams. Retailers, store owners and franchisees are likely to benefit from increased footfall, dwell time and transaction potential. But it is too early to say whether the uplift in revenue alone will deliver ROI on charging infrastructure. If it does, vendors may choose to offer 'free' charging for customers. If it doesn't, they may need to charge at source.

Opportunities, trends and developments:

- **Cross-sector partnerships**

  Developers are now working with retailers, pub chains and F&B establishments with parking facilities.

  In December 2018, pub chain Marston's partnered with charging network operator Engenie to roll out EV chargers across more than 200 sites. According to Marston's, the charge points provide a vehicle charge in the "perfect amount of time for customers to enjoy [their] hospitality and a bite to eat".

  Shared income models could allow developers to lease land for charge points and pay a share of the revenue to retailers/vendors.

- **Own fleet charging**

  For F&B chains or retailers with vehicle fleets, fleet charging infrastructure may be required to help maximise charging efficiency and minimise charging costs. This could be done independently or together with neighbouring businesses to share costs.

"Digital will be a vital component of charging infrastructure development."

Digital

Digital will be a vital component of charging infrastructure development. By enabling smart charging, smart metering, connectivity, payment options, data access and storage, it will underpin the technological innovations required to support EV expansion. This means that tech specialists and companies invested in the Internet of Things stand to gain. In addition, digital cuts across relevant areas (such as blockchain finance and property tech) that will also play a part in network growth.

Opportunities, trends and developments:

- **Smart charging**

  Smart charging optimises home, street and forecourt charging, creating and distributing available power in an efficient and flexible way. It helps to ensure that sites do not exceed power capacity, and that EVs do not take power from the grid at peak times.

  By July 2019, all government-funded home charge points must use smart technology. From this date onwards, charge points must be remotely accessible, and capable of receiving and reacting to signal.

- **App-based charging**

  Charging is likely to become app-based, and already research is being conducted into wireless charging.

  Millennials especially will expect a mobile/app-charging model that enables ease and speed of access.

- **Vehicle-to-grid (V2G) solutions**

  V2G solutions enable power stored in EV batteries to be sold back to the grid. If EV owners charge their vehicles at off-peak times, then sell power back to the grid when it comes under strain, they can effectively charge for free.

  E.ON and EDF are already working with Nissan to develop V2G services.

- **Consumer platforms**

  As EV uptake accelerates, there will be opportunities for start-ups and software companies to develop comparison sites and consumer platforms.

Public sector

As the owners of land, carparks and public environments, local authorities have a key role to play in facilitating the uptake of charge points as well as opportunities around the aforementioned fleet and workplace charging. There is also a strong social, moral and public service impetus for their involvement in infrastructure development. Public sector bodies like local authorities and social housing providers additionally have a keen interest in ensuring accessibility to all consumers, including the most vulnerable.

Opportunities, trends and developments:

- **Street charging**

  Roughly a third of UK households rely on on-street parking; for these residents, street-based charge points will be needed.

  £4.5 million is being invested in the On-street Residential Charge Point Scheme until 2020, with funding available to local authorities for up to 75% of capital costs on eligible projects.

  The government's Road to Zero strategy includes a focus on 'future-proofing our streets'. The expressed aim is that "all new street lighting columns [should] include charging points, where appropriately located, in areas with current on-street provision."

- **Road network charge points**

  The government has recently invested hundreds of millions of pounds into UK charging infrastructure, but more charge points are needed. Highways England is committed to ensuring there is a charge point every 20 miles along the strategic road network by 2020.

- **Public–private partnerships**

  Many public authorities lack the requisite commercial and technological expertise to deploy street and community charging at scale. Mass rollout will depend on private sector collaboration and partnership.

Financial services

EVCI development presents a compelling investment proposition, with the potential for good returns over a long period of time. With limited government money available for future infrastructure development, private funding will be essential.

Opportunities, trends and developments:

- **Strong investment prospects**

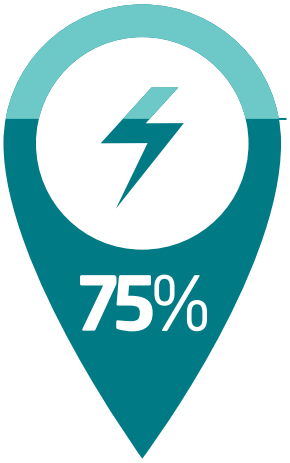
  With oil and gas running down, energy companies will be dedicating their time, money and research to renewables and e-mobility, creating strong prospects for private investors.

- **Equity investment**

  The early years of network development will provide good opportunities for equity investment, including specialist and other funders looking to invest in new, more innovative projects.

- **Debt funding**

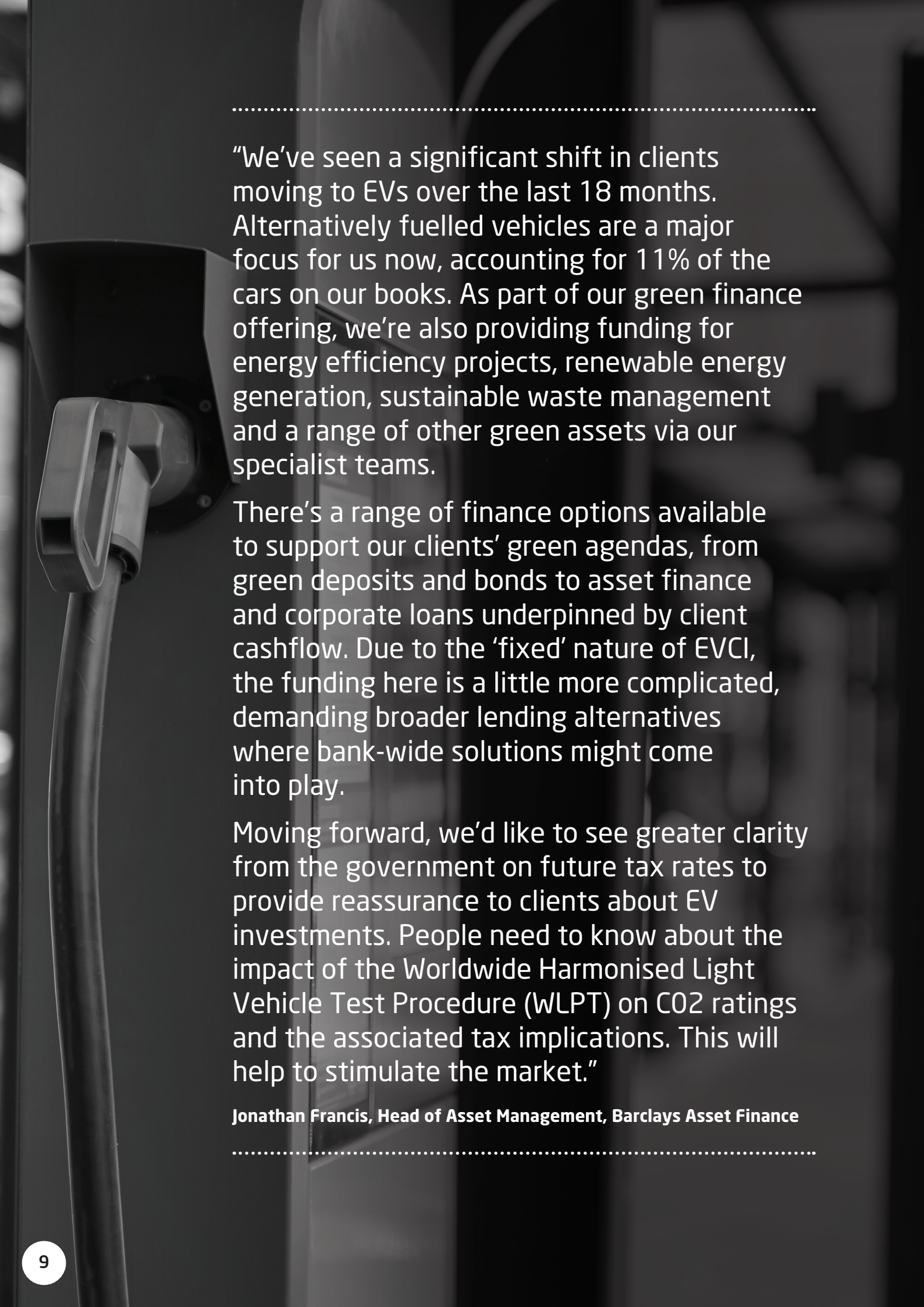
  Once charging technology becomes more established, the stage will be set for debt funders, banks and other lenders to get involved.



£4.5m On-street Residential Charge Point Scheme

Covering 75% of capital costs on eligible projects

"There is also a strong social, moral and public service impetus for [public sector] involvement in infrastructure development."



"We've seen a significant shift in clients moving to EVs over the last 18 months. Alternatively fuelled vehicles are a major focus for us now, accounting for 11% of the cars on our books. As part of our green finance offering, we're also providing funding for energy efficiency projects, renewable energy generation, sustainable waste management and a range of other green assets via our specialist teams.

There's a range of finance options available to support our clients' green agendas, from green deposits and bonds to asset finance and corporate loans underpinned by client cashflow. Due to the 'fixed' nature of EVCI, the funding here is a little more complicated, demanding broader lending alternatives where bank-wide solutions might come into play.

Moving forward, we'd like to see greater clarity from the government on future tax rates to provide reassurance to clients about EV investments. People need to know about the impact of the Worldwide Harmonised Light Vehicle Test Procedure (WLPT) on C02 ratings and the associated tax implications. This will help to stimulate the market."

Jonathan Francis, Head of Asset Management, Barclays Asset Finance

Clean energy

For clean energy companies, the UK EV revolution provides a unique opportunity to work with stakeholders across multiple sectors, and to dovetail with charge point access and infrastructure projects. Many landowners/ car park operators will be attracted by EV charging propositions where there is no upfront capital cost, and instead a third party funds, owns and operates the charge points under the terms of a lease or another commercial arrangement.

"Private funding will be essential in the years ahead."

Opportunities, trends and developments:

- **Multi-technology projects**

  At certain locations, clean energy suppliers could partner with developers to integrate EV charging infrastructure with an onsite generating asset, such as solar PV, battery storage or both combined. The aim here is to maximise onsite generation to supply the charging infrastructure.

- **Solar carports / EV charging stations**

  The solar carport-and-storage model provides an attractive option for carpark locations, whereby a battery could store and harness the generation from solar when it's not being used, then release it to power what's required to charge EVs.

  These options offer the benefit of ancillary service revenues, rather than charge points alone.

- **Commercial / residential premises**

  Rooftop solar and storage could also be used in commercial and residential premises to supplement grid supply.

Gareth Miller

Chief Executive of Cornwall Insight

"The EV and clean energy space is starting to mature, with a wider variety of players developing increasingly innovative offerings, but also developing a shared sense of what constitutes the building blocks of a successful business model. We expect to see new, multi-market service offerings that change the way we think about the role of electricity, moving from the provision of power metered at a price, to providing services integrated with a consumer's broader mobility objectives.

Market developments open the door to a range of new business models from an expanding pool of potential players. Models may soon extend to supporting ring-fenced tracking, billing and optimising of EV charging through the domestic meter, which could see charging at multiple locations managed through a single relationship. This provides an attractive opportunity to energy suppliers, but also to vehicle manufacturers, charging providers, intermediaries, and a range of other parties well positioned to provide compelling customer offerings.

Regulatory and industry system change to facilitate these developments will however be crucial. Key questions are being asked in the industry around the future role of the energy supplier, customer interaction with electric vehicles, and how to implement smart charging. How these questions are answered, particularly around delivering load management and revenue generative opportunities, will be critical to the future success of EV offerings, both from a customer and network integration perspective."

"Market developments open the door to a range of new business models from an expanding pool of potential players."

Case study: Using battery storage as a cheaper alternative to expensive grid upgrades

Zenobe and Stagecoach

Zenobe Energy Ltd is an owner and operator of energy storage assets. Its aim is to transform the way businesses use power, maximising operational, financial and environmental benefits through intelligent energy storage solutions.

Zenobe's solutions are helping to expedite the rollout of EVs and EVCI – particularly in the electric fleet sector.

"Local supply bottlenecks can be expensive to alleviate," says Steven Meersman, co-founder of Zenobe. "For fleet operators looking to switch to EVs, grid connection upgrades can cost millions and take up to a year to complete."

> "Local supply bottlenecks can be expensive to alleviate."

By installing batteries and chargers at fleet depots, Zenobe provides an alternative to grid upgrades. It's a system that takes four to six weeks to deploy, while significantly reducing the associated costs, hassle and risk for fleet operators. Through strategic scheduling, Zenobe works with customers to ensure that their vehicles are charged when required, with any surplus fed back into the grid when the battery isn't needed.

"It's a new model for the industry," says Meersman. "We're not selling kit, we're selling a service that lowers infrastructure costs and increases the speed of deployment. Once the risk is removed, you find customers are keen to accelerate their plans, and that's great for the industry as well."

In Guildford, Surrey, bus operator Stagecoach manages the local Park-and-Ride scheme. Keen to enhance the fleet's eco-performance, Stagecoach wanted to charge nine electric buses at its local depot, but with limited grid capacity faced astronomical upgrade costs.

Zenobe developed a storage solution that not only charges the buses but provides spare capacity for future electrification. The flexible, modular battery structure also means that the asset can be moved, eliminating the need for further investment should the depot ever relocate.

TLT worked with Zenobe to draft and negotiate a bespoke form of contract that addressed key concerns for both parties. This process included securing a revenue stream for Zenobe that would deliver a return on investment, while providing assurance for Stagecoach that buses would be fully charged at the start of each operating day.

Entering service in January 2019, the new buses have been welcomed by local stakeholders. Surrey Council member Mike Goodman said: "This is fantastic news for Guildford. Not only will the new … buses be smoother and quieter, they'll be much better for the environment and help [improve] air quality."

And with a per-kilowatt-hour usage charge instead of an upfront payment, the scheme will prove far more cost-effective than operating a diesel fleet.

According to Meersman, the scheme "demonstrates how existing infrastructure and batteries together can be rapidly installed to accelerate the cost-effective adoption of zero-emission vehicles. Wherever people want to plug in more than two or three charge points, they should think about battery installation over grid upgrades."

Site knowledge and information are also critical: "Look closely at your power usage. Understand your grid capacity and look across your estate. By knowing what you have and need, you can assess how prospective partners can add value, making EV adoption a much smoother process."

Legal considerations and commercial challenges

As with any major project, there are many legal considerations and challenges linked to EV network expansion in the UK. Here we look at some of those most likely to impact new infrastructure developments.

Securing revenue streams

Revenue streams are the driver for greater development; depending on the ownership and usage model, appropriate contractual arrangements may be needed to secure the revenue stream you need. This includes contracts for charging services – either with EV users or the organisations making charging services available to employees or customers. Where EV charging is combined with generation and/or battery storage, other key contracts may include power purchase agreements for surplus generation that is exported to the grid or contracts with grid operating companies for providing grid support services.

Property

Property arrangements depend on who will own and operate the equipment and the ownership structure of the land. Where this is someone other than the site owner, the arrangement is likely to necessitate a lease. In other circumstances a contractual licence may be sufficient. Where the land is subject to a charge, this may require the consent of the landlord's chargee, as well as the consent of the chargee over any superior interest in the land. In addition to the EV charge points themselves, the owner and operator of the charging infrastructure will need suitable rights for grid connection and access purposes. Many arrangements will take place through an overarching framework, allowing for the future development of other charge point locations.

Planning

Permitted development rights exist for wall mounted and free standing EV charge points in off-street parking areas and the government is regularly broadening these rights. Forward thinking councils are also using local development orders to grant planning permissions at certain locations, like petrol stations. Where these provisions are unavailable, you will need planning permission.

Grid issues

The projected increase in EVs in the UK could place huge additional strain on the grid. Depending on the type and number of charge points at a site, and whether they are slow, fast or rapid charge, you may need to secure increased grid import capacity from the distribution network operator (DNO). Access to the transmission network may also be relevant.

DNO costs can be high, particularly for large installations involving numerous charge points – for example at a shopping centre or new housing development. In some cases, prior consent of the DNO may be required before charge points can be connected to the existing electrical wiring at the site. Alternatively, the use of a battery alongside charge points may be required to smooth out the peaks in charge point demand and minimise stress to the grid.

Consumer law

While the price you charge to consumers is primarily a commercial decision, payment schemes need to comply with consumer law. This includes the relevant provisions of the EU Alternative Fuels Directive, the Consumer Rights Act 2015 and the Consumer Protection from Unfair Trading Regulations 2008.

Data privacy and protection

Many schemes will at various points rely on consumer data, so it's important to understand what data you're gathering and the relevant data privacy and protection laws, including the rules regarding "personal data" under the General Data Protection Regulation. There are questions around what constitutes personal data in relation to EVs and the EV network, and complex questions around certain rights of individuals – not least the right to be forgotten and how this interacts with more permanent records like blockchain.

"Where EV charging is combined with generation and/or battery storage, other key contracts may include power purchase agreements...or contracts with grid operating companies."

Health & safety

Purchasers of EV charging infrastructure should ensure they receive the relevant warranties to evidence that all equipment has been manufactured to the latest technical standards, but health and safety risks do not sit exclusively with the charge point manufacturer/ installer. Site owners and operators may also be liable for assessing and managing the health and safety risks linked to charge point installation and use. Consider whether the chosen location is safe and operational controls to ensure charge points are used safely and manage risks.

Energy supply exemption

The complex electricity supply licence regime (enforced by Ofgem) may be engaged by some EV charging schemes. Although not clear cut, the sale of electricity from an EV charge point is unlikely to be classified as electricity 'supply' for the purposes of the Electricity Act 1989. However, wider arrangements for delivering electricity to a charge point may still need to be scrutinised carefully to assess whether a particular sale or resale arrangement is covered by an exemption from the requirement to hold a supply licence.

How TLT can help

Already engaged in e-mobility projects and working across the adjacent sectors discussed in this paper, TLT is at the forefront of legal and commercial support in the UK EV revolution.

This continues our more than 20 years' heritage working with organisations that are delivering changes in the UK's clean energy and electric vehicle future.

The clean energy sector itself is multidisciplinary and we reflect this in our approach and structure, with expertise across all relevant sectors and technologies – for example, real estate, clean energy, commercial and digital.

Because we act for so many different stakeholders, whether that's government, developers, equity investors or debt funders, we provide a holistic view of the EV landscape and all associated issues.

In a complex, heavily regulated sector, we can help future-proof your proposition, ensuring your proposed scheme is properly documented and providing the confidence and assurance you need to take your project forward.

We've also mapped the relevant jurisdictions. Uniquely, we have boots on the ground in all three UK legal jurisdictions of England and Wales, Scotland and Northern Ireland, providing expert coverage in all areas.

We don't just solve legal issues; we're trusted commercial advisers, helping to make your scheme commercially viable, sustainable and legally watertight.

Notable experience

- Acting for EV developers on infrastructure development and deployment including EV charging stations and multi-technology projects
- Advising local authorities on agreements with charge point developers and operators for charge point installation and maintenance
- Assisting a major UK energy supplier with fuel card administration arrangements with a large fuel card supplier
- Supporting a major European car manufacturer with integrated fleet management solutions for EVs and EVCI
- Advising banks, funders and investors on project structuring and funding for EV projects

Contact us

If you have any questions about EVs and their associated charging infrastructure, or if you have a development scheme you'd like to discuss, please get in touch.

"... we provide a holistic view of the EV landscape and all associated issues."

TLT

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