

From: Planning (Isles of Scilly)
Subject: FW: Planning applications P/20/27-28/31-37/40-41

From: PROVIDED
Sent: 30 June 2020 10:27
To: Planning (Isles of Scilly) <planning@scilly.gov.uk>
Subject: Planning applications P/20/27-28/31-37/40-41

Dear Sir / Madam,

I support the ambition to install electric vehicle infrastructure on Scilly

In relation to applications P/20/27-28/31-37/40-41, the Council is applying to itself for planning permission to install vehicle charging infrastructure on numerous sites and The Isles of Scilly Community Venture CIC is the application agent. The CIC will operate a private car share scheme from these sites as a commercial enterprise.

The problem with this setup is that any planning conditions will apply to the Council (as the applicant) rather than to the CIC. I can't see how it would be possible for the Council to enforce any planning conditions on the CIC over correct installation, signage, lighting, safety, maintenance or hours of use etc. It would be more appropriate for the Council to withdraw its applications and for the commercial operator (the CIC) to apply for permission.

The main planning concern I have is who will bear the responsibility to remove the equipment when the technology becomes obsolete, the equipment breaks, or the car share scheme closes. Normally the Council applies a standard planning condition, which requires obsolete equipment to be removed when it is 'no longer needed or ceases to function'. In this case, because the Council is the applicant, that responsibility will eventually fall to the Council and the council tax payer, which is unreasonable given this is a private venture.

Furthermore this standard wording only applies when the equipment ceases to function, whereas there is a likelihood that the car-share scheme ceases to operate or the CIC is simply wound-up before then. The planning department should put in place an enforceable condition that ensures that the CIC and their commercial sponsors hold full financial responsibility for restoring the sites at the end of the project, irrespective of the commercial viability of the private car-share scheme or the continuation of the CIC.

The permission to operate from council sites should require the CIC to have fully-costed plans for site remediation and they should be required to hold sufficient funds to do this at all times. This condition should be in place before commencing installation work.

If the Council's intention is for the public to pay for any portion of end-of-life site remediation, then there should be formal consultation, especially given the number of sites affected.

Finally, I am unclear if the applications only include planning permission for the physical installation of equipment or if they also will give permission for the CIC to carry out private business from those sites that are currently in the public realm. I would prefer to see permission granted for a fixed period of time that is aligned to the goals of the project, rather than in perpetuity.

With these conditions in place, I wish the CIC and its partners every success with this venture.

Kind regards,

Peter Huxley