

Fastned books significant victory in higher administrative court

Amsterdam, September 19, 2018. **Fastned has booked an important victory in an appeal it lodged at the Council of State (higher administrative court of the Netherlands). The Council ruled that Fastned has a legal interest in the objection that it had made against the issue of a permit for charging poles as an additional service at a petrol station of Shell at de Hackelaar. The Council of State thereby overruled the earlier decision by the District Court of Amsterdam. Furthermore, the Council of State ruled that in a new decision the Minister must ‘substantively deal with Fastned’s objections to the granting of the permit to Shell, including the objection that the license is in conflict with the requirement of safe use of the service area.**

’The Council of State also ruled in a second case concerning service area de Andel. In this case, the Council of State is of the opinion that Fastned, as operator of a fast charging station at service area de Andel, can indeed call upon the safe use of service areas. However, it is still disputed whether or not two providers of the same service at a single service area will result in unsafe situations. The Council of State stated that it cannot dismiss the possibility of dangerous situations when drivers slow down at the exit to the service area to choose between different providers. At the same time, surprisingly, the Council argued that the Minister did not have to see a real risk that would lead to the conclusion that a permit should be refused.

Michiel Langezaal: "The rulings by the Council of State are great news for Fastned and for electric drivers in general. It provides us with a platform to keep pushing for a safe layout of service areas and a level playing field between fast charging stations and petrol stations. Unfortunately this is a long process with multiple lawsuits that will continue for some time to come. In the meantime, the number of electric cars on our roads is growing exponentially and we keep working on realising our mission; namely giving freedom to the electric driver by building the absolute best network of fast-charging stations."

One of the most important questions has unfortunately remained unanswered: is the Minister allowed to make a distinction between a charging station as a basic facility and a charging station as an additional facility next to a petrol station? They look the same and for EV drivers they fulfill the same function. On the basis of the Services Directive, the State may only apply a categorisation with different conditions for different parties if there is an 'overriding reason of general interest'. According to Fastned this is not the case. The Council did not rule on this point because in their opinion it was introduced too late into the procedure. This question therefore remains open to be judged upon in one of the other cases that are currently in progress.



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Notes for editors (not for publication):

For more information please visit www.fastnedcharging.com or check out our [pressroom](#). In the [presskit](#) you can download more HR pictures of the Fastned stations.



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ABOUT FASTNED

Fastned is building a European network of fast-charging stations where all electric cars can charge within 20 minutes. The stations are located at high traffic locations along the highways and in cities. This will give electric cars the freedom to drive across Europe. As of today, Fastned has 76 stations operational in The Netherlands and is working on expanding its fast charging network to the rest of Europe. Fastned is preparing the construction of fast charging stations in Germany, The United Kingdom and Belgium. Fastned is listed on the Nxchange stock exchange.

Fastned is rolling out its network of fast charging stations in response to the rapidly increasing numbers of EVs in Europe. Car manufacturers are investing billions of Euros in the development of, and production capacity for EVs. More and more EVs are hitting the roads, which drives the need for charging infrastructure. Fastned is responding to this development by building the service stations of the future.

For more information go to www.fastnedcharging.com.

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