

London Low Emission Zone

A response to the Mayor's consultation on the draft revisions to the Air Quality and Transport Strategies

1. Introduction

1.1 The London Assembly's Environment Committee welcomes the opportunity to respond to the Mayor's consultation on revisions to the Air Quality Strategy and Transport Strategy. The Environment Committee is responsible for investigating matters of importance to Greater London as they relate to the environment and sustainable development in London, and responding to consultations on the same on the Assembly's behalf. The promotion of health is one of three cross-cutting themes incorporated in the Assembly's work.

1.2 London's air quality is widely accepted to be the worst in the UK, and among some of the worst in Europe.¹ The Committee is conscious that action must be taken to protect and improve the health and quality of life for people living and working in London, and recognises the challenge facing the Mayor. The Committee therefore supports action to improve London's air quality but would wish to ensure that it is carefully planned, practicable and sustainable. In particular we wish to see:

- Action at national level to support the Mayor's initiative
- A clear target date set for when London might expect to meet the European Union objectives
- Greater clarity on the costs of implementing the London Low Emission Zone
- Evidence of greater consultation with businesses

1.3 This response focuses on the Mayor's proposals for a London Low Emission Zone, described as a defined area that can only be entered by vehicles meeting certain emissions criteria or standards.² The response also highlights issues arising from our inquiry, and draws on discussions during our public session³ and comments received from stakeholders throughout the inquiry⁴. We are grateful to stakeholders and GLA group officers for their time and efforts in contributing to our inquiry.

¹ Data from the Department for Environment Food and Rural Affairs' automatic monitoring network (1999 – 2001) shows that London's pollution concentrations measured the highest in the United Kingdom. Further information is available at <http://www.defra.gov.uk/environment/statistics/index.htm>, http://www.airquality.co.uk/archive/data_and_statistics_home.php. The Mayor's Air Quality Strategy also refers to the DEFRA statistics (paragraph 2.85). More information is available at http://www.london.gov.uk/mayor/environment/air_quality/index.jsp. Information on how London compares with other EU cities may be found in studies completed by the European Environment Agency – Air Pollution at street level in European cities 2006 and Assessment of Urban Air Quality in Europe 1998. More information is available at http://themes.eea.eu.int/Specific_media/air/reports

² Greater London Authority, LEZ Phase II Feasibility Study, July 2003

³ Transcript of Environment Committee dated, 17 January 2006. Minutes and transcripts of Environment Committee meetings are available at http://www.london.gov.uk/assembly/assembly_meetings.jsp or on request from the London Assembly Secretariat.

⁴ See Appendix 1, for the list of stakeholders contributing to the inquiry

Our inquiry

- 1.4 The Mayor's Air Quality Strategy⁵ sets out challenging targets towards improving London's air quality and achieving the air quality objectives, as set out in the Government's Air Quality (England) Regulations 2000. European Union air quality policy contained in the Directive on Ambient Air Quality Assessment and Management and a series of daughter directives sets the scene for national policy.⁶
- 1.5 The Mayor has expressed the view that new large-scale effort is needed now, as was undertaken in the 1960s, to protect Londoners' health,⁷ and a London Low Emission Zone is the initiative through which he intends to address London's air quality. We therefore felt that this was an opportune time to review progress in preparing for the implementation of the London Low Emission Zone. The terms of reference for our inquiry are set out in Appendix 1.

The Committee's previous work on air quality

- 1.6 The Committee has conducted several discrete pieces of work focusing on London's air quality. One of our earliest pieces of work involved the consideration of the Mayor's draft Air Quality Strategy⁸. We welcomed the Strategy as a first step in providing a strategic policy structure for air quality in London, but were concerned that in the absence of a LEZ by 2004, the objectives for meeting nitrogen dioxide and fine particles would not be met by their respective target dates.
- 1.7 We revisited air quality in January and June 2005 during our inquiries on the environmental aspects of the Mayor's budget⁹ and the implementation of the Mayor's environmental strategies¹⁰.

Amendments to the consultation document

- 1.8 The Committee welcomes the changes made to the draft revisions following consultation with the London Assembly, GLA group¹¹ and London Sustainable Development Commission. We are pleased that the draft revisions now include:
- reference to informing subsequent decision-making on continuing the scheme beyond 2015, through monitoring and assessing its performance and national and EU air quality objectives in place at the time (pages 15 & 23);
 - arguments for and against including a Nitrogen Oxide standard for 2010 (page 15);

⁵ The Mayor of London, Greater London Authority The Mayor's Air Quality Strategy: Progress Report to March 2005. Available at www.london.gov.uk

⁶ The Directive on Ambient Air Quality Assessment and Management came into force in September 1996. The daughter directives - First Daughter Directive: Council Directive 1999/30/EC, amended by Commission Decision 2001/744/EC; Second Daughter Directive; Directive 2000/69/EC; Third Daughter Directive: Directive 2002/3/EC More information is available at www.defra.gov.uk

⁷ Adapted from the paragraph 7 of the Mayor's foreword to the Air Quality Strategy

⁸ Scrutiny of the Mayor's draft Air Quality Strategy, London Assembly May 2001

⁹ Transcript of the Environment Committee dated 18 January 2005.

¹⁰ Transcript of the Environment Committee dated 14 June 2005.

¹¹ GLA group comprises the Greater London Authority, the London Fire and Emergency Planning Authority, the London Development Agency and Transport for London. The Greater London Authority was not included in this round of consultation.

- further information on why application of Euro emission standards are favoured over strict age-based standards (page 14);
- updated information on the proposed enforcement mechanisms (page 16);

Structure of the response

- 1.9 The remainder of this response sets out concerns and comments raised in relation to the key areas listed below. Any further reference to the London Low Emission Zone will be in its abbreviated form – LEZ.

Key areas

- National accountability
- Assessing the benefits of the LEZ
- Costs of implementing the LEZ
- Enforcement
- Mitigating the effect on business
- Dialogue with key partners (*boroughs and surrounding regions*)

2. Taking forward a low emission zone for London

National accountability

- 2.1 We are told that there are some 1,000¹² premature deaths and a similar number of hospital admissions in London each year due to poor air quality. We therefore commend the Mayor's attempts to address poor air quality in the capital and welcome the health benefits that are to be gained from the proposed LEZ.
- 2.2 We would argue that improved air quality and better health are benefits to be experienced by all of the UK's citizens and not just by Londoners, and the Mayor's initiative is supported at national level.
- Vehicle emissions and the pollutants that result from them are not limited to geographical boundaries. London is susceptible to incoming pollutants from Europe and the rest of the UK. The LEZ alone will not enable London to meet the European objectives; initiatives driven at a national level, may go some way to achieving them. The consultation document notes that in the absence of national initiatives the proposed LEZ represents the most effective option for achieving reductions of the most harmful road transport generated emissions in London.
 - There will be practical difficulties in enforcing the charges and penalties that may arise from foreign registered vehicles contravening the scheme; a national approach could alleviate them. For example, it would seem sensible to register vehicles at their point of entry and securing a bond against the vehicle which could then be charged against any resulting penalty notice.
- 2.3 On the latter point, we are aware that the Road Safety Bill currently before Parliament, would go some way to improving the remit and scope of enforcement authorities. We understand that Transport for London has made representations to Government. **We would urge that Transport for London work closely with the industry to lobby Government on the issue, and that it update the Assembly on its progress.**

Assessing the benefits of the LEZ

- 2.4 Any number of lives saved or quality of lives improved is of itself a significant benefit. It is in London's interests to ensure that the benefits are realised sooner rather than later. We are concerned that the LEZ as currently proposed will not enable London to meet the European Union objectives for particulate matter or nitrogen dioxide. We are further concerned that at present there is no clear indication of when London might expect to meet the European Union

¹² An extrapolation of national figures to provide the London region statistics, taken from the Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) 1998 national study on the effects of air pollution on health - The quantification of the effects of air pollution on health in the United Kingdom. The extrapolated figure is likely to increase, on account of a recent interim statement (January 2006) by the Department for Environment Food and Rural Affairs confirming its acceptance of revised coefficient factors. For more information see <http://www.advisorybodies.doh.gov.uk/comeap/state.htm#air>

objectives. **We recommend that the Mayor set a target date as a matter of priority.**

- 2.5 The Road Haulage Association informed us that insufficient evidence exists to show that an LEZ applied solely to commercial road users will produce quantifiable improvements to existing air quality levels. We learned that even if all categories of vehicles, that is Heavy Goods Vehicles (HGVs), Light Goods Vehicles (LGVs) and cars, were included in the scheme, the European objectives would not be met.¹³
- 2.6 The inclusion of other categories of vehicles will further assist London in working towards meeting the European objectives, and more importantly increase the number of lives saved or improved. **We would urge the Mayor to consider fully the viability of extending the scheme to include other vehicles.**
- 2.7 It is clear that action in addition to implementing the LEZ is needed. We recognise that supporting initiatives are in place but consider that a more wide-ranging approach is needed to address London's emissions problems. Our discussions highlighted a range of approaches. One example singled out the use of bus lanes. As a means of keeping vehicles on the move and reducing idling engines, some bus lanes in London accept lorries.¹⁴ Another suggestion we received included working with commercial operators to encourage investment in higher efficiency products and driver training.¹⁵
- 2.8 We commend the significant steps taken by the Mayor and Transport for London to bring London's buses and taxis up to euro emissions standards that would be compliant with the LEZ, both by retrofitting and by replacing older vehicles with more sustainable technologies. We welcome the incorporation of diesel-hybrid and hydrogen fuel cell buses in the TfL bus fleet and **urge the Mayor to continue to invest in technologies that will facilitate a move away from fossil fuels.**

Costs of implementing the LEZ

- 2.9 The apparent ambiguity around the estimated costs for the proposed LEZ is cause for concern. The Committee has been privy to at least three different sets of figures, supplied within a six-month period.¹⁶ We appreciate and consider it reasonable to expect some variation in cost estimates made at inception of the scheme and as it develops. However we would not expect, and find it difficult to accept the wide variation in costs over such a short period and the reasons given for the discrepancies.
- 2.10 We were told that the increase was largely due to additional costs associated with legal costs generated by the various consultation processes that will need to happen, project managing and enforcing the scheme and to a lesser degree

¹³ Transcript of the Environment Committee meeting, 17 January 2006, page 21

¹⁴ Transcript of the Environment Committee meeting, 17 January 2006, pages 32,33

¹⁵ Written comments from the Road Haulage Association, January 2006

¹⁶ Written submissions in response to the Committee's review of the Mayor's Environmental Strategies, dated 23 May and 18 October 2005; Submission to TfL Board October 2005,

increased costs to the service provider responsible for operating the scheme.¹⁷ We believe that each of the areas highlighted are fundamental to the running of the scheme and therefore should have been foreseeable much earlier in the scheme's development. **Greater clarity is needed on the costs of implementing the LEZ. We would urge the Mayor and Transport for London to be clear about when there are changes to the estimated costs and why these changes are necessary. As the work proceeds we would be grateful for an update.**

- 2.11 A further consideration that may help with the enforcement costs is the new 'tag and beacon' charging system currently being trialled in the London Borough of Southwark. We understand that if successful 'tag and beacon' will compliment the current congestion charge technology, and is likely to be introduced in 2009. There is scope to explore whether it would be feasible to incorporate 'tag and beacon' technology in the LEZ scheme, and also whether it would be possible to synergise the timings for implementation in both schemes. **We would urge the Mayor to consider the practicality of incorporating the new 'tag and beacon' charging system in the LEZ, alongside its implementation in the congestion charging scheme. We would be grateful for an update.**

Enforcement

- 2.12 A number of stakeholders have raised concerns about how the mechanisms for enforcing the scheme on non-UK registered vehicles will work. We would not wish to see UK operators disproportionately affected. We appreciate the work that Transport for London is doing to broker agreements with international partners. **We consider it vital that the enforcement of non-UK registered vehicles is fully addressed and that effective mechanisms are put in place prior to the implementation of the scheme. We believe that progress made to date in partnership with UK and European government agencies, the Association of London Government and London boroughs can be further enhanced by working with the UK industry, and its European counterparts.**

Mitigating the effects on business

- 2.13 Better liaison with industry is needed to encourage greater take-up of cleaner greener vehicles. Industry stakeholders have raised concerns about the financial impact on operators, particularly those with small and/or specialist fleets, and the extent to which business fleet planning requirements have been taken into account.¹⁸ We recognise that some consultation with business operators has occurred. However, **given the relatively small sample of operators contacted we would recommend more extensive consultation is undertaken.**

¹⁷ Transcript of the Environment Committee meeting, 17 January 2006, pages 2 - 4

¹⁸ Written submissions from the Freight Transport Association, BAA, London First, and the Confederation of British Industry January 2006

- 2.14 We were told that an incentive-based approach towards mitigating some of the substantial expenses commercial operators are likely to incur is needed. **We therefore recommend that the consultation covers examining ways in which to incentivise business.**

Dialogue with key partners

- 2.15 In addition to consultation with the industry, continuing dialogue with London boroughs and the surrounding regions is crucial. Transport for London indicated that a number of presentations and informal meetings have been conducted, however no formal representations of their views have been received. **We urge that Transport for London continue proactively to pursue feedback and participation from the boroughs and our regional partners.**