

Complete the questionnaire online at [tfl.gov.uk/penalty-charge](http://tfl.gov.uk/penalty-charge) or in writing below. Return completed written questionnaires to Freepost TfL Consultation. The closing date for comments is 10 November 2017.

### **PCN increase consultation questionnaire**

TfL enforces the red route network and Congestion Charging zone in order to keep traffic moving and ensure the safety of all Londoners. Over the last few years, there has been an increase in the number of contraventions of these important traffic controls. In the coming years, the population of London will grow, and there will be greater pressure on our road and public transport networks. We have proposed to increase the value of a Penalty Charge Notice (PCN), so that its deterrent effect is increased and the number of contraventions reduced.

1, Do you believe that there are other, alternative options to increase compliance with the red route network and congestion charging zone? If so, please record your thoughts below.

2, Would the increase in the value of a PCN cause you any particular difficulties or hardship, or unfairly penalise any particular group of road users? If so, please record your thoughts below.

3, If you have any other concerns or comments about our proposals, please record them below.

### **About you**

4, What is your name?

5, What is your email address?

6, Please provide us with your postcode?

7, If responding on behalf of an organisation, business or campaign group, please provide us with the name:

--

8, How did you find out about this consultation?

- Received an email from TfL
- Received a letter from TfL
- Read about it in the press
- Saw it on the TfL website
- Social Media
- Other (Please specify)

9, What do you think about the quality of this consultation (for example, the information we have provided, any printed material you have received, any maps or plans, the website and questionnaire etc.)?

- Very good
- Good
- Acceptable
- Poor
- Very Poor

## **Have your say on proposed changes to increase the penalty charge for drivers**

### *Overview*

London's roads are vital in supporting our city and allowing it to function. They enable people to travel, including by bus or cycle, and they support trade and employment in our city. They link our communities and have a significant effect on our quality of life. Traffic congestion on our roads harms our environment, making our communities less pleasant places to be. It affects the quality of our air and can impede economic growth. It is in everyone's interest that our roads function efficiently and that traffic is kept moving smoothly.

One tool at our disposal to keep traffic moving is to issue Penalty Charge Notices (PCN) for 'contraventions' of the Red Route network (ie. those roads we manage) or Congestion Charging zone. Doing so encourages road users to drive responsibly, to the benefit of everyone. We invest every penny we raise from issuing PCNs back into London's road and public transport network.

To help keep our roads moving and as part of the Mayor's vision to make streets safer and more welcoming for pedestrians and cyclists, we have developed a proposal to increase the cost of a PCN. This will ensure it remains an effective deterrent, including against poor or inconsiderate driving which can cause delays and make our streets less safe.

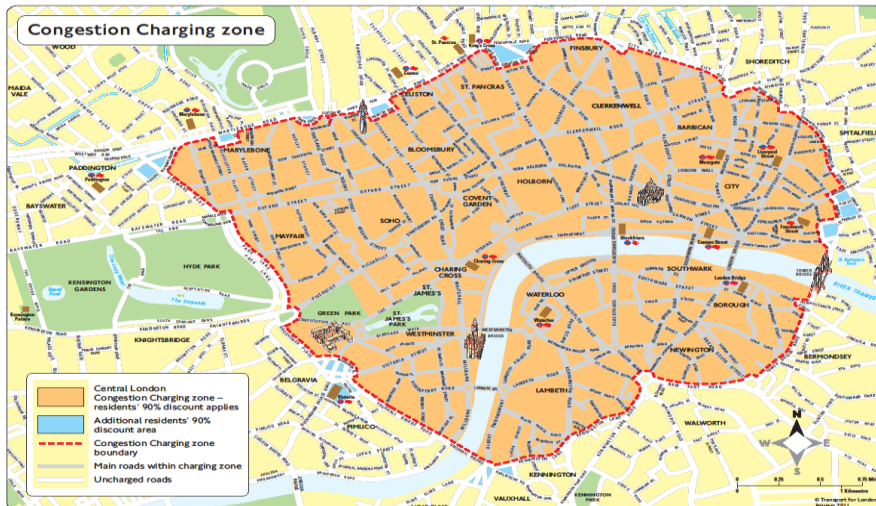
We would like to know your thoughts. The deadline for comments is Friday 10 November.

[insert section hyperlinks]

### *The Congestion Charging zone and Red Route network*

We are responsible for managing both the Congestion Charging zone and London's network of 'Red Routes'. London's Local Authorities are responsible for managing the remainder of our city's roads.

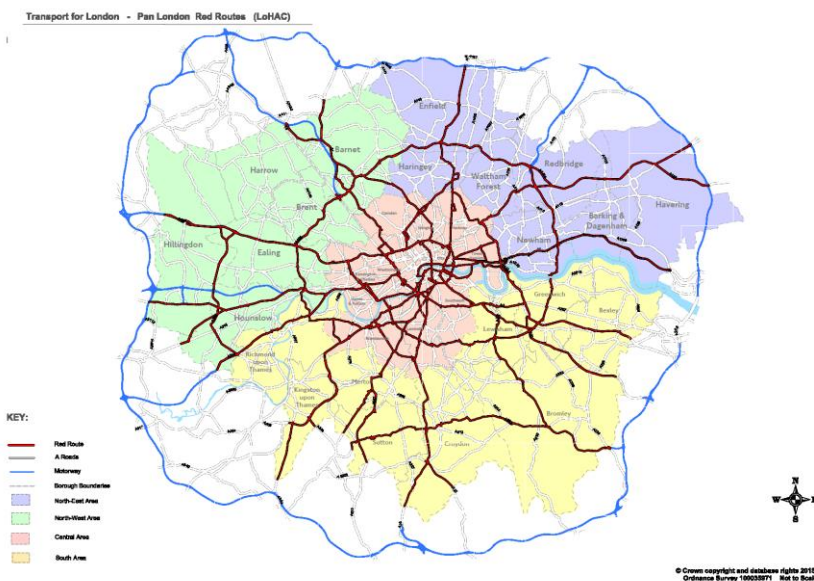
The Congestion Charging zone is an area of central London where it is necessary to pay the Congestion Charge in order to drive a vehicle from 07:00 – 18:00, Monday to Friday. The map below shows the extent of the zone:



Click [here](#) for a larger version

If we detect a vehicle within the zone which does not pay the charge by midnight the following charging day, and which is not exempt or does not have a valid discount in place, we will issue a PCN to the registered 'keeper' of that vehicle. The current cost of a PCN is £130, although a 50 per cent discount applies if it is paid within 14 days, reducing the cost to £65. If the PCN is not paid or challenged within 28 days, the cost increases to £195. Further information about how we enforce PCNs is available [on our website](#).

The Red Routes are a network of strategic roads in London which carry 30 per cent of London's traffic, but which make up only five per cent of the city's roads. On average, each of London's Red Routes carries 50,000 vehicles per day. This is two and a half times the volume of traffic carried on key A roads managed by London's Local Authorities. The map below shows the extent of the network:



Click [here](#) for a larger version

Our priority in managing London's Red Routes is to keep traffic moving. To this end, restrictions on the Red Route network are designed to discourage stopping or parking where it would be dangerous or disruptive to other road users. For example, it is not permitted to park or stop on a double-red line at any time or on a single-red line at certain times (although vehicles displaying a Blue Badge can stop to set down or pick up the holder of the Blue Badge). It is also not permitted for anyone to stop in a yellow box junction or drive in a bus lane during its hours of operation. Further information about the restrictions on the Red Route network is available [on our website](#).

If we detect a vehicle stopping or parking illegally on the Red Route network, we will issue a PCN. The cost of a PCN for a contravention of the Red Route network is the same as for failing to pay the Congestion Charge.

### *The effects of congestion*

The Congestion Charging Zone and Red Route network are crucial to the functioning of our city.

Traffic congestion delays journeys and can prevent businesses from operating efficiently, damaging the potential for economic growth or the creation of new jobs in our city. It has been estimated that the cost of congestion on the Red Route network alone is worth almost £2.2 billion (Source: [Total vehicle delay for London 2014-15](#), published by TfL).

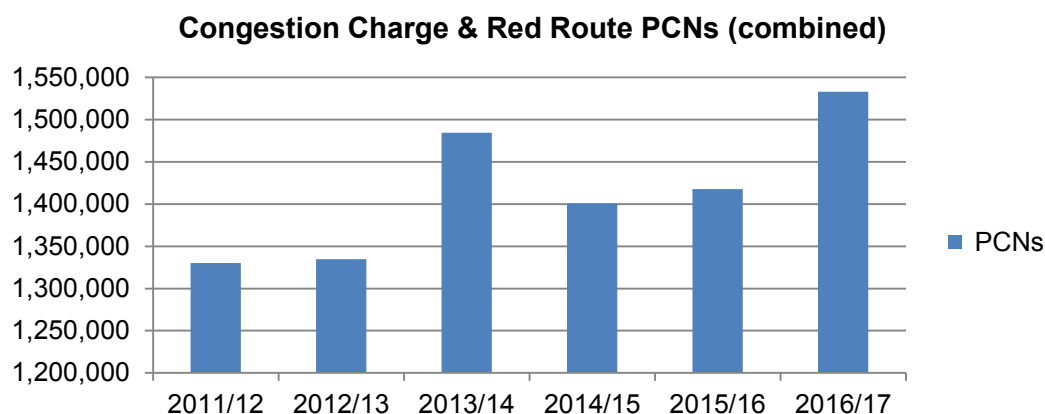
Congestion also has an environmental consequence since vehicle engines work much less efficiently in slow, 'stop-start' traffic conditions, and generate greater levels of harmful emissions.



TfL and London's boroughs have a duty to keep traffic flowing smoothly in London. In the future, as the population of our city grows, the need to keep our road network functioning efficiently will become ever more important. We constantly strive to manage traffic efficiently and reduce congestion and its harmful effects.

### *Enforcing the Congestion Charge and Red Route network*

The cost of a PCN for failing to pay the Congestion Charge has remained unchanged for four years. The cost of a PCN for contraventions of the Red Route network has stayed the same since 2011. Over the last few years however, there have been an increasing number of contraventions of the rules of the Red Route network and the Congestion Charging zone. It has therefore been necessary for us to issue an increasing number of PCNs. This is shown in the chart below:



Taking all of the PCNs we issued in 2011 for non-payment of the Congestion Charge as a whole, almost 60 per cent were to 'repeat offenders' who had received at least one PCN from us previously. By 2016 almost 65 per cent of all the PCNs we issued for non-payment of the Congestion Charge were to road users who had received at least one from us previously that year.

Year	% of all PCNs issued to repeat offenders
2011	59.9%
2012	59.7%
2013	61.7%
2014	61.9%
2015	62.1%
2016	64.1%

Almost 35 per cent of the PCNs we issued in 2011 for contraventions of the Red Route network were to road users who had received at least one PCN from us previously. By 2016 this had grown to nearly 40 per cent.

Year	% of all PCNs issued to repeat offenders
2011	33.6%
2012	35.7%
2013	36.6%
2014	35.3%
2015	36.5%
2016	38.3%

This information demonstrates two things. Firstly, the prospect of receiving a PCN is not as significant a deterrent against poor driving behaviour as it has been in the past. Inflation over the last few years, together with the fact that the cost of a PCN has stayed the same, may have reduced the deterrent effect of receiving a PCN. Second, there is a significant and growing minority of road users who persist either in attempting to avoid paying the Congestion Charge, or using the Red Route network in a way which is dangerous or disruptive to others.

### *Our proposal*

We believe that it is necessary to think very carefully about the cost of a PCN, to ensure it is once again considered an effective deterrent.

We propose increasing the cost of a PCN both for failing to pay the Congestion Charge and contravening of the rules of the Red Route network.

We propose that the cost of a PCN should be increased to £160, an increase of £30. The opportunity to pay the PCN at a 50 per cent discount within 14 days will remain in place, with a discount to £80. Should the PCN not be paid or challenged within 28 days, the cost would increase to £240.

We would like to know your thoughts and have prepared a questionnaire we would like you to consider. We would like to know whether you think it might be possible to encourage road users to obey the rules of the road in any way other than increasing the cost of a PCN, or whether you believe that any particular group of road users would be unfairly disadvantaged by our proposal.

### *Further reading*

We have prepared an Impact Assessment, to enable us to understand the likely impacts of our proposal to increase the cost of PCNs. Also available is a Variation Order which if confirmed by the Mayor, would enable us to increase the cost of PCNs for contraventions of the Congestion Charging zone.

The Impact Assessment, Variation Order and a copy of the information on this website are also available to inspect in person during normal office hours from the address below.

Transport for London  
Palestra,  
197 Blackfriars Road,  
Southwark,  
SE1 8NJ  
(Please ask for Andrew Miles, Consultation Specialist)

#### *Next steps*

Once the consultation has closed on Friday 10 November we will collate all of the responses received and begin preparing a Consultation Report, setting out all of the issues raised. The Mayor will consider all of the points raised and will then decide, whether or not to increase the cost of a PCN. Depending on the Mayor's decision, we would put in place any increase shortly after his decision.

We will announce the Mayor's decision as soon as he has made it, and make clear additionally when any increase might take place. We will also publish our Consultation Report in full at this time.

Should the Mayor decide to increase the cost of PCNs issued for contraventions of the rules of the Red Route network, he must notify the Secretary of State for Transport, who may object if he considers them to be excessive. If he does so, the increased level may not be introduced until the Secretary of State withdraws this objection. The Secretary of State must exercise his reserve powers within 28 days of being notified. The Secretary of State does not have the same power of veto over the level of PCNs issued in respect of non-payment of the Congestion Charge.

TO QUESTIONNAIRE



**Public and stakeholder consultation on a  
change to the Transport for London  
Road Network (TLRN) Penalty Charge  
Notice (PCN) and a Variation Order to  
modify the Congestion Charging  
scheme**

**Impact Assessment**

## Table of contents

1. Introduction .....	3
1.1 Background .....	3
1.2 Proposed changes included in this assessment .....	6
1.3 Purpose of the impact assessment.....	7
1.1 Scope of the impact assessment .....	7
2. Analysis of proposed changes .....	8
2.1 Methodology.....	8
2.2 Economic impacts .....	8
2.3 Consideration of the general Equality duty.....	11
2.4 Consideration of Health impacts.....	12
2.5 Climate change mitigation and adaptation .....	13
3. Overall conclusions.....	14
4. Monitoring.....	14
Appendix A: MTS appraisal framework scoping.....	15

# **1. Introduction**

## **1.1 Background**

### ***Congestion Charge scheme***

Proposal 129 of the Mayor's Transport Strategy (MTS) provides that the Mayor will keep the Congestion Charging scheme under review and make variations to ensure the scheme remains effective in reducing traffic and congestion in central London and reflects best practice and other developments in relation to its operation and discounts and exemptions. A draft revision of the MTS has been prepared and is currently subject to public consultation. Proposal 18 of the draft revised MTS sets out that the Mayor, through TfL, will keep existing and planned road user charging schemes, including the Congestion Charge, Low Emission Zone, Ultra Low Emission Zone and the Silvertown Tunnel schemes, under review to ensure they prove effective in furthering or delivering the policies and proposals of this strategy.

The Congestion Charge zone is an area of central London where it is necessary to pay the Congestion Charge in order to drive a vehicle from 07:00 – 18:00, Monday to Friday.

When TfL detects a vehicle within the zone which does not pay the charge by midnight the following charging day, and which is not exempt or does not have a valid discount in place, then a Penalty Charge Notice (PCN) will be issued to the registered keeper of that vehicle. The current level of a PCN is £130. A 50 per cent discount applies if the PCN is paid within 14 days reducing the cost to £65. If the PCN is not paid or challenged within 28 days, the cost increases to £195.

The Congestion Charge scheme has had a number of modifications since it was introduced in February 2003. This includes changes to its area, discounts and exemptions, charge and penalty charge level, payment methods, operation and service providers.

Since the introduction of the Congestion Charge scheme, TfL has varied the PCN value on three occasions. In 2004 the full level of the PCN was increased to £100 from £80. In 2007 it was increased to £120, and in 2013 it was increased to £130.

The legal framework for the operation of the Congestion Charging scheme is set out in the Greater London (Central Zone) Congestion Charging Order 2004 (the "Scheme Order"). Proposed changes to the Scheme Order are contained in Variation Orders which are made by TfL and subject to public consultation. Following consultation, the Mayor decides whether to confirm a Variation Order with or without modifications and in so doing, the changes to the Scheme Order are given effect.

### ***Transport for London Road Network (TLRN)***

The TLRN is a network of strategic roads in London which carry 30 per cent of London's traffic, but which make up only five per cent of the city's roads. On average, each of the TLRN routes carries 50,000 vehicles per day. This is two and a half times the volume of traffic carried on key A roads managed by London's Local Authorities.

TfL's priority in managing the TLRN is to keep traffic moving. To this end, restrictions on the TLRN are designed to discourage stopping or parking where it would be dangerous or disruptive to other road users. For example it is not permitted to park or stop on a double-red line at any time or on a single-red line at certain times (although vehicles displaying a Blue Badge can stop to set down or pick up the holder of the Blue Badge). It is also not permitted for anyone to stop in a yellow box junction or drive in a bus lane during its hours of operation.

If TfL detects a vehicle stopping or parking illegally on the TLRN, then a PCN will be issued to the registered keeper of the vehicle. TfL issues PCNs pursuant to the following Acts:

- Bus lane contraventions: issued under the London Local Authorities Act 1996
- Moving traffic contraventions: issued under the London Local Authorities and Transport for London Act 2003
- Parking regulation contraventions: issued under the Traffic Management Act 2004 ('TMA')

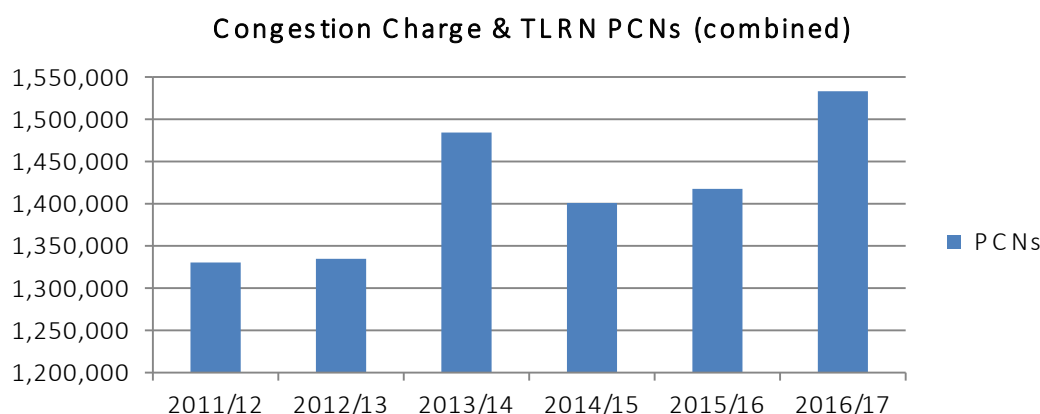
The cost of a PCN for a contravention on the TLRN is the same as for failing to pay the Congestion Charge. The last time that the PCN level was increased for contraventions of the rules of the TLRN was April 2011. At this time the PCN was increased from £120 to £130.

The procedure which applies to varying the level of a PCN issued for contravening the rules of the TLRN is set out in schedule 9 of the Traffic Management Act 2004. TfL is required to set the level of PCNs and to consult London local authorities before doing so. After consultation, TfL must submit the proposed level of charges to the Mayor. The Mayor on making a decision to vary the charge will then write to the Secretary of State for Transport to inform him of this decision. The Secretary of State then has 28 days to raise objections to the proposal. If no objections are received then TfL will take steps to implement the change after the 28 day period has expired. If new PCN levels are set, then TfL is required to publish the levels in such manner as the Mayor of London may determine.

## ***Background to the proposed change***

### ***Contravention volumes***

Over the last six years there have been an increasing number of roads users contravening the rules of the TLRN and not paying the Congestion Charge scheme. It has therefore been necessary for TfL to issue an increasing number of PCNs. This is shown in the chart below:



### ***Congestion Charge Repeat Offenders***

In 2011, 26 per cent of road users who received a PCN for avoiding to pay for the Congestion Charge had received more than one PCN that year. These road users are termed 'repeat offenders'. By 2016 the number of repeat offenders grew to almost 30 per cent of all Congestion Charge PCNs issued.

Taking all of the Congestion Charge PCNs issued in 2011 as a whole, almost 60 per cent of PCNs were issued to repeat offenders. By 2016 this number increased to 64 per cent.

Year	% of all PCNs issued to repeat offenders
2011	59.9%
2012	59.7%
2013	61.7%
2014	61.9%
2015	62.1%
2016	64.1%

### **TLRN Repeat Offenders**

The same repeat offending trend has been seen for TLRN PCNs. Almost 34 per cent of the PCNs issued in 2011 for contraventions on the TLRN were issued to repeat offenders. By 2016 this had increased to 38 per cent.

<b>Year</b>	<b>% of all PCNs issued to repeat offenders</b>
2011	33.6%
2012	35.7%
2013	36.6%
2014	35.3%
2015	36.5%
2016	38.3%

## **1.2 Proposed changes included in this assessment**

Contraventions on the TLRN have a negative impact on traffic congestion and traffic flow. This is because vehicles parked on the TLRN, driving in bus lanes or entering yellow box junctions disrupt the flow of traffic, slow down other road users and lead to congested roads. It has been estimated that the cost of congestion on the TLRN alone is annually worth almost £2.2 billion<sup>1</sup>.

Vehicles entering the Congestion Charging Zone without paying also add to the volume of traffic on the roads, causing more congestion and slower journey times.

In undertaking this impact assessment, TfL has reached the following conclusions regarding PCNs issued for TLRN and Congestion Charge contraventions:

1. The prospect of receiving a PCN is not as significant a deterrent against poor driving behaviour as it has been in the past. This is demonstrated by the year on year increases in the number of recorded contraventions.

Inflation over the last few years, together with the fact that the cost of a PCN has stayed the same, may have reduced the deterrent effect of receiving a PCN. This is seen as a contributing factor to the number of contraventions committed each year and the subsequent volume of PCNs issued by TfL.

2. There is a significant and growing minority of road users who persist either in attempting to avoid paying the Congestion Charge, or using the TLRN in a way which is dangerous or disruptive to others. This group of repeat offenders is increasingly having a direct impact on congestion and traffic flows on London's road network.

To help address both points, TfL proposes to increase the PCN level for TLRN and

---

<sup>1</sup> Total vehicle delay for London 2014-15 <http://content.tfl.gov.uk/total-vehicle-delay-for-london-2014-15.pdf>

Congestion Charge contraventions from £130 to £160. This increase is required to reinforce and enhance the deterrent effect of a PCN when contravening the rules of the TLRN and Congestion Charge Zone. By doing so it is expected that this will have a positive impact on driver behavior, a subsequent impact on contravention and PCN volumes, and a follow on beneficial impact to traffic flow and congestion on London's road network.

The current PCN discount of 50%, if paid within 14 days, will remain in place as will the 50% increase to the PCN if not paid within 28 days.

The following table summarises the PCN levels applicable for both the Congestion Charge scheme and TLRN contraventions if this change was implemented.

Penalty Charge	Current Rate	Proposed Rate
Discounted penalty	£65	£80
Full penalty	£130	£160
Charge Certificate	£195	£240

### 1.3 Purpose of the impact assessment

This document provides an assessment of the proposed changes to determine what impacts may be likely to arise and to what degree. The proposed changes to the level of a PCN issued in respect of non-payment of the Congestion Charge are in conformity with the MTS (as is required by Schedule 23 to the Greater London Authority Act 1999)<sup>2</sup>.

The assessment identifies the current baseline conditions, in terms of traffic levels, costs and revenue, and provides a comparison of the forecast impacts of the status quo (or 'do nothing') scenario with the forecast impacts of the proposed changes.

#### 1.1 Scope of the impact assessment

An initial screening was undertaken, based on professional judgement, to determine the relevant MTS<sup>3</sup> objectives for this assessment. Appendix A provides a list of the objectives considered and identifies those not considered in this impact assessment.

The table below sets out the impact rating used in the assessment against the relevant MTS objectives.

++	+	0	-	--	
Significant positive	Minor positive	Neutral	Minor negative	Significant negative	No effect

<sup>2</sup> To ensure consistency of approach, the Congestion Charge Variation Order has been assessed using the same approach as earlier impact assessments undertaken to support previous versions of the MTS, and the consultations on Variation Orders in 2010, 2012 and 2014.

<sup>3</sup> The assessment has been made against the 2010 MTS as the Mayors revised MTS is still under consultation.

## **2. Analysis of proposed changes**

### **2.1 Methodology**

In order to assess the impact of the proposed change to the level of a PCN issued for non-payment of the Congestion Charge and breach of the rules of the TLRN, it is first necessary to describe the baseline situation and how it is likely to evolve if the status quo is maintained, that is if the proposed changes were not introduced. The assessment utilises analysis undertaken by TfL to understand the impacts of the proposed changes and to establish what wider measures may be required to mitigate any predicted adverse impacts of the proposed changes.

TfL's assessment has identified, where possible, quantifiable data and the analysis of impacts is based on current available information. The identification of the impacts has, however, more broadly relied on qualitative data and the exercise of professional judgement to determine the relative significance and severity or scale of the impacts.

### **2.2 Economic impacts**

An efficient and effective transport system for people and goods is essential to support sustainable economic development and population growth. Congestion on London's roads costs in excess of £2bn each year and is a huge hindrance to businesses, commuters and the freight industry.

The economic impacts of the proposed changes are assessed with reference to:

- The effects on the volume of traffic, traffic speeds and the amount of delay, which in turn impact on economic productivity. This requires an understanding of how the proposed change may impact on congestion within the Congestion Charging zone and on the effective operation of the TLRN.
- The effects on TfL revenue and hence investment in transport improvements elsewhere on the network. This requires an understanding of the impact on traffic levels within the Congestion Charging zone and on the TLRN.

#### **2.2.1 Baseline conditions and context**

##### ***Traffic volume, speed and congestion***

The following baseline conditions for traffic volumes, speed and congestion have been taken from TfL's most recent Travel in London Report<sup>4</sup>. The volume of traffic, traffic speeds and the amount of delay all impact on business efficiency and sustainability and on economic productivity more generally.

Levels of road traffic have fallen for much of the period since 2000, but this fall shows some signs of stabilising over more recent years as the economy recovers from the recession and the population continues to grow. The total volume of road traffic in London in 2015 was 10 per cent lower than in 2000. The reduction was particularly intense in central London, at 21 per cent, partly reflecting the introduction of Congestion Charging to part of this area in 2003.

---

<sup>4</sup> Transport for London, 2016, Travel in London Report 9  
<http://content.tfl.gov.uk/travel-in-london-report-9.pdf>



This fall reflects the wider shift in mode share for travel in London, including better and more attractive alternatives to the car. However, they also reflect wider structural and societal change, as well as limitations on the available capacity of the road network reflecting increased emphasis on urban realm, safety, public transport priority and infrastructure development priorities, resulting in increasing congestion pressure.

Although traffic congestion is the most pressing problem in terms of managing the road network on a day-to-day basis, mode shift to public transport, walking and cycling means that fewer people are affected by congestion. However, for those who need to make journeys by car as well as freight vehicles, delay has been increasing. Bus reliability and journey times have also deteriorated.

Available data suggests a sharp upward trend in the early part of the period since 2000, followed by a period of stability around the end of the last decade, with resumption in the trend of increasing congestion in the most recent years. Again, this trend has been visible in all parts of London, and much of TfL's network management activity in travel demand patterns, network performance and road safety in recent years has been focused on getting the most out of the limited road capacity available, and ensuring the resilience of the network to disruption.

Over the period since 2000 there has been a progressive reduction in traffic volumes down by 9.9 per cent over the period, and average traffic speeds, down by 10.1 per cent. The trend for congestion has generally been the inverse of that for average traffic speed. Importantly however, in key areas like central London, the absolute level of congestion is broadly comparable to that of 2000, reduced traffic volumes being the primary response to increased congestion pressure.

Over recent years there is clear evidence of a fall in average traffic speeds and an increase in delays on London's roads. The largest declines in average traffic speed were all in the central area, by 12.6 per cent in the AM peak, 12.5 per cent in the inter-peak and 11.0 per cent in the PM peak.

### ***TfL revenues and investment***

By law, net revenues from the Congestion Charging scheme and from TLRN contraventions must be used for relevant transport purposes in London.

TfL reported net income from Congestion Charging of £168m<sup>5</sup> in the financial year 2015/16. This includes income for both the daily charge and any penalty charges issued for non payment of the daily charge.

TfL reported gross income from Road Network Compliance (Income from penalty charge notices for traffic and parking infringements on red routes) of £35m<sup>6</sup> in the financial year 2015/16. This figure does not reflect net operating expenditure for Road Network Compliance.

### **2.2.2 Expected trends under the status quo**

If no changes were made it is expected that contraventions on the TLRN and in the Congestion Charge zone will continue to increase, alongside further increases to the repeat offender rates for these contraventions. Such an increase would subsequently

---

<sup>5</sup> <http://content.tfl.gov.uk/tfl-group-statement-of-accounts-for-201617-27-june.pdf>

<sup>6</sup> <http://content.tfl.gov.uk/tfl-group-statement-of-accounts-for-201617-27-june.pdf>

have a detrimental impact on traffic volumes, traffic speed and congestion with consequential impacts on efficiencies and productivity. As such the cost of congestion on London's roads, and the subsequent impact on businesses, commuters and the freight industry, would continue to increase.

### **2.2.3 Assessment findings**

#### ***Increase in Congestion Charge PCN***

The increase in the PCN would impact negatively on road users who drive in the zone but do not pay the daily Congestion Charge. Given the size of the proposed increase in the PCN it is thought that this will have an impact on driver behavior, and will act as a stronger deterrent to not paying the daily charge.

Given the steps taken by TfL to promote the scheme and allow road users a number of ways to pay the charge (in advance, on the day, pay next day and CC AutoPay), this change is not considered to have an impact on the economy or on businesses that already comply with the Congestion Charge scheme.

Greater compliance with the scheme will have an impact on traffic volume, speed and congestion. Of the drivers that contravene the scheme, the PCN increase is expected to either result in greater compliance with the scheme, or deter these drivers from driving into the zone. A deterrent impact would subsequently reduce the number of vehicles in the zone, leading to a positive impact on traffic speed and congestion.

#### ***Increase in TLRN penalty charge***

The increase in the PCN would impact negatively on road users incurring a PCN for contravening on the TLRN. Given the size of the proposed increase in the PCN it is expected that this will have an effect on driver behavior, and will act as a stronger deterrent to not drive in bus lanes, park on the TLRN or stop in yellow box junctions.

This change is not considered to have an impact on the economy or businesses that comply with the rules of the TLRN.

Greater compliance with the scheme will have an impact on traffic volume, speed and congestion. Of the road users that contravene the TLRN rules, the PCN increase is expected to result in greater compliance with the TLRN rules. This would then have a positive impact on traffic speed, congestion and journey times as these obstructions to free flowing traffic would be removed.

#### ***TfL revenues and investment***

The proposed increase in the TLRN and Congestion Charging scheme PCNs is estimated to provide an additional £80m net income over the TfL's Business Plan period 2016/17 to 2021/22.

Overall, it is considered that the proposed changes would have a small positive impact on TfL's income from PCNs, the net revenue of which must be spent on improving transport, in line with the MTS.

## 2.2.4 Overall conclusions

Overall, the proposed changes are assessed as having a positive economic impact.

The assessment against the relevant MTS Secondary Objective is as follows:

+	<b>Contribute to enhanced productivity and competitiveness amongst all businesses within the London area:</b> The proposed changes would deter road users from committing traffic contraventions on the TLRN and encourage those entering the Congestion Charge zone to pay the charge. As such this is anticipated to have a positive impact on some of the causes of congestion and will be a factor in TfL's overall strategy to reduce congestion on London's roads. A reduction in congestion will lower the cost of congestion experienced by London's businesses and the freight industry.
---	---

## 2.2.5 Mitigation

No significant negative effects have been identified and therefore no mitigation measures are proposed.

## 2.3 Consideration of the general Equality duty

### 2.3.1 Introduction

As a public body, TfL is subject to the equality duty created under the Equality Act 2010. Section 149 of the Equality Act sets out the general equality duty, which requires TfL and the Mayor to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between different groups; and
- Foster good relations between different groups.

The general equality duty covers protected characteristics, including age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. In line with best practice TfL also considers the needs of groups who also have the potential to be socially excluded, namely: people on low incomes; refugees and asylum seekers; the homeless; and jobseekers.

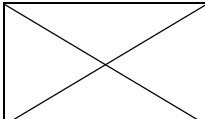
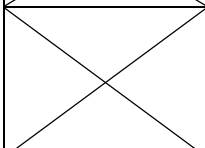
The equalities impact assessment process was principally based on the Equality and Human Rights Commission Equality Impact Assessment guidelines<sup>7</sup>. The equality impact assessment is conducted in two key stages. The first is an initial screening stage to see if the proposed changes are relevant or could have implications for equality. The second stage involves fully assessing the proposed changes to make sure they do not have negative or adverse effects on different sections of the impacted communities, including establishing what practical actions would be required to mitigate any adverse or negative impacts and what actions will help promote equality.

<sup>7</sup> [http://www.equalityhumanrights.com/uploaded\\_files/equality\\_impact\\_assessment\\_template.doc](http://www.equalityhumanrights.com/uploaded_files/equality_impact_assessment_template.doc)

### 2.3.2 Overall conclusions

An equalities impact assessment was undertaken and found that there is no evidence that an increase in the PCN value for the Congestion Charge or TLRN contraventions would disproportionately affect any of the equality target groups.

The assessment against the relevant MTS Secondary Objectives is as follows:

	<b>To address the key barriers to equality of access for all users and potential users of the London transport system:</b> No effects on equalities target groups are expected as a result of the proposals.
	<b>To give all users and potential users equal opportunity to access the London transport system and sustainable transport choices:</b> No effects on equalities target groups are expected as a result of the proposals.

### 2.3.3 Mitigation

While no significant effects have been identified, TfL is undertaking consultation on the proposals. This provides an opportunity to further investigate whether there are any equality implications from the increase to PCNs. The Mayor will consider responses to the consultation before he makes a decision as to whether or not to proceed with the proposed increase.

TfL makes consultation information available in different languages and in a variety of formats to ensure all people have access to the information.

## 2.4 Consideration of Health impacts

The Mayor has a legal obligation to meet national and European targets for air quality in London, and a statutory duty to have an Air Quality Strategy. Despite improvements in recent years, transport in London remains a significant source of the air pollutant emissions contributing to the overall concentrations of pollutants in the air and adversely affecting the health of Londoners. Noise is also a quality of life issue as it can significantly affect health and wellbeing.

### 2.2.6 Overall conclusions

The proposed changes are not likely to have a significant effect on health (neither positive nor negative) and there is no need to carry out a full Health Impact Assessment upon them.

### 2.4.1 Mitigation

No significant effects have been identified and therefore no mitigation measures are proposed.

## **2.5 Climate change mitigation and adaptation**

### **2.5.1 Introduction**

The Mayor has a duty to address climate change so far as it relates to Greater London and must take action with a view to mitigating or adapting to climate change and take into account governmental policies relating to climate change or the consequences of climate change.

Climate change mitigation refers to measures that will reduce emissions of greenhouse gases in the atmosphere. Climate change mitigation is achieved through the implementation of low carbon technologies, improvements in the energy efficiency of various operations as well as changes in people's behaviors to support reductions in greenhouse gas emissions. Climate change adaptation is concerned with changes that need to be made, including to infrastructure and processes, to support reductions in greenhouse gas emissions.

### **2.5.2 Baseline conditions and context**

CO<sub>2</sub> is London's dominant greenhouse gas emission and ground-based transport is a significant source, accounting for approximately 9.4m tonnes of CO<sub>2</sub> in 2010. Road transport emissions account for 71% of the ground-based transport emissions (around 6.7m tonnes in 2010) with the major emitters being cars, HGVs and vans<sup>8</sup>.

TfL estimates that CO<sub>2</sub> emissions in the Congestion Charging zone fell by around 16% following the introduction of Congestion Charging in 2003. This was split relatively evenly between savings due to a reduction in the number of vehicles entering the zone and more fuel efficient driving conditions resulting from lower congestion. While this was offset to some extent by increases in emissions elsewhere from traffic deterred from entering the zone, TfL estimates that there was a net reduction overall<sup>9</sup>.

Increased traffic flows in an area would lead to higher CO<sub>2</sub> emissions but the intensity of these emissions will vary depending on the fleet composition and congestion. In terms of fleet composition, older vehicles have higher CO<sub>2</sub> emissions as measured in g/km of CO<sub>2</sub>, while congestion increases fuel consumption and thus CO<sub>2</sub> emissions. The composition of vehicles by mode also affects CO<sub>2</sub> emissions with HGVs, buses and vans having higher CO<sub>2</sub> emissions than cars. However, the total overall CO<sub>2</sub> emissions from cars are higher given their considerably greater number.

### **2.5.3 Assessment findings**

The proposal to increase the PCN value for TLRN and Congestion Charge contraventions are not expected to have an impact (neither positive nor negative) on climate change mitigation and adaptation.

### **2.5.4 Mitigation**

No significant effects have been identified and therefore no mitigation measures are proposed.

---

<sup>8</sup> Transport for London, 2012, Travel in London Report 4, <http://www.tfl.gov.uk/assets/downloads/corporate/travel-in-london-report-4.pdf>

<sup>9</sup> 11 Transport for London, 2006, Central London Congestion Charging Scheme Impacts Monitoring, Fourth Annual Report, <http://www.tfl.gov.uk/assets/downloads/FourthAnnualReportFinal.pdf>

### **3. Overall conclusions**

Overall, the proposed changes are assessed as having a positive economic impact compared to the 'do' nothing' situation. This positive impact is realised through maintaining the deterrent effect of PCNs in order to prevent an increase in TLRN or Congestion Charge contraventions that can subsequently lead to a negative impact on traffic volumes, traffic speed and congestion.

### **4. Monitoring**

In line with Proposal 129 of the Mayor's Transport Strategy (and proposal 18 of the draft MTS), the proposed change set out in the Congestion Charge Variation Order, and the TLRN PCN change, will be monitored within this.

## Appendix A: MTS appraisal framework scoping

The primary and secondary MTS objectives considered in this impact assessment are highlighted below. Those objectives not considered in this impact assessment are indicated with a ‘\*’.

<b>Primary objective A: To contribute to, and facilitate, more sustainable and efficient economic progress within London</b>
<ul style="list-style-type: none"> <li>Promote more sustainable transport and travel patterns for all users and potential users of the London transport system*</li> <li>Increase the economic efficiency and environmental sustainability of freight transport and transfer within and around London and the South East*</li> <li>Facilitate and contribute to regeneration across all communities in London *</li> <li><b>Contribute to enhanced productivity and competitiveness amongst all businesses within the London area</b></li> <li>To help facilitate and contribute to increased employment and earnings especially in low- waged areas *</li> <li>To contribute to the alleviation of poverty and its contributory factors *</li> </ul>
<b>Primary objective B: To enhance equality and actively mitigate the barriers to this</b>
<ul style="list-style-type: none"> <li><b>To address the key barriers to equality of access for all users and potential users of the London transport system</b></li> <li><b>To give all users and potential users equal opportunity to access the London transport system and sustainable transport choices</b></li> </ul>
<b>Primary objective C: To contribute to enhanced health and wellbeing for all within London</b>
<ul style="list-style-type: none"> <li>To address health inequalities and factors which negatively impact upon health and wellbeing *</li> <li>To promote enhanced health and wellbeing for all*</li> <li>Improve air quality and the noise climate across London*</li> </ul>
<b>Primary objective D: To promote safety and security for all working, travelling and using London transport services and facilities</b>
<ul style="list-style-type: none"> <li>Increase security and resilience to major incidents on the network * Increase road safety for vehicles and pedestrians*</li> <li>Increase staff and passenger safety on all modes of transport *</li> <li>Contribute to the reduction of crime and fear of crime for all users and potential users of the London transport system *</li> </ul>
<b>Primary objective E: To contribute to the mitigation of and adaptation to climate change</b>
<ul style="list-style-type: none"> <li>To contribute to the reduction of GHG emissions arising from within the London area* To reduce GHG emissions arising from operations and service provision*</li> <li>To enhance and facilitate adaptation to the impacts of climate change *</li> </ul>
<b>Primary objective F: To protect and enhance the physical, historic, archaeological and socio-cultural environment and public realm</b>
<ul style="list-style-type: none"> <li>To promote more sustainable resource use and waste management *</li> <li>To protect and enhance the built environment and streetscape through planning and operations *</li> <li>To protect and enhance the natural and physical environment including biodiversity, flora and fauna through planning and operations *</li> <li>To protect and enhance greenspaces, riverscapes and waterways through planning and operations *</li> </ul>

# GREATER LONDON AUTHORITY ACT 1999

## TRANSPORT ACT 2000

### Greater London (Central Zone) Congestion Charging (Variation) Order 2017

*Made*

16 August 2017

*Coming into force*

In accordance with article 1(2)

Whereas—

- (1) the Greater London (Central Zone) Congestion Charging Order 2004 (“the Principal Order”) imposes charges for the using and keeping of motor vehicles on specified roads in Greater London during specified hours and on specified days;
- (2) Transport for London has made a number of orders varying the provisions of the Principal Order; and
- (3) it appears to Transport for London expedient for the purposes of facilitating the achievement of policies and proposals in the Mayor of London’s Transport Strategy published pursuant to section 142 of the Greater London Authority Act 1999<sup>(1)</sup> that it should make an Order for the purpose of further varying the Principal Order:

Now, therefore, Transport for London, in exercise of the powers conferred on it by sections 295 and 420(1) of the Greater London Authority Act 1999, by Schedule 23 to that Act, and of all other powers enabling it in that behalf, hereby makes the following Order:—

#### **Citation, commencement and interpretation**

1. —(1) This Order may be cited as the Greater London (Central Zone) Congestion Charging (Variation) Order 2017.
- (2) This Order shall come into force 7 days following the day on which the Mayor confirms it.
- (3) In this Order “the Principal Scheme” means the Scheme contained in the Schedule to the Greater London (Central Zone) Congestion Charging Order 2004 as varied and in force immediately before this Order comes into force.

---

<sup>(1)</sup> 1999 c.29; Schedule 23 was amended by the Transport Act 2000 (c.38), Schedule 13

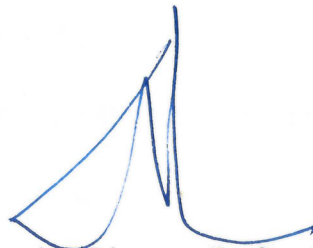


## **Variation of the Principal Scheme**

2. — The Scheme set out in the Schedule to this Order (the “Variation Scheme”), which varies the Principal Scheme, shall have effect.

Signed by authority of Transport for London

16 August 2017

A handwritten signature in blue ink, consisting of a series of loops and curves, positioned above the title of the signatory.

Managing Director, Surface Transport

## THE SCHEDULE

Article 2

### SCHEME VARYING THE PRINCIPAL SCHEME

#### **Preliminary**

1.—(1) Article 1 of the Principal Scheme shall apply, so far as material, for the interpretation of this Scheme as it applies for the interpretation of the Principal Scheme.

(2) The Principal Scheme shall be further varied in accordance with article 2 of this Scheme.

#### **Penalty Charge for non-payment of charge**

2.—(1) Article 12 of the Principal Scheme shall be amended as follows.

(2) In paragraph (3) for “£130” there shall be substituted “£160” and for “£65” there shall be substituted “£80”.



(3) In paragraph (4) for “£195” there shall be substituted “£240”.

## Miles Andrew (ST)

**From:** Transport for London <Transport\_for\_London@info.tfl.gov.uk>  
**Sent:** 12 September 2017 09:31  
**To:** Myhill Jonathon  
**Subject:** Proposed changes to driving in London

Are our emails displaying well on your device? If not, allow images or [view online](#)

Home	Plan journey	Status update	Driving
------	--------------	---------------	---------

Dear Internal TfL recipient,

We would like your views on proposals to increase penalty charges issued to drivers by TfL, from £130 to £160, reduced to £80 if paid within 14 days.


**[To have your say, please visit tfl.gov.uk/penalty-charge](http://tfl.gov.uk/penalty-charge)**

Penalty charge notices can be issued for:

- Non-payment of the Congestion Charge which can cause an increase in traffic and congestion
- Vehicles driving in bus lanes and not complying with parking and loading restrictions on the red routes, which can cause disruption on the road network
- Vehicles blocking yellow box junctions, which can affect the safety of cyclists and pedestrians


This consultation ends on Friday 10 November.

Yours sincerely,



Paul Cowperthwaite  
General Manager Road User Charging

These are our customer service updates about consultations. To unsubscribe, please [click here](#)



Email sign up	Social Media	Fares & Payments	Maps
---------------	--------------	------------------	------

Copyright in the contents of this email and its attachments belongs to Transport for London.  
Any unauthorised usage will infringe that copyright. © Transport for London

Click [here](#) to report this email as SPAM.

Dear Sir or Madam

## **Have your say on proposed changes to increase the penalty charge for drivers**

I am writing to invite you to take part in a consultation into proposals to increase the cost of Penalty Charge Notices (PCN) issued by TfL.

London's roads are vital in supporting our city and allowing it to function. They enable people to travel, including by bus or cycle, and they support trade and employment in our city. One tool at our disposal to keep traffic moving smoothly is to issue PCNs for contraventions of the rules of the Red Route network (those roads managed by TfL) or for failing to pay the Congestion Charge. We invest every penny we raise into our transport network, investing in new schemes and maintaining our services to support customers.

Over the last few years, there have been an increasing number of contraventions of both the rules of the Red Route network and the Congestion Charging zone. It has therefore been necessary for us to issue an increasing number of PCNs. At the same time, the proportion of PCNs we must issue to 'repeat offenders'; those people who have received at least one PCN from us in a 12 month period, is increasing. There is a significant and growing minority of road users who persist either in attempting to avoid paying the Congestion Charge, or using the Red Route network in a way which is dangerous or disruptive to others.

The cost of a PCN has remained the same for some time and it is clear that its deterrent effect has reduced. For this reason, and as part of the Mayor's vision to make streets safer and more welcoming for pedestrians and cyclists, we have developed a proposal to increase the cost of a PCN. This will ensure it remains an effective deterrent against poor or inconsiderate driving which can cause delays and make our roads less safe. We propose increasing the cost of a PCN for contraventions of the Red Route network and Congestion Charging zone from £130 to £160; although a 50 per cent would apply providing the PCN is paid within 14 days.

Further details are available [on our website](#). We would like to know your thoughts. The deadline for comments is **Friday 10 November**.

Once the consultation closes we will collate all of the issues raised and present them to the Mayor, who will then decide whether or not to increase the cost of a PCN. Depending on the Mayor's decision, we would put in place any increase shortly after his decision. We will announce the Mayor's decision as soon as he has made it, and make clear additionally when any increase might take place.

Yours sincerely

**Paul Cowperthwaite**  
**General Manager, Road User Charging**

# Have your say on proposed changes to increase the penalty charge for drivers

We are proposing to increase the TfL penalty charge from £130 to £160. This will be reduced to £80 if paid within 14 days.

Penalty charge notices can be issued for:

- vehicles blocking yellow box junctions, driving or parking in a bus lane during the hours of operation, which can affect the safety of cyclists and pedestrians
- vehicles parking in loading bays when not loading, or unloading heavy goods during the hours of operation, which can cause disruption on the road network and obstruct vital deliveries and collections
- non-payment of the daily Congestion Charge, which can cause an increase in traffic and congestion on the road network.

To have your say visit [tfl.gov.uk/penalty-charge](https://tfl.gov.uk/penalty-charge)

**Consultation ends  
10 November 2017**

Have  
your  
say





## GREATER LONDON AUTHORITY ACT 1999

### CONGESTION CHARGING

**TRANSPORT FOR LONDON** hereby gives notice that it has made an Order under **Schedule 23 to the Greater London Authority Act 1999** entitled the '**Greater London (Central Zone) Congestion Charging (Variation) Order 2017**' ('the Variation Order').

The Variation Order further amends the Greater London (Central Zone) Congestion Charging Order 2004 ('the Scheme Order') made by Transport for London on 30 September 2004 and confirmed with modifications by the Mayor of London on 27 October 2004. The Scheme Order was subsequently varied by further Orders made by Transport for London and confirmed by the Mayor.

The Variation Order contains the following proposed change:

- 1) The increase of the level of the Congestion Charging penalty charge. The effect of this change will be as follows:

Penalty Charge	Current Rate	Proposed Rate
Discounted penalty	£65	£80
Full penalty	£130	£160
Charge Certificate	£195	£240

Transport for London invites the making of representations on, or objections to, the proposed changes. Any representations that are submitted must be made in writing, specify the grounds on which they are made, and be received by Transport for London **by 10 November 2017**.

Copies of the Variation Order and other supporting documents may be inspected during business hours at the offices of Transport for London at Palestra, 197 Blackfriars Road, Southwark, SE1 8NJ (Please ask for Andrew Miles, Consultation Specialist).

This information is also available on: [www.tfl.gov.uk/penalty-charge](http://www.tfl.gov.uk/penalty-charge), or may be obtained by emailing [consultations@tfl.gov.uk](mailto:consultations@tfl.gov.uk) Representations may be sent to this email address or by post to: **Freepost TfL Consultations**

Leon Daniels  
Managing Director, Surface Transport

Dated: 4 September 2017

### Examples of 'third party publicity'

[http://www.route-one.net/articles/Driving/Tfl\\_to\\_put\\_Penalty\\_Charge\\_fee\\_up\\_30](http://www.route-one.net/articles/Driving/Tfl_to_put_Penalty_Charge_fee_up_30)

<http://www.mayorwatch.co.uk/tfl-to-increase-congestion-charge-penalty-in-bid-to-reduce-congestion/>

<http://breakingnews.avrupagazete.co.uk/economics/5781-tfl-proposes-increase-to-penalty-charge-notice-fee.html>

<https://www.commercialfleet.org/news/van-news/2017/10/31/fta-urges-fleets-to-respond-to-tfl-penalty-charge-consultation>



**Tom Brake** ✓  
@thomasbrake

Follow



.@TfL considering increasing cost of Penalty Charge Notices, consultation ends 10 Nov. Let them know what you think: [bit.ly/2jsTLHQ](http://bit.ly/2jsTLHQ)

4:04 am - 23 Sep 2017

3 Retweets 5 Likes



3



5

<http://www.actonw3.com/default.asp?section=community&link=http://neighbournet.com/server/common/conroad146.htm>



**GMB Pro Drivers**  
@GMBProDrivers

Follow



@TfL Hold consultation to increase penalty charge notices. Where penalty charges increase other authorities follow. [tfl.gov.uk/penalty-charge](http://tfl.gov.uk/penalty-charge)

5:27 am - 4 Sep 2017

6 Retweets



1



6

