

Response to consultation on Ultra Low Emission Zone London-wide expansion and future road charging



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Improving air quality and Londoners' health, tackling climate change and reducing congestion

This consultation from Transport for London (TfL) and the Mayor opened on 20 May 2022 online: <https://haveyoursay.tfl.gov.uk/cleanair>

Key documents provided with the consultation materials include:

- Consultation brochure: <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/26977>
- Frequently asked questions: <https://haveyoursay.tfl.gov.uk/cleanair/faqs>
- Full proposals document: <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27070>
- Proposed revision to the Mayor's Transport Strategy (MTS): <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27031>
- Integrated Impact Assessment (IIA): <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27025>
- London-wide ULEZ Data Protection Impact Assessment (DPIA): <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27007>
- Proposed MTS revisions Integrated Impact Assessment (IIA): <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27026>
- Text copy of consultation survey: <https://haveyoursay.tfl.gov.uk/15619/widgets/44946/documents/27003>

Background

I am very much in favour of expanding the Ultra Low Emission Zone (ULEZ) London-wide as quickly as possible. In fact, Greens on the London Assembly have been calling for London-wide measures to protect all Londoners from dangerous air pollution for some time.

In December 2016, Caroline Russell AM called for the London-wide ULEZ for heavy vehicles to include all vehicles.¹ In 2018, in response to the final consultation on the ULEZ expansion to the north and south circular roads, she reiterated this request and also asked the Mayor to bring in a London-wide smart road pricing scheme to reduce traffic, where charges can vary by time of day, distance travelled and the level of emissions from the vehicle being driven.² This further proposal would make road charging fairer and protect Londoners better from dangerously polluted air at the same time.

At the launch of the current expanded ULEZ in October 2021, Zack Polanski AM questioned the Mayor about the areas of London left out of the scheme. His questioning confirmed

that one in ten of London's roads was still expected to be over current legal limits for nitrogen dioxide, and that many more would be over new World Health Organisation recommended limits.³

I hope TfL and the Mayor will proceed with this simple, London-wide clean air zone scheme as soon as possible, and waste no time in bringing forward a smarter, fairer, privacy-friendly road charging scheme as well. This is necessary to reduce the burdens traffic places on Londoners more effectively and fairly in future, and to tackle the persistent issues of pollution from tyres and brake wear, and reduce road danger.

Responses to consultation survey questions

I have not responded to every question in the consultation survey, especially those that asked individual Londoners to describe their own circumstances. In the responses below, I have used as titles the official question wording so that it is clear to which questions each answer is intended to apply.

How concerned are you about air quality where you live?

Air pollution is a risk to the health of all Londoners and, to tackle it, we need London-wide measures, including as a first step the proposed London-wide ULEZ. Greens have consistently argued that expanding the ULEZ to cover all Londoners is the only fair and comprehensive way to draw the boundary on this scheme, and that it should have been done much earlier.

The lockdown in 2020 gave Londoners a chance to experience cleaner air due to the massive reduction in traffic.⁴ We need more comprehensive measures in place now to mitigate against the return to pre-lockdown levels of traffic and pollution, of which this is one necessary step. Therefore I support going ahead with this proposal as quickly as possible.

The existing boundary roads for the expanded ULEZ, the north and south circulars, are roads that pass through many densely populated residential areas, and often on roads that see high levels of congestion. The overall volume of traffic on these roads needs to be reduced with a more comprehensive suite of policies developed and implemented over time. However, removing the most heavily polluting vehicles as soon as we can will save Londoners' lives, and reduce the burden on their long-term health.

Does your vehicle(s) meet the emission standards required to drive in London without paying the ULEZ charge?

There is a continuing problem of Londoners feeling forced to own a car. Research commissioned by Green London Assembly members shows that 24 per cent of people in outer London feel forced into car ownership, compared with 14 per cent in inner London.⁵

Compliance with the ULEZ in the expanded zone has been high, with the six month progress report showing 94 per cent compliant vehicles on an average day.⁶ The scheme has had a

wider impact too. Even on the boundary roads, compliance has been 90 per cent and, across outer London, the proportion of ULEZ-compliant vehicles is already 85 per cent.

A London-wide ULEZ will clearly help bring up the proportion of vehicles and kilometres driven by cleaner vehicles more quickly in outer London, but this must be accompanied by a larger and more helpful scrappage scheme for those less able to pay to replace their vehicle or switch to public transport or active travel for their journeys. Please see my answers below about how this ought to be done.

How important do you consider it is to continue to have these existing discounts and exemptions and reimbursements for the ULEZ?

AND

Do you think we should provide any further discounts, exemptions or reimbursements for the ULEZ?

TfL expected that only 14,000 reimbursements under the NHS scheme would be claimed per year in London with the expanded scheme.⁷ There should be a review of the current patient reimbursement scheme, to ensure that there is a good understanding of how it works, and adequate information on alternatives to using a vehicle with the exemption.

If the reimbursement scheme is to be a long-term part of road user charging, the processes for it should be simplified, before later becoming part of smarter, fairer road user charging where it may be possible to further simplify how it works.

Forced car ownership must also be tackled through long-term investment in alternatives to the private car, including more and more frequent bus services, improvements to the rail network in outer London, and increased space to walk and cycle.

By preference, drivers who find it hard to switch vehicles should be helped instead by a comprehensive scrappage scheme, but temporary exemptions are necessary for some car owners, so that there are no short-term unfair negative impacts of enforcing the scheme. Primarily I believe this should be restricted to Disabled car owners, and support Deaf and Disabled campaign groups who believe that the restrictive DVLA tax class applied to the current exclusions should be expanded to include more Disabled car owners using PIP mobility assessment criteria as a measure of need instead.

I support the current range of other exemptions continuing with the new scheme for the temporary timescale proposed.

We are proposing to expand the ULEZ London-wide on 29 August 2023. What do you think of the implementation date?

The current proposed date is the latest date that it is acceptable to expand the ULEZ to cover all of London. Central London has benefited from the congestion and pollution reduction of the Congestion Charge Zone since February 2004, and the central London ULEZ

since April 2019, while those in inner London have benefited from the expanded scheme since October 2021. The roll-out of measures to reduce traffic and air pollution in London has been far too slow.

It is now urgent to expand the ULEZ to cover all of London, and we know that exposure to pollution is cumulative and causes significant harm to Londoners' health. The date of 29 August 2023 is the latest possible date to introduce this scheme and, ideally, it should be possible to bring this forward.

If not, then a comprehensive scrappage scheme and very strong promotion of the coming expansion should be brought in by TfL as quickly as possible to make sure that car owners are incentivised and encouraged to switch their vehicles earlier, ahead of the opening date of the scheme.

How important is it that the proposed expansion of the ULEZ is supported by a scrappage scheme?

Many more Londoners wanted to scrap their cars under previous schemes than TfL was able to support.⁸ It is very important that the proposed expansion is accompanied by a much larger and more generous scrappage scheme, using funding supported by the Mayor, Government and income from the scheme.

However, if a long-term deal with Government is not sufficient to replace lost income from the pandemic lockdowns and restrictions on travel, then it should not be the level of scrappage offered under this scheme that suffers.

An adequate scrappage scheme must be introduced well in advance of the opening date of the scheme, and must include additional funding for small businesses and charities, and for the replacement of adapted and wheelchair accessible vehicles owned by Disabled Londoners, which Inclusion London has told the Assembly Transport committee would cost on average £30,000.⁹

The grants of up to £2,000 that came with the scrappage scheme alongside the inner London expansion of the ULEZ were unable to help many of these Londoners, businesses and charities and this must be improved. An agreement should also be reached with the Government to prevent any scrappage grants being allowed to affect benefit levels for people on low incomes who apply.

Do you consider the proposed PCN level of £180 is?

- Sufficient to act as an effective deterrent
- Not high enough to act as an effective deterrent
- Too high
- Don't know
- No opinion

I believe this level of charge is high enough to act as an effective deterrent to evading the charge, and that the proposed Penalty Charge Notice (PCN) level of £180 is reasonable.

To go alongside this, people need a straightforward way to pay for the ULEZ if they need to, and it is fair to provide an automatic method for payment, with which there should be no artificial barriers to take-up, which I cover in my next answer.

It is also important that TfL actively warns those who may need to pay well in advance, making use of DVLA data to reach them by post and emails, as happened for the expanded ULEZ.

How important is it that we remove the annual £10 Auto Pay administration fee per vehicle (for the ULEZ, the Low Emission Zone (LEZ), and the Congestion Charge)?

The proposed removal of this fee would take place from 30 January 2023.

It is important to remove this fee to increase the incentives to regular drivers to set up automated payments and avoid penalties. In principle, administration fees should be absorbed into the costs of any scheme like this, not turned into an unnecessary barrier. I am also pleased that the introduction of this incentive is intended to predate the introduction of the wider zone.

How concerned are you about use of your data and the installation of more Automatic Number-Plate Recognition (ANPR) cameras to collect information on vehicle movements to enforce an expanded London-wide ULEZ?

I recognise that an expanded camera network is necessary for the enforcement of the scheme. The London Assembly Oversight committee looked at the issue of personal data management across the GLA in 2017, and found that the automated number plate recognition (ANPR) reads and photo data from the existing TfL camera network (enforcing the LEZ and the central London Congestion Charge) was kept securely by TfL's systems and only retained for up to 28 days, according to TfL privacy policies, unless needed for the administration of penalty charges.¹⁰ This is reasonable and ought to continue with any expanded camera network.

However, I object strongly to any routine and continuous sharing of any of this personal data with the Metropolitan Police Service (MPS). In 2015, TfL's ANPR data (but not photos) was shared in full with the MPS following a decision by the former Mayor, Boris Johnson, and the Oversight committee heard that this data is kept for two years.

I believe this is already excessive data collection and retention, which does not fall within legal duties to respect privacy and human rights or the original purpose of these schemes. The data being kept by the MPS contains information on many millions of lawful journeys by Londoners and others that should be kept private.

I object strongly to any expansion of this kind of large-scale and routine sharing of data from any of the new cameras associated with the expanded or London-wide ULEZ. Any information held by TfL that is necessary for specific police investigations can already be

obtained on a supervised, case-by-case basis, and this is how other personal data held by TfL is dealt with, for example, Oyster and pay as you go journey payments or bus and tube CCTV.

Revision of the Mayor's Transport Strategy

Comments on proposed revision of the Mayor's Transport Strategy

I support the revisions to the Mayor's Transport Strategy (MTS), as they provide more clarity and purpose for the future development of clean air and traffic reduction policies. I do, however, request that 'road danger reduction' is added to the wording of the new proposal as a potential goal of these new policies.

Shaping the future of road user charging in London

How important is it to you that we take further steps to tackle air pollution in London?

AND

How important to you is it that we take further steps to tackle the climate emergency by reducing emissions in London?

AND

How important to you is it that we take further steps to tackle traffic congestion in London?

AND

How important to you is it that we take further steps to improve the health of Londoners and address health inequality in London?

In all cases, I believe that further steps are very important. Since I was elected to the Assembly, alongside my City Hall Greens colleagues, I have pressed the current Mayor to take steps to develop a smarter, fairer, privacy-friendly and more effective road charging scheme that would take into account the distance driven.¹¹ The number of kilometres travelled is a large part of what determines the impact of any given journey in a vehicle on our roads.

I have been very disappointed to have spent six years in the Assembly saying this without any resources being committed to developing smarter road charging, and without TfL and the Mayor starting a conversation with Londoners about how these policies could be

developed. This issue has been neglected despite clear proposals being put forward by cross-party Assembly members, including:

- A budget amendment for the 2017-18 financial year committing £100,000 towards a new road charging options study and the development of smarter measures, setting out steps towards a fairer transport charging system in London, supported by Green and Liberal Democrat AMs.¹²
- The London Assembly Transport committee report, London Stalling: Reducing Traffic Congestion in London, in 2017, calling on the Mayor to develop a smarter replacement for the Congestion Charge.¹³

Since 2016, my colleagues and I have also pressed for measures to reduce the impact of vehicle parking, through the development of a Workplace Parking Levy and other measures that find better uses of the road space taken up by parked vehicles, including parklets and secure bike parking programmes.^{14,15} I have therefore also been dismayed at the very slow pace of any progress towards Workplace Parking Levy policies.¹⁶

The Mayor has now finally adopted a target to reduce car traffic by 27 per cent by 2030 and this target, along with the current consultation and the new carbon pathway needed to reach net zero, should provide a new impetus to getting on with these long overdue policies to adjust the price of vehicle use and the space allocated to it, to match the aspirations of a truly green city.

If we were to develop a future road user charging scheme to replace our existing schemes, how important is it for the new scheme to address the following challenges?

Answers presented in a matrix with 5 point 'important' scale against the following:

- Tackle air pollution
- Tackle the climate emergency by reducing emissions
- Tackle traffic congestion
- Improve health and well-being
- Provide more space for walking and cycling
- Improve bus journey times and reliability
- Improve journey times and reliability for freight and servicing trips
- Make roads safer for everyone

All these goals are important to explore as part of developing how a smarter, fairer scheme will work, and I welcome the fact that Londoners are at last being asked about how smarter, fairer road charging can support these priorities. It is long past time to start this conversation.

The list offered to Londoners for discussion is good, but in asking only about 'traffic congestion' the opportunity to gain feedback and a clearer mandate to work on policies that reduce the overall distance driven by vehicles within London (in accordance with the Mayor's new target and to match the next question) has been missed, and this represents an error in drafting the questionnaire.

If we develop a future road user charging scheme to replace existing schemes, what elements should be considered?

- The distance driven
- The time of day
- The type of vehicle (for example car, van, Heavy Goods Vehicle)
- How polluting the vehicle is
- Where the vehicle is driven in London
- The alternatives available for walking, cycling or public transport
- Household income
- Ability to choose between daily charges and pay as you go
- The number of journeys driven each day, week or month
- Other costs of driving (fuel duty and Vehicle Excise Duty)

All these elements should be explored in the process of devising how a smarter, fairer scheme will work, and I welcome the fact that Londoners are finally being asked to discuss these kinds of details.

In respect of the variable ‘the number of journeys driven each day, week or month’ I would be very interested in seeing TfL work further on this, but would caution against creating any kind of accidental incentives to take shorter, local journeys, which we know are often the easiest to replace with active travel.

In terms of the variables ‘the time of day’ and ‘where the vehicle is driven in London’ there is an opportunity with a smart scheme, if supported by a fully comprehensive travel planning service that helps people to find alternatives, to vary the per-km cost of driving on a day-by-day basis or for particular locations, which ought to be explored. This could support initiatives such as, for example:

- Raising the cost of driving significantly on high pollution days vs low pollution days.
- Protecting areas affected by other kinds of pollution more locally (such as fire or dust) with additional charges for passing through, or protecting wider areas of the road network around road closures for events such as Notting Hill Carnival, parades, or local car-free days.
- Supporting the hierarchy of road types to protect residential areas from traffic cutting through between main roads.

There are obvious complexities to developing a scheme with such nuance and flexibility, but also clear benefits in trying to make something as responsive as possible to local conditions, which could reinforce the policy goals and overall fairness of the scheme in Londoners’ minds. In devising legal documents to enable the scheme, and in developing software and systems to support it, officers should bear these potential benefits in mind and be careful not to rule out or prevent these kinds of complexities at too early a stage.

As mentioned above, in response to the question about changes to the MTS, it is also important that reducing road danger is a goal included in such a scheme wherever possible, for example by incentivising the use of smaller and lighter vehicles, not just focusing variable charges on emissions of carbon dioxide or local air pollutants.

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