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Dear Mr Khan

Thank you for allowing the Council to respond on the proposals on the new Emissions Surcharge and the Ultra Low Emission Zone. Please find below the Council's comments on the consultation.

1 General Comments

- 1.1 Westminster suffers some of the worst air quality in London and Westminster City Council is concerned that the proposals outlined still fall short of the necessary levels to achieve an adequate quality of air in central London. Londoners' health and London's status as a global city and leading economic and commercial centre are threatened by the levels of pollution experienced by its residents and visitors. Westminster Council does, however, welcome the proposed actions from the Mayor to improve local air quality.



- 1.2 Action to improve air quality is needed at all levels of Government, though the Mayor of London holds some significant powers to help achieve the required air quality improvement in London. Local authorities, including Westminster City Council, cannot be held responsible for failing to achieve legal air quality standards and it is hard to take action without the Mayor of London and the Government at national level also taking robust action to improve air quality. We recognise that this is period of transition for strategic air quality plans: an updated National Plan is in development and the London Plan, Mayoral Transport Strategy and Environment Strategies are also under revision. As we have said in previous rounds of consultations on the current and the former Mayors' air quality proposals, we welcome the development of plans that will achieve the air quality health standards across London as soon as possible.
- 1.3 In recent years, public awareness of poor air quality in London has risen considerably. Our own city surveys highlight significant levels of concern about local air quality. The Volkswagen (VW) scandal also contributed to greater public understanding of vehicle pollution but, nonetheless the regulation of emissions – via Euro Standards (ES) and other instruments - and the impact of diesel are not widely understood.
- 1.4 The Council is concerned that the proposals of the ULEZ and ES rely too heavily on 'Euro-Standards' delivering their predicted emissions savings. As has been seen with past Euro-Standards, their controls on real-world emissions have, so far, failed to achieve the predicted improvements. This, combined with issues of inadequate real-world testing of vehicle emissions and manufacturers cheating the emissions tests, leads to the need for a more robust, evidence-based approach. Westminster Council has previously stated our support for moving to a non-diesel vehicle fleet for central London and we would encourage the Mayor to develop options for moving to non-diesel based transport in central London as soon as possible.
- 1.5 Given that the proposed measures for the ULEZ and the ES rely on Euro Standards; we urge the Mayor to ensure that public communications are absolutely clear as to the reasons for the measures and how they are being applied. A national Government change to Vehicle Excise Duty (VED) rates to disincentivise the use of diesel would help significantly in this regard. Westminster Council has lobbied the Government for such a change and we support the Mayor's ambition seeking the same.



1.6 Westminster Council is also developing plans to use its parking powers to trial a diesel surcharge for on-street casual parking in the Marylebone Low Emission Neighbourhood. Local Authorities are reliant on DVLA data to operate such schemes and the current limitations of DVLA data mean that we cannot utilise Euro Standard data for differential parking rates and must rely simply on fuel type. However, the Parliamentary Under Secretary of State for Transport at DfT, Andrew Jones MP has pledged Government support to resolve this and has asked DVLA to work with Westminster on this basis. Currently, though, there is potential for the varying approaches to emissions being taken by different levels of Government to lead to confusion. We urge the Mayor to work closely with the London boroughs and national Government to ensure clear public communications are delivered.

2 Emissions Surcharge (ES)

2.1 Focus on diesel

2.2 The Council welcomes the proposal of the ES to tackle poor air quality, but questions the inclusion of petrol vehicles in the ES standard. The ES has been developed to be a 'stepping stone' measure to the full standards of the ULEZ and this is true for diesel cars where the ES standard is Euro 4 and the ULEZ standard is Euro 6. For petrol cars there is no 'stepping stone' and the ES standard is the same as the ULEZ standard. Petrol cars are less polluting than diesel cars of the same size/age and the emissions standard for Euro 3 petrol cars (which would be required to pay the ES) is a third of that for Euro 3 diesel cars.

2.3 Our experience is that Euro Standards are not widely understood. Also, Euro Standard information is not available via the DVLA, so it will be up to the individual to identify the Euro Standard of their vehicle based on its registration date. It is, therefore, important that there is a strong supporting communications programme ahead of the introduction of the ES, as this will be crucial in getting compliance with the ES.

2.4 The recent VW scandal helped raise public awareness of the poor environmental performance of diesel vehicles. The theme of transitioning to non-diesel fuels is gaining significant momentum with the recent announcement of plans to ban diesel in Paris, Madrid, Athens and Mexico City by 2025 and last week's anti-diesel protests from 'Doctors Against Diesel'. Given the very short time scales involved with implementing the ES and the complexity of understanding emissions of Euro Standards, communications about the ES (and therefore compliance) could be improved by excluding petrol vehicles from the ES and focussing solely on diesel.



2.5 Additionally, by applying the ES to only pre-Euro 4 diesel vehicles, pre-Euro 4 petrol vehicles will be available as an alternative, lower-cost choice to those wanting to replace their old diesel vehicle instead of paying the ES. This reduces the potential negative cost impact of changing vehicles for those on lower incomes and could form part of the rationale.

2.6 Residents' discount

The Mayor has proposed that the 90% Congestion Charge (CC) residents' discount is applied for the ES and that the discount continues for the whole period for which the normal ES would apply, plus the proposed 3-year sunset period following the introduction of the ULEZ in 2020 (6 years in total from 2017 to 2023). Westminster Council supports the 90% discount for residents within the zone. We also, however, recognise the complexities and issues of such a prolonged discount period and would, therefore, like to work with the Mayor to discuss options which balance the needs of our residents and seek to benefit local air quality.

2.7 Charge level / Start date

Subject to the above comment (2.4, 2.5) we support both the proposed ES charge level of £10 and the proposed implementation date of 23 October 2017. Given the short timescales involved, we urge the Mayor to develop a strong communications programme to support the implementation of the ES and, in due course, the ULEZ.

2.8 Exemptions, discounts and inclusions

We are also in support of the proposal to exempt historic and Showman's vehicles from the ES on the basis of their infrequency of travel in the central area, important cultural value and reduced ability to mitigate their emissions performance.

2.9 The ES proposals include requiring L-Category vehicles and 9+ seater vehicles to pay the surcharge. These 9+ seater vehicles include older minibuses that could be used by schools and third sector services, so there is a need to be mindful of the potential negative impact on these sectors, and balance this against the need to improve local air quality. More information is needed on the cost of compliance the air quality impact of the L-Category vehicles and 9+ seater vehicle elements of the proposals.



- 2.10 With regard to Private Hire Vehicles (PHVs), we understand that they already meet the standards of the ES due to the 10 year age limit of their licencing conditions, but we would question the proposal to make them 'exempt' as there is a need to be mindful about the message communicated to the public. It is important that all sectors have to conform with air quality requirements.
- 2.11 Westminster Council also disagrees with the exemption for black cabs. Licence conditions for taxis give a 15-year age limit, which means there could be Euro 3 diesel taxis travelling in the central area which do not meet the ES standards but are exempt from paying. Given the availability of scrappage grants for taxis and the availability of cleaner taxis which meet the requirements of the ES, we would urge the Mayor to reconsider and strengthen this element of the proposal to make it fairer and more consistent across all vehicles which contribute to the air quality problem.

2.12 Ring-fencing of funds

There is no mention in the consultation documentation of the intended use of the funds collected from the ES or ULEZ charges. We request that the funds collected from the ES (and ULEZ) be ring-fenced for spending on improving access to sustainable transport and travel schemes, improved public realm and infrastructure in the ULEZ area and that any revenue be returned to affected boroughs to be allocated to improvement projects that support these aims.

3 Proposals to bring forward ULEZ to 2019, extend ULEZ boundary to North/South Circular, and strengthening of London-wide emission standards for larger vehicles

- 3.1 As stated previously, we welcome these additional measures and proposals from the Mayor which seek to improve air quality and we look forward to the consultation on the above proposals in early 2017. However, we would not want the extension of the boundary to hold up implementation of the ULEZ, so, if necessary, the Mayor could consider a two stage approach.
- 3.2 The Mayor's planned consultation in early 2017 is likely to include proposals for a number of complex changes to the planned ULEZ. In order for us to assess the new proposals, we would anticipate the consultation providing a clear cost benefit analysis, comparing health and local air quality benefits to implementation and compliance costs, and a full assessment of the impact of each individual option, and combinations of options, against a baseline for the current planned ULEZ and ES, should it be decided that the ES will be implemented.



Thank you once again for allowing the Council to comment on this consultation and we look forward to hearing from you and receiving the analysis from the consultation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Heather Acton'.

Cllr Heather Acton
Cabinet Member for Sustainability
and Parking

A handwritten signature in black ink, appearing to read 'Ian Adams'.

Cllr Ian Adams
Chair, Environmental & Customer
Services Policy & Scrutiny Committee
Chair, Air Quality Task Group