

Executive Decision Report

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| Decision maker(s) at each authority and date of Cabinet meeting, Cabinet Member meeting or (in the case of individual Cabinet Member decisions) the earliest date the decision will be taken | Leadership Team – 6 February 2018 (Cllr Gerard Hargreaves, Lead Member for Planning and Transport) Forward Plan reference: 05192/18/T/A |  <p>THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA</p> |
| Report title (decision subject) | CONSULTATION RESPONSE TO THE MAYOR OF LONDON'S PROPOSED CHANGES TO THE ULTRA LOW EMISSION ZONE (INTRODUCTION OF LONDON-WIDE ULEZ FOR HEAVY VEHICLES AND EXTENDING THE CENTRAL LONDON ULEZ TO THE NORTH AND SOUTH CIRCULAR ROADS) | |
| Reporting officer | Bi-Borough Director for Transport, Highways, Parks and Leisure | |
| Key decision | Yes | |
| Access to information classification | Public | |

1. EXECUTIVE SUMMARY

- 1.1. This report summarises the two key proposals within the Mayor of London's new Ultra Low Emission Zone (ULEZ) 3b consultation concerning the introduction of a London-wide ULEZ standard for heavy vehicles in 2020 and expansion of the ULEZ emission requirements to the North and South Circular roads in 2021. Appendix B provides a suggested consultation response by the Royal Borough.

2. RECOMMENDATIONS

- 2.1. I recommend that the proposed response in Appendix B be sent to the Mayor of London and Transport for London (TfL). The proposed response:
- supports introduction of a London-wide ULEZ standard for heavy vehicles (HGVs, buses, coaches) by 26 October 2020 and;
 - supports the proposal to expand the ULEZ emission requirements to the North and South Circular roads from 25 October 2021.

3. REASONS FOR DECISION

- 3.1. Air pollution is a major problem for the Royal Borough. Fifty-five per cent of all nitrogen dioxide and 54 per cent of particulate matter (PM₁₀) in the Royal Borough comes from road transport and the impact of poor air quality on the health of residents is a matter of great concern. Levels of two pollutants, fine particles (PM₁₀) and nitrogen dioxide (NO₂), remain above the national objectives in a number of locations resulting in the Royal Borough being designated an Air Quality Management Area since 2000. It is therefore essential that the Council considers these proposals designed to reduce pollution.
- 3.2. The benefits of the Mayor's proposals to Royal Borough residents are substantial. TfL expect a 24 per cent reduction in NO_x (various nitrogen oxide gases), four per cent reduction in PM₁₀ and six per cent reduction in PM_{2.5} emissions in the borough if the expanded ULEZ proposals London-wide for HGVs in 2020 and to the North and South Circulars for light vehicles by 2021 are introduced. TfL expect a 20 per cent reduction in NO_x emissions across London as a whole, and a 30 per cent reduction in central London. This would mean that by 2021, London-wide, 77 per cent fewer people would be living in areas exceeding the legal NO₂ concentrations than before the proposals begin to be introduced in 2020.
- 3.3. Appendix C illustrates the expected impact of the proposals on populations living in areas of exceedance. The greatest improvement for populations living in areas of NO₂ exceedance is expected to take place in the first two years following introduction of the proposals. TfL estimate that prior to both proposals being introduced in 2020, 10,000 to 25,500 (6-16 per cent) of our residents would be living in areas exceeding legal limits of NO₂. TfL estimates that with the proposals, by 2025, just 500 to 1,000 (0.3-0.6 per cent) of our residents would still be living in areas exceeding legal limits.
- 3.4. I have drafted an official response by the Royal Borough, a copy of which is in Appendix B.

4. BACKGROUND

- 4.1. Poor air quality is linked to the equivalent of around 9,400 premature deaths per year in London, and 40,000 nationally. Air pollution causes more than twice as many deaths as road traffic collisions. Two pollutants of particular concern are nitrogen dioxide (NO₂) which aggravates symptoms in asthmatics, causes inflammation of the airways and reduces lung development and function; and particulate matter (PM_{2.5}) which contributes to the risk of cardiovascular and respiratory diseases such as lung cancer. Across London, areas with higher levels of deprivation tend to be disproportionately affected by air pollution.
- 4.2. The *Understanding the Health Impacts of Air Pollution in London* report (King's College, 2015) estimates that in 2010, 8.3 per cent of early deaths in the Royal Borough were attributable to fine particulate air pollution (PM_{2.5}) along with a further 16.6 per cent of early deaths attributable to NO₂. This figure is the highest in London (a position shared with Westminster). The impact on children is of

particular concern; 80 of the Royal Borough's 90 schools (89 per cent) are in locations that exceed the legal limit of 40 micrograms of NO₂ per cubic metre of air.

4.3 On 10 October 2016, the Mayor launched a consultation with detailed proposals for the implementation of an Emissions Surcharge (ES) and improving the Ultra Low Emission Zone (ULEZ) including:

- Bringing forward the introduction of the ULEZ to 2019 instead of 2020.
- Extending the ULEZ from Central London up to the North and South Circular roads for all vehicles, potentially as early as 2019; and
- Introducing a London-wide ULEZ for heavy vehicles (HGVs, buses and coaches) as early as 2019.

The Council supported the introduction of a London-wide ULEZ for heavy vehicles and a 2019 implementation date for an expanded ULEZ, *provided that residents would have full knowledge of the policy decision by mid-2017*. The Mayor has since confirmed his decision to introduce the ULEZ to the Congestion Charging Area from 8 April 2019.

4.4 This paper refers to the latest round of consultation known as 'Stage 3b' which began on 30 November 2017. The Mayor is no longer pursuing a 2019 implementation date but instead proposes an October 2020 date for the London-wide ULEZ for heavy vehicles and an October 2021 date to expand ULEZ beyond central London to the North and South Circular roads.

5. PROPOSALS AND ISSUES

5.1 Introduce ULEZ emission standards for heavy vehicles London-wide

5.1.1 Since 2008, HGVs, coaches and buses have been subject to the Low Emission Zone (LEZ) across most of London. Larger vans and minibuses must meet Euro 3 emission standards and Euro IV for lorries, buses and coaches or else pay a charge (between £100-200 each day). This is enforced using cameras.

5.1.2 Fig 1. illustrates TfL analysis suggesting that Euro VI heavy vehicles emit considerably less NO_x than previous Euro standard vehicles. The Mayor proposes to apply the ULEZ standards of Euro VI for heavy vehicles London-wide from 26 October 2020. The suggested response in Appendix B supports these proposals as emissions from heavy vehicles are disproportionately high (Fig.1), contributing 35 per cent of all London-wide road transport emissions.

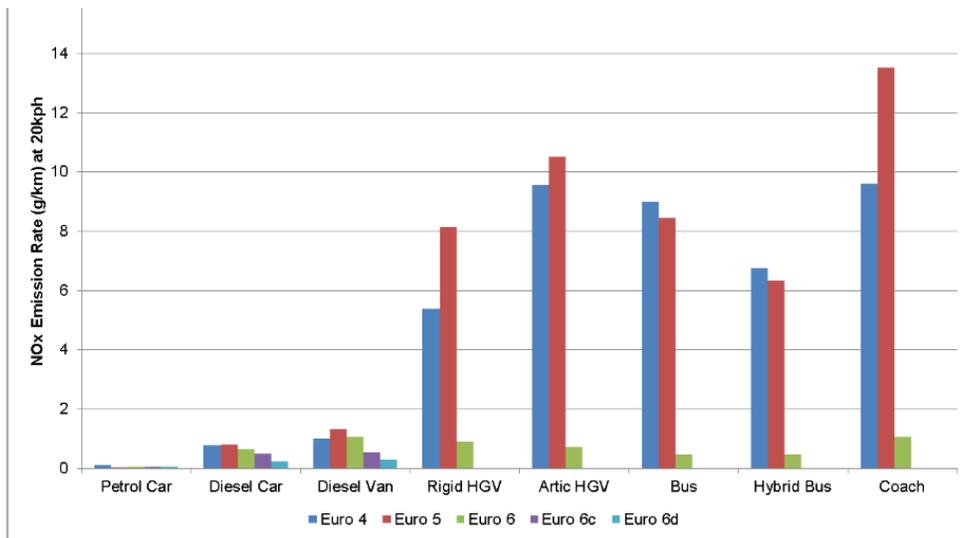


Fig.1 – NO_x emissions rate at 20kph Euro 4 – 6 (TfL analysis)

5.1.4 TfL estimate 3,800 vehicles entering London would not be compliant by October 2020. This breaks down as 3,000 HGVs and 800 non-TfL buses and coaches. It is estimated that the cost to operators to replace each vehicle with compliant models is around £30,000 for HGVs and £100,000 for coaches. Retrofitting vehicles is also an option and is estimated at £20,000 per vehicle to meet ULEZ standards. TfL consider that a 2020 implementation date will provide operators time to retrofit or replace vehicles, and, by this time, compliant vehicles will have been available for six years – enough time for a second-hand market in compliant vehicles to have developed.

5.2 Expansion of the central London ULEZ to the North and South Circular roads

5.2.1 The Mayor of London proposes to expand the central London ULEZ up to the North and South Circular roads from 25 October 2021. The emissions requirement will remain Euro 4 (NO_x) for petrol and Euro 6 (NO_x and PM) for diesel vehicles, as previously indicated. For ease of communication, TfL suggest this is any petrol vehicle registered from January 2006, or any diesel vehicle from September 2015.

5.2.2 Should the ULEZ be expanded to encompass the Royal Borough, drivers, including residents, will need to comply with the emissions standards or pay the daily £12.50 charge in order to drive their vehicles within the North and South Circular zone. Failure to do so would result in a Penalty Charge Notice (PCN) which could be as much as £160 by the time the proposals were implemented. The proposed start date of the expanded ULEZ would mean that residents would have three years' notice to change their vehicles assuming a decision were made by October this year. By 2021, petrol vehicles up to 15 years-old and diesel vehicles up to six years-old will be compliant with the minimum emissions standards, providing affordable second-hand options.

5.2.3 When the ULEZ is introduced in the Congestion Charge Zone in 2019, residents living within that area are due to benefit from a sunset period of three years. If the ULEZ is expanded to the North and South Circular roads, as proposed, there would

be no sunset period for residents living inside the enlarged zone. TfL's transport models suggest that around 50 to 60 per cent of the car trips in Inner London are made by residents of Inner London, and survey responses suggest that residents are more likely to upgrade to a compliant vehicle than non-residents. TfL therefore argues that applying a discount, or sunset period for residents across such a wide area would greatly reduce the emissions benefits of the scheme as residents delay upgrading their vehicles.

5.2.4 In total, TfL estimate that the proposal will affect 100,000 cars across London in 2021. Transport for London has not broken down that figure by borough of registration, but based on DVLA data to the end of June 2016, it is estimated that 80 per cent (12,900) of diesel vehicles registered in the Royal Borough *at that time* were pre-Euro 6 and 36 per cent (10,600) of petrol vehicles were pre-Euro 4. This equated to around 23,500 vehicles – half of all vehicles registered in the Royal Borough.

5.2.5 However, **even if there were no ULEZ proposals to influence purchasing behaviour**, we could expect that by 2021, the figures given in paragraph 5.2.4 would reduce, through the natural turnover of residents' cars. If the ULEZ were introduced in 2021, it would affect diesel vehicles more than six years old (as the Euro 6 standard was introduced in September 2015), and petrol vehicles more than 15 years old (Euro 4 was introduced in January 2006). Based on resident permit data from 2014, 38 per cent of total diesel vehicles registered in the borough were more than six years old. Twelve per cent of petrol vehicles were more than 15 years old. If there were a similar age profile in 2021, it would mean around 6,100 diesel and 3,500 petrol vehicles would *not* meet the ULEZ standard. This would equate to 9,600 vehicles being affected. This number would be about a third higher were the expanded ULEZ to be introduced in 2019 as initially contemplated.

5.2.6 During an earlier consultation, we asked TfL to ensure that, should the ULEZ be expanded without any sunset period, residents of the Royal Borough would not be required to pay the ULEZ charge whilst residents of the Congestion Charge Zone were still entitled to a three-year sunset period for the ULEZ (due to expire on 10 April 2022). TfL is now proposing to bring forward the end date of the central London Zone's residents' sunset period to 24 October 2021, to align with the start date of the expanded ULEZ¹.

5.2.7 Considering the expected improvements in air quality as set out in 3.2 and Appendix C, the Council should continue to support the geographical expansion of ULEZ.

5.3 Other announcements as part of the consultation

5.3.1 Road transport is estimated to account for half of all PM₁₀ emissions in London and the ULEZ proposals are not expected to decrease these levels substantially. There is no current technical standard to monitor or reduce these emissions from

¹ The sunset period for disabled and disabled tax class vehicles will be maintained until September 2023.

tyre and brake wear. Further action should be taken to control PM₁₀, particularly amongst older diesel vehicles.

6. OPTIONS AND ANALYSIS

6.1 Option 1

Approve the draft response in Appendix B which supports introduction of a London-wide ULEZ standard for heavy vehicles (HGVs, buses, coaches) by 26 October 2020 and expansion of the ULEZ emission requirements to the North and South Circular roads from 25 October 2021.

6.2 Option 2

Approve the draft response in Appendix B with suggested changes.

6.3 Option 3

Reject the response in Appendix B and do not respond to the consultation.

7. CONSULTATION

- 7.1. The consultation is open to individuals and groups to respond to and TfL have publicised the consultation widely.

8. EQUALITY IMPLICATIONS

- 8.1. The expansion of the ULEZ to encompass the Royal Borough will have a positive impact on health through the reduction of poor air quality, particularly that of children and older residents who are more susceptible to air quality-related health problems.
- 8.2. Resident car-owners on low incomes are more likely to own older vehicles and be less able to replace them with ULEZ compliant vehicles promptly. However, the most deprived parts of London are also likely to be the areas with the highest NO₂ concentrations – one of the emissions the ULEZ is expected to reduce (ULEZ Equality Impact Assessment, Jacobs, 2014). It is worth noting that affordable Euro 4 petrol vehicles (vehicles registered since January 2006) are already available on the second-hand market. By 2021, residents could purchase any petrol vehicle up to 15 years-old to be compliant with the ULEZ.

9. LEGAL IMPLICATIONS

- 9.1. The Council needs to have regard to the Mayor of London's Air Quality Strategy when exercising air quality functions (Section 362 Greater London Authority Act 1999).

10. FINANCIAL AND RESOURCES IMPLICATIONS

10.1. There are no direct financial implications arising from the recommendations in the report.

11. MEDIA AND COMMUNICATIONS

11.1 Communications advice has been provided.

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| Cleared by Finance (officer's initials) | MJ |
| Cleared by Legal (officer's initials) | SF |
| Cleared by Communications (officer's initials) | MK |

Other Implications

1. *Business Plan:* None
2. *Risk Management:* None
3. *Health and Wellbeing, including Health and Safety Implications:* The proposals will reduce illness and deaths linked to harmful emissions, such as aggravated symptoms in asthmatics, inflammation of the airways and reduced lung development and function, increased risk of cardiovascular and respiratory diseases such as lung cancer.
4. *Crime and Disorder:* None
5. *Staffing:* None
6. *Human Rights:* None
7. *Impact on the Environment:* See item 3
8. *Energy measure issues:* None
9. *Sustainability:* None
10. *Communications:* The consultation has been widely promoted by TfL. Should the Mayor confirm his proposals, it would be appropriate for the Council to raise residents' awareness of them before they are introduced.

The Royal Borough's Proposed Response to the Proposed Changes to the ULEZ

Sadiq Khan, Esq.
Mayor of London
City Hall
The Queen's Walk
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SE1 2AA

6 February 2018

Dear Mr Khan

Royal Borough of Kensington and Chelsea's Response to the Proposed Changes to the ULEZ (Introduction of London-Wide ULEZ for Heavy Vehicles and Extending the Central London ULEZ to the North and South Circulars).

We thank you for this latest opportunity to respond to your proposals for the ULEZ. Air quality is a high priority for our residents and for the Council, as evidenced by our Air Quality and Climate Change Action Plan and continued support of schemes and initiatives that promote cleaner air.

You will note that in our response to your previous consultation of Autumn 2016, the Royal Borough was willing to support an extended ULEZ as early as 2019, as long as our residents had at least three years' notice. The Council therefore supports the introduction of the expanded ULEZ in 2021, but we would still be happy to see the expanded zone introduced sooner and expedite the benefits to health that cleaner air should secure.

We are glad to see that TfL have considered our previous response and now propose that when the ULEZ is expanded, Royal Borough residents will not have to pay the charge before residents of the central London zone. This would have been an unfair discrepancy.

We fully support the introduction of the London-wide ULEZ for HGVs in 2020 in consideration of the disproportionately high levels of emissions associated with these vehicles, and given the impressive emissions performance of Euro VI models compared to older vehicles.

We note the reference in the proposals to the harmful effects of PM that the ULEZ proposals are unlikely to reduce significantly and we look forward to seeing how you and TfL will seek to address this important problem in the future.

Yours sincerely,

Cllr Gerard Hargreaves
Cabinet Member for Planning and Transport

Impact of proposals on population living in areas of exceedance 2020-2025 by borough

