

16 February 2007

## Mayor replies to our questions on the Low Emission Zone

### ACTION

If you are concerned about the serious health impact of air pollution, please email David Miliband, the Secretary of State for the Department for the Environment, Food and Rural Affairs, on [david.miliband@defra.gsi.gov.uk](mailto:david.miliband@defra.gsi.gov.uk) and Ken Livingstone, the Mayor of London, on [mayor@london.gov.uk](mailto:mayor@london.gov.uk) emphasising your local air pollution concerns and that you want World Health Organisation recommended levels of air quality to be achieved urgently throughout London. When the collective will exists to tackle air pollution, practical ways of addressing it will be found (as they were in the past for leaded petrol, the ozone layer and sulphur dioxide). It really is that simple.

### MAYOR REPLIES TO OUR QUESTIONS ON THE LOW EMISSION ZONE

Commenting on a letter from the Mayor replying to a recent submission on the Low Emission Zone consultation, Simon Birkett, Principal Contact for the cross-party Campaign for Clean Air in London, said today:

“The Mayor deserves credit for taking the first steps in the United Kingdom to reduce air pollution by tackling congestion and traffic emissions. Painful though it may be, road pricing and emission controls are necessary in London if the health and quality of life of those who live in, work in and visit London are to be protected.

“We need to bear in mind that over 1,000 people died in London in 2005 from one form of air pollution alone (particulate matter or PM10) which is more than four times the number who died in road traffic accidents. Mrs Gwyneth Dunwoody, Chairman of The Transport Select Committee, said this week that the Government must make air quality a priority. The Committee’s annual report expressed dismay at the Department for Transport’s lack of success in improving air quality.

“The western extension of the Congestion Charge zone is a painful but necessary next step by the Mayor towards achieving World Health Organisation (WHO) recommended standards of air quality throughout London. We should encourage the Mayor to go further and faster by introducing a much more ambitious Low Emission Zone, if necessary, following a further or parallel public consultation. We should also encourage the Mayor to introduce a more sophisticated road pricing scheme, using a “tag and beacon” system rather than costly spy-in-the-sky satellites, that would allow congestion and air pollution to be targeted precisely without the blunt instrument of congestion charging that damages small businesses, makes short, non-peak hour journeys expensive and triggers rat-running through residential streets along its boundaries.

“Given that the Campaign for Clean Air in London has received support from the four main political parties in London as well as London First, the Central London Partnership and more than 25 community groups, it is not clear who the “stakeholders” are who stopping the Mayor from achieving urgently WHO standards of air quality throughout London and why the “practical problems” they raise cannot be addressed quickly. In 1999 legislation, most of the

WHO air quality standards were expected to be achieved by January 2010 whereas the Mayor says now that they might not even be achieved by 2015. It is clear from his letter that the Mayor wants to do much more to improve air quality and he should be encouraged to take quickly bold steps to do so.”

The Campaign for Clean Air in London “urges the Mayor to implement ambitious measures to improve urgently London’s air quality which is amongst the worst in Europe and invites him again to Pledge support for the Campaign for Clean Air in London as many others have now done.”

For further information, please see also our website:

[www.cleanairinlondon.org](http://www.cleanairinlondon.org)

where this Campaign Update has been published today. A recent listing of our supporters appears there.

Please note that replies have not been received yet to campaign letters sent to: the Prime Minister, dated 23 December, inviting him to Pledge support to the Campaign for Clean Air in London; David Miliband, dated 12 November asking further tough questions about the forthcoming National Air Quality Strategy; or to the Mayor dated 3 December with comments on the consultation on revisions to the London Plan. Responses to other correspondence have been posted on our website.

#### **Contacts:**

Campaign for Clean Air in London  
Simon Birkett, Principal Contact.

Contact Simon through the Campaign homepage on the BBC Action Network web link above.

#### **TEXT OF LETTER RECEIVED ON TRANSPORT FOR LONDON LETTERHEAD**

Our REF: 07/VD/TFL057000  
Mr Simon Birkett  
The Knightsbridge Association  
6 Montpelier Street  
London SW7 1EZ

9 February 2007

Dear Mr Birkett

#### **Re: Consultation on Low Emission Zone**

Thank you for your email/letter received 15 January addressed to the Mayor of London, Ken Livingstone. I have been asked to respond to you on his behalf. Please accept my apologies for the delay in responding to you.

You raise a number of questions in your letter, each of which I will respond to in turn below. We will

also record the issues raised in your letter as a formal response to the consultation on the LEZ Scheme Order, and send you a separate acknowledgement letter for this.

**Question 1: Why are nearly three-quarters of a million more Londoners now expected to be exposed to unhealthy levels of nitrogen dioxide (NO<sub>2</sub>) in the LEZ Base Case for 2008?**

As you indicate, there are differences in the projected figures given in the ‘Summary of Projected Impacts’ tables, with the November 2006 set of data for this aspect being higher than the January 2006 dataset. The difference is due to updates made to the datasets used in modelling the projected impacts. These are detailed in the section, ‘Changes to modelling data and methodologies’ on page 28 of the November Supplementary Information, a copy of which is enclosed. Both the data regarding the emissions from the vehicle fleet, and the calculation of how the population would be affected have been updated. We have a duty to publish the most up-to-date information as we consult on the proposed Low Emission Zone. In this instance, the later iteration of modelling indicated that a higher number of Londoners than previously thought would be exposed to NO<sub>2</sub> in 2008, were the LEZ not to be implemented.

**Question 2: Why are EU legal limits and WHO recommended standards for NO<sub>2</sub> air quality standards not being met urgently when it is a toxic gas and a strong indicator of the presence of many other dangerous air pollutants?**

In the consultation on the Transport Strategy Revisions (January – April 2006), it was proposed that a NO<sub>x</sub> standard be included in the emissions standards for the Low Emission Zone, in recognition of that this is indeed a toxic pollutant. However, after a more detailed consideration of the practical difficulties involved, and given feedback from stakeholders, it was decided that, at this stage, the LEZ would not include a nitrogen oxides (NO<sub>x</sub>) standard. The rationale was that NO<sub>x</sub> abatement technology is still evolving and there is still no national scheme yet in place for the certification, testing and registration of retrofitted vehicles. Given this, and the need for operators to comply with Euro Standards, the NO<sub>x</sub> standard is no longer proposed. This does not rule out any future inclusion of such a standard, although this would be subject to a full scheme order consultation. We continue to work with DfT on the development of a NO<sub>x</sub> standard for future consideration.

However, although no specific NO<sub>x</sub> standard has been included, it is expected that the LEZ will still lead to reduced NO<sub>x</sub> emissions, by encouraging the uptake of newer vehicles which emit less of this pollutant. Since NO<sub>2</sub> is one of the components of NO<sub>x</sub>, there is also likely to be a subsequent reduction in NO<sub>2</sub> emissions. The table and text in the November 2006

Supplementary Information give more details about these proposed impacts: in 2012 the LEZ is expected to reduce the area exceeding the annual mean NO<sub>2</sub> objective by 15.6%. In terms of the key health-based objectives of the LEZ, reductions in PM<sub>10</sub> have a significantly greater impact on health than an increase in the proportion of NO<sub>x</sub> emitted as NO<sub>2</sub>.

In regard to the introduction of Euro IV standards, which would result in greater reduction of NO<sub>x</sub> emissions, we are seeking views in the current consultation about the timetable for their introduction. As you know, we originally proposed implementing this standard for HGV’s, buses and coaches in 2010 and subsequently moved this back to 2012. This was following representations from operators and manufacturers that there would be practical difficulties in complying with such a standard.

**Question 3: Why is the LEZ scheme not much more ambitious, effective and well thought through?**

No other city in the UK currently operates a Low Emission Zone, although they operate in several Swedish cities and in Tokyo, with plans to introduce one in Berlin. We believe that this is an ambitious scheme and will have significant air quality and health benefits. Prior to beginning consultation on the proposed LEZ, a feasibility study was carried out which concluded that a LEZ was the most effective policy available to the Mayor in terms of moving London towards meeting its air quality objectives. The study found that, in the absence of national initiatives, a LEZ would be more effective than other measures in reducing the level of air pollution.

We have recently finished consulting on the specific details of the London LEZ and are now preparing a report for the Mayor which will present options and recommendations on how the scheme should be implemented. As in the Transport and Air Quality Strategy Revisions, we need to have regard to the views of the public and stakeholders and consider what is practical and achievable, as well as what will produce the most benefits to London. Since the first consultation, there have been changes proposed which would make the LEZ more effective, such as the introduction of heavier diesel-engine vans and minibuses from 2010. As you know we are also seeking views on the inclusion of other vehicles in the future.

It is also worth noting that the LEZ would not operate in isolation in regard to improving air quality in London. The Mayor's Air Quality Strategy includes a number of initiatives that both work to reduce emissions from vehicles and construction activities; and works with boroughs at local level through the Local Air Quality Management system.

**Question 4: Why have the latest proposals for the LEZ not taken account of the major changes that have taken place in the external environment since the first LEZ consultation?**

The Mayor shares the concerns of the Association and other Londoners in regard to climate change and other 'green' issues: climate change is his top priority. The LEZ is only one of a number of initiatives which seek to improve the environment. For example, the Mayor has recently announced that he would like to take forward the policy of reducing London's carbon dioxide (CO<sub>2</sub>) emissions by introducing emissions influenced charging to the extended central London Congestion Charging scheme. The proposals would mean that vehicles with very low levels of CO<sub>2</sub> emissions would pay nothing whilst those with very high levels would pay much more, at £25, than the standard £8 charge. It is intended that these proposals would encourage people to take into account the impact of their choice of car on the environment. Any changes to the current scheme would be subject to public and stakeholder consultation before being confirmed.

In terms of developing the proposals between the original consultation on the Transport and Air Quality Strategy Revisions and the recent consultation on the Scheme Order, we are very limited in what we can do. Nevertheless I think we have proposed some notable changes to the scheme since the first round of the consultation. These include the proposal to introduce emission standards for heavier LGV's and minibuses from 2010, and, at the Mayor's request, a commitment to consider the inclusion of cars at a later date. Both of these proposals should be balanced with other changes such as the deferral of the introduction of the Euro IV standard to 2012. In developing the scheme, we have to be mindful of stakeholder and other responses as well as the need to be proactive in improving air quality in London.

While I acknowledge that there have been many external developments in between the two phases of consultation, we are required to retain the ‘core’ of what we consult on, in order to provide everyone with a fair chance of understanding and responding to the proposals. We are not permitted to substantially change the parameters of what we consult on during any one discrete consultation, although we do of course further develop the scheme. For example, while in the second phase of consultation we included the option to include cars in the LEZ at a later date, we also made it clear that any such inclusion would be subject to a new round of public consultation, and require a new Scheme Order to be made. Air quality in London was a problem before we began the consultation and it continues to be a problem which we are seeking to address both in the LEZ and other initiatives.

**Question 5: Why is the opportunity not being taken to introduce a much more ambitious LEZ scheme that would have a major positive impact on air quality and simultaneously deter non-compliant vehicles from entering London?**

The principle aim of the LEZ is to improve air quality by reducing emissions of particulate matter from the heaviest, most polluting diesel-engined vehicles. It was never designed as an initiative to tackle climate change and CO2 emissions. Nor was it intended to be a measure to reduce traffic or congestion. Nevertheless, there are expected to be significant benefits in terms of air quality and health improvement from the proposals as they stand, which are detailed in the Supplementary Information. These have been modelled using both DEFRA and EU Café methodologies. The DEFRA methodology estimates that the proposed LEZ scheme would mean that 86 hospital admissions would be avoided and roughly 40 deaths avoided. The Café methodology predicts that 65 hospital admissions would be avoided, and lead to 210 fewer premature deaths.

Additionally, we believe that the proposed daily charges for non-compliant vehicles are sufficiently high (proposed at £200 per day for HGV’s, buses and coaches and £100 per day for LGVs and minibuses), are sufficiently high as to constitute a deterrent to entry. The penalty charges (£1,000 and £500 depending on the vehicle) are also sufficiently high as to deter non-compliant vehicles from not paying the daily charge if they decide to enter the zone. This is unlike the congestion zone which is intended to reduce the levels of traffic but not act as a complete prohibition to entry.

As indicated in the responses to Questions 3 and 4, there are other initiatives in place to tackle climate change. You might be interested in the strategies listed on the GLA website at:

<http://www.london.gov.uk/mayor/environment/climate-change/index.jsp>

**Question 6: Why is action to tackle adequately air pollution being delayed when: (i) over 1,000 people a year are dying early from one form of air pollution alone in London (PM10); (ii) agglomeration benefits will be lost to London through delay; (iii) the consultation documents make clear that the costs of the scheme will be passed on to households (and will be “negligible”) along with those who work in London who would be the key beneficiaries of the healthier environment; and (iv) businesses, residents and others will have to suffer necessarily much tougher obligations at short notice later?**

As my answer to Question 3 indicated, the LEZ was shown to be the most effective option available to the Mayor in terms of moving towards meeting air quality objectives. Since the completion of the

Feasibility Study, TfL and the Mayor have been working to develop and consult on the implementation of a Low Emission Zone for London. In doing this we are required to follow guidelines about the length of time necessary for a public consultation; and are required to give consideration to issues raised by stakeholders and others concerning the implementation of the zone. At the same time, we share your sense of urgency about the air quality problems facing London, and the potential costs of delay. It is necessary for us to balance these two concerns as we seek to develop and implement the LEZ.

**Question 7: Do TfL and the Mayor consider that the introduction of the LEZ, together with any other measures announced or being planned, will mean that London is taking all reasonable efforts to achieve EU legal limits for NO2 air pollution throughout London by January 2010 (as would be required to justify any time extension from meeting EU legal limit obligations for NO2 air quality in January 2010)?**

The Mayor has legal obligations to take steps towards meeting national and EU air quality objectives. If measures such as the proposed LEZ are not taken, the capital will fail to meet some of these targets across a large proportion of Greater London. In the absence of any suitable national initiative, the LEZ is the most effective option for reducing the most harmful road transport generated emissions in London between 2008 and 2015.

Additionally, the LEZ would also be a powerful means of demonstrating to the European Commission that the UK and, London in particular, are making every effort to achieve the new limit or concentration caps for PM10, NO2 and PM2.5 if that were to be included in the new European directive. As described in some of the responses above, the LEZ is only one among a number of initiatives to improve air quality and the environment in London.

**Question 8: Please treat as a Freedom of Information request, a request here from us for any information held by the Greater London Authority (GLA) or any of its associated entities about any plans or action taken or intended to be taken to seek time extensions or derogations in respect of breaches of EU legal limits for PM10 in London in 2005 either by the GLA, Defra or others.**

I have forwarded this request on to the GLA for their attention.

Thank you once again for writing; I hope that you find this information useful.

Yours sincerely

VICKY DUNNE  
POLICY OFFICER  
CONGESTION CHARGING

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Group fax: 020 7941 4028

Enc: Supplementary Information for November 2006