

Boris Johnson
Mayor of London
Chair of Transport for London
City Hall
The Queen's Walk
More London
London SE1 2AA

5 January 2015

By email: consultations@tfl.gov.uk

Dear Mayor Johnson

Oxford Street breached the nitrogen dioxide (NO₂) hourly limit value for the whole of 2015 on 4 January. Putney High Street expected to breach on 5 January. Brixton Road will breach soon

Mayor has taken a succession of backward steps on his proposed Ultra Low Emission Zone (ULEZ) since announcing it two years ago. Gap between what the Mayor says and what he needs to do and actually does has never been wider

Meanwhile, concerns about air pollution, particularly NO₂ and diesel exhaust, have risen exponentially. Leading scientists say that many roads in central London will tend to have the highest NO₂ concentrations in the world

Monitored annual mean concentrations of NO₂ at selected locations in London in 2014 were: Euston Road 98 micrograms per cubic metre (ug/m³); Putney High Street 101 ug/m³; Walbrook Wharf 122 ug/m³; Oxford Street 139 ug/m³; Brixton Road 149 ug/m³; and Marylebone Road 79 ug/m³. NO₂ hourly exceedances at these places respectively were: 170; 999; 672; 1,361; 1,732; and 12. These compare with legal limits of 40 ug/m³ and 18 hours. Of these results, only Marylebone Road is reported by Defra to Brussels. Defra is currently consulting on plans that would scrap most, if not all, the five other local monitors

London needs to ban diesel from the most polluted places by 2020, as coal was banned so successfully 60 years ago, with a meaningful intermediate step by early 2018. The Mayor seems to have a love affair with diesel that must end

Put simply, the Mayor's proposed ULEZ is too small, too weak and too late

Clean Air in London (CAL) welcomes the opportunity to be consulted on Transport for London's (TfL's) proposals for an Ultra Low Emission Zone (ULEZ) in Central London from 2020 (the Consultation). The Consultation can be seen here:

<https://consultations.tfl.gov.uk/environment/ultra-low-emission-zone>

CAL is a voluntary organisation which campaigns to achieve urgently and sustainably full compliance with World Health Organisation (WHO) guidelines for air quality throughout London and elsewhere.

CAL is independent of any government funding, has cross party support and a large number of supporters, both individuals in London and organisations. CAL provides a channel for both public concern and expert opinion on air pollution in London. This document provides both general and expert comments in response to the Consultation.

Traffic is a major cause of air pollution in London, which in turn causes thousands of premature deaths per year, and many thousands more illnesses, chronic illness and disability. For this reason, traffic measures are also measures to deal with air pollution.

Quotes

Simon Birkett, Founder and Director of Clean Air in London, said:

“Clean Air in London estimates that Oxford Street breached the nitrogen dioxide (NO₂) hourly limit value for the whole of 2015 on 4 January. Putney High Street is expected to breach on 5 January. Brixton Road will breach soon.

“The Mayor has taken a succession of backward steps on his proposed Ultra Low Emission Zone (ULEZ) since announcing it two years ago. The gap between what the Mayor says and what he needs to do and actually does has never been wider.

“Meanwhile, concerns about air pollution, particularly NO₂ and diesel exhaust, have risen exponentially. Leading scientists say that many roads in central London will tend to have the highest NO₂ concentrations in the world.

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“Put simply, the Mayor’s proposed ULEZ is too small, too weak and too late.”

Response

The Mayor's proposed ULEZ is too small, too weak and too late.

Backward steps

The Mayor announced his plans for the so-called ULEZ on 13 February 2013 when announcing also his plan to scrap Phase 5 of his own low emission zone that had been planned for 2015.

<https://www.london.gov.uk/media/mayor-press-releases/2013/02/mayor-of-london-announces-game-changer-for-air-quality-in-the>

The Mayor said:

*"The Mayor of London has announced his intention to create the world's first Ultra Low Emission Zone in central London, in a move that he believes will deliver dramatic benefits in air quality and provide a major spur for the further development and mass take-up of zero and low emission vehicles. He has asked Transport for London to prepare plans to look at introducing a scheme that would aim to ensure **all vehicles driving in the centre of the capital during working hours would be zero or low emission, and the feasibility of introducing such a scheme from 2020.**" **CAL emphasis.***

and

"The Mayor of London, Boris Johnson, said: "Creating the world's first big city ultra low emission zone has the potential to be a game changing moment in the quality of life of our great capital. My vision is a central zone where almost all the vehicles running during working hours are either zero or low emission. This would deliver incredible benefits in air quality and stimulate the delivery and mass use of low emission technology."

At the same time the Mayor announced the cancelling of Phase 5 of the London-wide low emission zone from 2015 saying:

"Phase five of the capital's Low Emission Zone is due to be introduced in 2015 and the Mayor has confirmed it will now only apply to Transport for London's fleet of buses. By limiting phase 5 of the Low Emission Zone to the TfL bus fleet the Mayor expects to save around £350m in costs for businesses using vehicles that would have been affected by the changes. In today's speech the Mayor explained how he believes a range of alternative measures can deliver around 200 per cent of the benefits forecast by the original proposal for phase 5 of the Low Emission Zone."

Since then the Mayor has taken a succession of backward steps. These have included:

- i. in March 2014, changing a ban on vehicles that are not zero or low emission to allowing Euro 6 diesel vehicles and Euro 4 petrol vehicles (and later) into the ULEZ;

<http://cleanair.london/event/transport-for-london-transforming-londons-urban-environment-next-steps-for-roads-and-air-quality/>

- ii. in July 2014, changing the proposed ban of pre-euro 6 diesel vehicles and pre-Euro 4 petrol vehicles to a daily charge;

<http://cleanair.london/sources/boris-takes-backward-steps-on-his-own-ulez/>

- iii. in November 2014, proposing a complete exemption from the ULEZ standards for about 300 of the new Routemaster Buses (pages 57 to 59);

http://cleanair.london/wp-content/uploads/CAL-294-ULEZ-Supplementary-information_Final-2910141.pdf

- iv. in November 2014, proposing a 100% discount until September 2023 for some 30,000 residents currently claiming a discount on the Central London Congestion Charge.

As you know, CAL has also lodged a complaint with the Advertising Standards Authority that Londoners may be wildly misled by the Mayor's claims of reductions in vehicle pollution in one or more of the ULEZ consultation advertisements.

<http://cleanair.london/health/complaint-to-advertising-standards-authority-about-mayors-ulez-advertisement/>

The gap between what the Mayor says and what he needs to do and actually does has never been wider than on air pollution and the ULEZ in particular.

The Need

In the last two years, knowledge and concerns about air pollution, particularly NO₂ and diesel exhaust, have risen exponentially.

These have included:

- i. the WHO highlighting the dangers of NO₂. The WHO published two 'state of the art' reports on the health impacts of air pollution in 2013 and classified outdoor air pollution and fine particulate matter (PM_{2.5}) as carcinogenic to humans in October 2013.

<http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2013/review-of-evidence-on-health-aspects-of-air-pollution-revihaap-project-final-technical-report>

<http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2013/health-risks-of-air-pollution-in-europe-hrapie-project.-new-emerging-risks-to-health-from-air-pollution-results-from-the-survey-of-experts>

- ii. the Mayor predicting breaches of the PM₁₀ Air Quality Objective in 2020 (pages 22 and 29). The ULEZ will also do virtually nothing towards meeting the challenging and important exposure reduction target for PM_{2.5} in London by 2020 (page 177).

http://cleanair.london/wp-content/uploads/CAL-294-ULEZ-HIA_Final_ULEZ-consultation_Reduced-size1.pdf

[http://uk-air.defra.gov.uk/assets/documents/reports/cat11/1212141150_AQEG_Fine Particulate Matter in the UK.pdf](http://uk-air.defra.gov.uk/assets/documents/reports/cat11/1212141150_AQEG_Fine_Part particulate_Matter_in_the_UK.pdf)

- iii. the European Commission commencing infraction action against the UK on NO₂. A 'Final written warning' (a.k.a. Reasoned Opinion) is expected soon.

<http://cleanair.london/hot-topics/europe-at-its-best-takes-legal-action-against-uk-at-its-worst-on-air-pollution/>

- iv. CAL finding diesel vehicles are responsible for about 90% of the PM_{2.5} and NO₂ exhaust emissions in London. Others have published evidence that the new Euro 6 standards are not working for diesel. On average, on-road emissions of oxides of nitrogen (NO_x) from the diesel vehicles tested by ICCT were about seven times higher than the limits set by the Euro 6 standard (meaning that TfL's projected reductions in computer modelled emissions by 2020 are largely illusory).

<http://cleanair.london/sources/carcinogenic-diesel-exhaust-disclosed-for-every-significant-road-in-london/>

http://cleanair.london/wp-content/uploads/CAL-264-LAEI-2010_NO2-exhaust-emissions_Draft-010314_All-London-Zones.pdf

<http://www.theicct.org/real-world-exhaust-emissions-modern-diesel-cars>

CAL uncovering evidence of the widespread removal of factory-fitted diesel particulate filters.

<http://cleanair.london/hot-topics/thousands-may-be-driving-diesel-vehicles-illegally-after-government-failures/>

The Mayor seems to have a love affair with diesel which must end.

- v. world leading scientists at King's College London warning that many roads in central London will tend to have the highest concentrations of NO₂ in the world.

<http://www.londonair.org.uk/london/asp/news.asp?NewsId=OxfordStHighNO2&StartIndex=21>

In 2012, all 50 of the highest modelled NO₂ annual mean levels in the UK were in London:

http://www.thesundaytimes.co.uk/sto/news/uk_news/National/article1379029.ece

<http://www.itv.com/news/london/2014-02-24/fff/>

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<http://www.londonair.org.uk/london/asp/advstatsaqobjresults.asp?site1=CD9&site2=WA7&site3=CT6&site4=WM6&sday=1&smonth=jan&syar=2014&Submit=View>

<http://www.londonair.org.uk/london/asp/advstatsaqobjresults.asp?site1=CT8&site2=WM6&site3=LB4&site4=MY1&sday=1&smonth=jan&syar=2014&Submit=View>

- vi. ClientEarth winning its legal case against the UK Government in the Supreme Court and then again in the Court of Justice of the European Union.

<http://cleanair.london/legal/landmark-legal-victory-for-clientearth/>

<http://cleanair.london/legal/massive-win-for-clientearth-on-all-counts-in-landmark-air-pollution-case/>

- vii. the Mayor's own Health Impact assessment for the ULEZ revealing for the first time the NO₂ mortality impacts of NO₂. CAL estimates 5,061 deaths attributable to PM_{2.5} in London in 2020 and 5,159 in 2025. These compare with the Mayor's estimate of 4,267 for PM_{2.5} in 2008. CAL estimates 2,684 deaths attributable to NO₂ in London in 2020 and 1,893 in 2025 with up to one-third overlap with PM_{2.5} giving totals of 6,851 and 6,422 attributable deaths in 2020 and 2025 respectively.

<http://cleanair.london/sources/mayor-publishes-health-study-revealing-deaths-attributable-to-no2/>

- viii. the EAC publishing its excellent report 'Action on Air Quality' on 8 December 2014 with no plaudits for London

<http://www.parliament.uk/documents/commons-committees/environmental-audit/HC-212-for-web.pdf>

- ix. the European Commission announcing its Clean Air Policy Package in December 2013. New commitments to the Package followed recent threats by President Juncker to delay or scrap it.

http://ec.europa.eu/environment/air/clean_air_policy.htm

<http://www.airqualitynews.com/2014/12/17/vella-clean-air-package-remains-on-the-table/>

- x. a statement from COMEAP is expected imminently on NO₂ mortality with local estimates of mortality to follow this year.

http://www.thesundaytimes.co.uk/sto/news/uk_news/National/article1489882.ece

- xi. CAL has published its recommendations for the taxi industry

<http://cleanair.london/sources/mayor-is-destroying-the-taxi-industry-in-london/>

- xii. CAL estimates London breached the NO₂ hourly limit value for the whole of 2015 in Oxford Street by 4 January. Putney High Street is expected to breach on 5 January with Brixton Road following soon.

<http://www.londonair.org.uk/london/asp/advstatsaqobjresults.asp?site1=LB4&site2=WM6&site3=WA7&site4=&sday=1&smonth=jan&year=2015&Submit=View>

The excellent London Air Quality Network confirmed on 5 January the breach of the NO₂ hourly limit value in Oxford Street for 2015 (on 4 January).

http://www.londonair.org.uk/london/asp/publicstats.asp?region=0&site=WM6&Maptype=Google&mapview=all&statyear=2015&la_id=&zoom=9&lat=51.475&lon=-0.11982399999999416&laEdge=N

Addendum

On 6 January, the LAQN confirmed the breach by Putney High Street on 5 January.

http://www.londonair.org.uk/london/asp/publicstats.asp?region=0&site=WA7&la_id=&network=All&postcode=&MapType=Google&VenueCode=

Defra is currently consulting on plans that would scrap most, if not all, monitors managed by local authorities. The consultation was launched on 19 December and closes on 30 January. See:

<http://cleanair.london/legal/defra-condemned-for-proposals-scraping-local-air-pollution-monitoring/>

<https://consult.defra.gov.uk/communications/laqm-review-next-steps/>

In the last two years, knowledge and concerns about air pollution, particularly NO₂ and diesel exhaust, have risen exponentially.

The Opportunity

The Mayor needs to ban carcinogenic diesel exhaust from the most polluted places by 2020, as coal burning was banned so successfully 60 years ago, with a meaningful intermediate step by early 2018.

CAL explained the scale of action needed for the ULEZ in a letter to the Mayor dated 7 December 2013. Everything CAL said in that letter still stands and so please consider it again as an integral part of our response to this Consultation. CAL will not repeat it here.

<http://cleanair.london/hot-topics/stop-hiding-air-pollution-and-ban-diesel-exhaust-in-two-stages-to-2020-as-coal-was-banned-60-years-ago/>

The Mayor's ULEZ looks set to be one of the weakest and least ambitious transport measures in capital cities in 2020 not the best as the Mayor claims. Many capital cities in Europe have already taken action to restrict diesel vehicles and many more are already planning total bans for non-residential diesel vehicles by 2020 or strongly indicating support for such measures e.g. Antwerp, Paris, Madrid, Brussels and the City of London. Details:

<http://www.bbc.co.uk/news/world-europe-30368504>

<http://deredactie.be/cm/vrtnieuws.english/News/1.2175189>

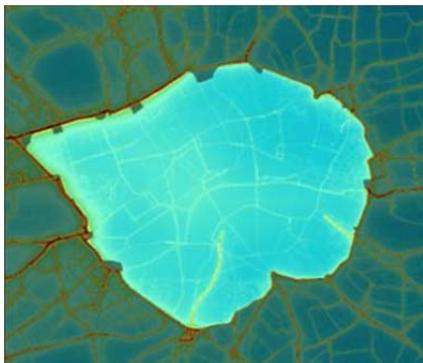
<http://news.cityoflondon.gov.uk/city-comments-on-paris-diesel-vehicle-ban-proposals/>

<http://www.planetizen.com/node/71456>

<http://www.ecf.com/news/cities-love-and-protect-their-citizens-how-about-the-member-states-and-the-commission/>

<http://urbanaccessregulations.eu/low-emission-zones-main>

Particularly disappointing is the Mayor's lack of ambition after he has identified what needs to be done. Only by banning diesel exhaust from the most polluted areas, 24 hours a day seven days a week, will it be possible to comply with WHO guidelines for NO₂ by 2020. In March 2014, TfL published the map below showing what could be achieved by setting a zero tailpipe emission standard in 2020 i.e. in practice this requires only a ban on diesel exhaust as petrol emissions are such a tiny proportion of the total for NO₂. Of course, real world testing should be used to determine which petrol vehicles should be banned from the most-polluted areas to support this aim.



Source: Transport for London presentation to ULEZ stakeholders, 3 March 2014



This is exactly what is being discussed for Antwerp, Brussels, Madrid and Paris. Rome already bans non-residential vehicles from its centre.

A primary ULEZ should ban all four year old diesel vehicles and all 10 year old petrol vehicles from the area bounded by the North and South Circular roads by early 2018 and all diesel vehicles from that area by January 2020. Secondary ULEZs should tackle the most-polluted other areas e.g. around

Heathrow and in east London. Many London boroughs have indicated their support for bold action on the ULEZ and other measures to tackle diesel exhaust.

I would be pleased to discuss these points with you.

With best wishes.

Yours sincerely

Simon Birkett
Founder and Director
Clean Air in London