

STATEMENT BY THE MAYOR ON THE LONDON LOW EMISSION ZONE

1. Last year I consulted widely before publishing modifications to my Transport and Air Quality Strategies to include policies for a London-wide Low Emission Zone. I then asked Transport for London (TfL) to work up and make a road user charging order giving effect to the new policies. There has since taken place further extensive consultation with stakeholders, vehicle operators and the general public in respect of that order, and I have received from TfL a Report which analyses the responses to the latest round of consultation and recommends that I confirm the order subject to certain modifications.

2. I am satisfied not only that there is an urgent need for measures to improve air quality in London, but also that the particular LEZ scheme that is the subject of this order is the right way forward. I accept that there are people who consider the order unnecessary, just as I accept that emissions standards for manufacturers of new vehicles are gradually becoming more stringent so that in the course of time emissions may be reduced, or that a different order may be needed containing different and more stringent standards. But I do not see that as any reason for not making a start now and in London.

3. This road user charging order will operate rather differently to the congestion charging order which has become familiar to Londoners. First, it will apply virtually to the entirety of Greater London, and not just to the now-extended Central London Congestion Charging zone. Second, it will apply 24 hours a day, 365 days a year, because air quality, unlike congestion, cannot sensibly be dealt with by a more limited approach. Third, it will not apply to cars, but only to diesel-engine heavy goods vehicles (HGVs), buses and coaches, larger vans and minibuses, as set out in Appendix 1. These include motor caravans, ambulances and hearses over a specific weight limit. Fourth, there will be very few exemptions or discounts and no partial discounts. Vehicles will either be chargeable (unless they meet the standards), exempt, or eligible for a 100% discount. Fifth, whereas the majority of qualifying vehicles which drive within the Congestion Charging zone have to pay a charge, the majority of vehicles affected by the LEZ (HGV's, buses, coaches, larger vans and minibuses) will not pay a charge. This is not because they are exempt but because they will have demonstrably met the minimum emissions standards set by the order. The purpose of imposing a charge is not (as with the Congestion Charge) primarily to reduce congestion and improve journey times for drivers and users of public transport as well as give rise to other benefits, but rather to deter high-polluting vehicle use and provide an incentive to operators to upgrade their vehicles. In order to improve air quality, vehicles which demonstrably meet the emissions standards will be able to drive in London without paying any additional charge as a result of this order. In order to deter the most polluting vehicles, it is necessary to set both the charges and the penalty charges considerably higher than in the case of the Congestion Charge. Thus the daily charge for a high polluting larger van or minibus will be £100 and for a high polluting HGV, bus or coach £200, a

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level of charge high enough to act as an incentive to adapt or renew the vehicles in question. At the same time, this charge is not so high as to impose an intolerable burden on those operators who need to make a very occasional visit to London and for whom the cost of adapting or renewing vehicles would otherwise be disproportionate.

4. The TfL Report has dealt in considerable detail with the principal objections and representations made. I am publishing with this decision the full TfL Report and its appendices, as well as the Mayoral Approval Form in which GLA officers have provided a useful digest, as well as endorsing the Report's recommendations. I have also had the opportunity myself to read the many responses made to the consultation, most of which I am glad to say support the making of the LEZ order. I am grateful to all those who have responded, whether for or against the proposals, and to those at TfL who have undertaken and reported on the consultation on my behalf.

5. Seven out of ten stakeholder and public representations and nearly half (47%) of business representations to the consultation supported the Scheme. Representations from businesses included transport operators and owner/drivers. An attitudinal survey of Londoners, London businesses and transport operators who drive in London, was undertaken by TfL during the consultation period to provide a representative sample and validate the consultation findings. This indicated a higher level of support and a lower level of opposition to the Scheme than the consultation findings with 75% of London residents, 69% of London businesses and 45% of transport operators supporting the Scheme.

6. The modifications recommended by TfL fall into six categories. First, there is a modification to make plain what was always intended, namely the inclusion within the scheme of motor caravans, ambulances and heavier hearses. I agree that it would be anomalous to exclude them. The proposed modification was published in January this year and the consultation period was extended so that those potentially affected would have time to consider the proposed modification and respond to it. Second, in the light of representations it has been recommended that the exemption for historic vehicles, those manufactured before 1973, should not be confined to vehicles which are not used for profit or commercial purposes, and I agree. Third, evidence has been presented to show that there would be real hardship for the owners of showman's vehicles if some of their more specialist vehicles were not provided with a 100% discount from the scheme. The numbers here are small and the discount is warranted because the specialised nature of these vehicles significantly reduces the options available to them to meet the emissions standards. Fourth, there is a modification to the Scheme Order to make clear the circumstances by which vehicles not manufactured to the relevant Euro standard for all four regulated pollutants (Particulate Matter, Hydrocarbons, Carbon Monoxide and Oxides of Nitrogen) can drive within the LEZ without charge by providing certified evidence (such as

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through a Reduced Pollution Certificate) that they meet the appropriate standard for PM emissions. Fifth, there are a number of changes to the precise boundaries of the scheme, designed to ensure that those who do not wish to drive within the area to which the LEZ charge applies can avoid doing so. Sixth, with the consent of the Secretary of State for Transport a modification has been made to include certain motorways within the chargeable area, although the M25 will remain outside the LEZ. I do not consider that further consultation is required prior to making these modifications, and the order that I have confirmed includes all these matters.

7. The LEZ is not designed to counter climate change – I have announced other measures in that respect, as set out in my Climate Change Action Plan. With this order I am concerned with the problem of poor air quality for all those who live or work in and visit London, a problem which not merely makes ordinary living unpleasant, but can also make it dangerous. It is clear from the many studies that have been carried out that the LEZ will achieve important improvements in local air quality in London, and also bring worthwhile health benefits, reducing the risk of respiratory and cardiovascular problems. I do not pretend that the LEZ comes cheap; nor is it intended to raise revenue. I am, however, satisfied that the benefits should exceed the costs.





8. I have received legal advice, and have no doubt that the scheme complies with the requirements of Schedule 23 of the Greater London Authority Act 1999. Whilst it will impose new burdens on certain owners and operators of HGVs, buses, coaches, large vans and minibuses, I am satisfied that this is a necessary control which will not constitute an excessive burden on anyone, and that the charges to be imposed are proportionate. The whole question of impacts will be kept under review, involving not merely the monitoring of emissions levels, but also the effects on businesses and particularly on the voluntary sector where concerns have been expressed that there could be problems in adapting or replacing vehicles (principally minibuses) by the 2010 deadline. As with congestion charging, there is a variation mechanism to allow further fine-tuning (or other more radical changes) should these be called for.

9. I have considered whether a public inquiry would be appropriate, however, there has been no specific request for an inquiry and for the reasons explained in the TfL Report I do not consider that a public inquiry would resolve the outstanding uncertainties. Furthermore, I do not think that the extra information which would become available would be likely to cause me to reconsider the merits of the LEZ or to postpone its implementation. I think Londoners expect from me a decision at this point, rather than further delays which will postpone the benefits in terms of the environment and health, which the order is intended to achieve.

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10. This LEZ is a “first” for the UK and will be one of the largest schemes of its type in the world. As a number of my projects have shown, I am not afraid of innovation and I believe that all those affected have had a proper opportunity to express their views on the matter. The time has now come for action. The introduction of the new emissions standards for heavier HGVs from Feb 2008, followed by lighter HGVs, buses and coaches in July 2008 and large vans and minibuses in 2010, will set a model for tackling air quality which I hope others, at home and abroad, will follow in due course.

Appendix 1: Detail of vehicles to be included in the proposed LEZ and minimum emissions standards

Vehicle type and definitions		Date affected	Required emissions standards
<p>Heavier lorries. Heavy diesel-engined vehicles exceeding 12 tonnes Gross Vehicle Weight, including goods vehicles, motor caravans, motorised horseboxes and other specialist vehicles.</p>		<p>February 2008 - Euro III</p> <p>January 2012 – Euro IV</p>	<p>All Euro III vehicles meet the LEZ standard Vehicles first registered as new on or after 1 October 2001 are assumed to be Euro III, so will meet the LEZ emissions standards. Vehicles not meeting the emissions standards could be made to do so by modifying them to meet the Euro III standard for particulate matter.</p> <p>Vehicles not meeting the emissions standards would need to pay a daily charge if used within the LEZ.</p>
<p>Lighter lorries. Heavy diesel-engined vehicles between 3.5 and 12 tonnes Gross Vehicle Weight, including goods vehicles, motor caravans, motorised horseboxes and other specialist vehicles.</p>		<p>July 2008 Euro III</p>	<p>From January 2012 the required emissions standards are raised to Euro IV. All Euro IV vehicles will meet the LEZ standard.</p> <p>Vehicles first registered as new on or after 1 October 2006 are assumed to be Euro IV and so will meet the emissions standards.</p> <p>Vehicles not meeting the emissions standards could be made to do so by modifying them to meet the Euro IV standard for particulate matter.</p>
<p>Buses and coaches. Diesel-engined passenger vehicles with more than eight seats plus the driver's seat exceeding 5 tonnes Gross Vehicle Weight.</p>		<p>January 2012 – Euro IV</p>	<p>Vehicles not meeting the emissions standards would need to pay a daily charge if used within the LEZ.</p>
<p>Large vans. Diesel-engined vehicles between 1.205 tonnes unladen and 3.5 tonnes Gross Vehicle Weight and motor caravans and ambulances between 2.5 tonnes and 3.5 tonnes Gross Vehicles Weight.</p>		<p>October 2010 Euro III</p>	<p>All Euro III vehicles will meet the LEZ standard. Vehicles registered as new on or after 1 January 2002 are assumed to be Euro III, so will meet the LEZ emissions standards.</p> <p>Vehicles not meeting the emissions standards could be made to do so by modifying them to meet the Euro III standard for particulate matter.</p> <p>Vehicles not meeting the emissions standards would need to pay a daily charge if used within the LEZ.</p>
<p>Minibuses. Diesel-engined passenger vehicles with more than eight seats plus the driver's seat below 5 tonnes Gross Vehicle Weight.</p>	