

TfL Consultation Team.

Via Email: cleanairyourview@tfl.gov.uk

28 July 2022

Dear TfL Consultations,

HATF response to Consultation on ULEZ Expansion and Road User Charging

Heathrow Area Transport Forum (HATF) is a partnership between organisations in the private and public sectors with a shared goal of improving accessibility and increasing public transport use to and from the airport and the surrounding area. It operates in line with guidance set out by the DfT in the Aviation Policy Framework 2013.

At our recent board meetings of 24 March and 8 June 2022, board members discussed the proposed expansion of the ULEZ to cover the whole of outer London. This proposal obviously has a particular impact on the geography the forum represents, given Heathrow's position just within the newly proposed boundary line. This response is based in part on the feedback provided at those meetings, and partly from further 1:1 discussions with Heathrow Airport Limited, Airlines and representatives from unions active at the airport. HATF have specifically discussed our response to this consultation with the Heathrow Strategic Planning Group (HSPG), also active in this geography, who are represented on our board. We therefore echo many of the points made in their submission.

For ease, we have grouped our responses to the two key issues you are requesting feedback on. We have no substantive comment to make on your proposals for the removal of the Auto Pay fee, or revision of PCN levels.

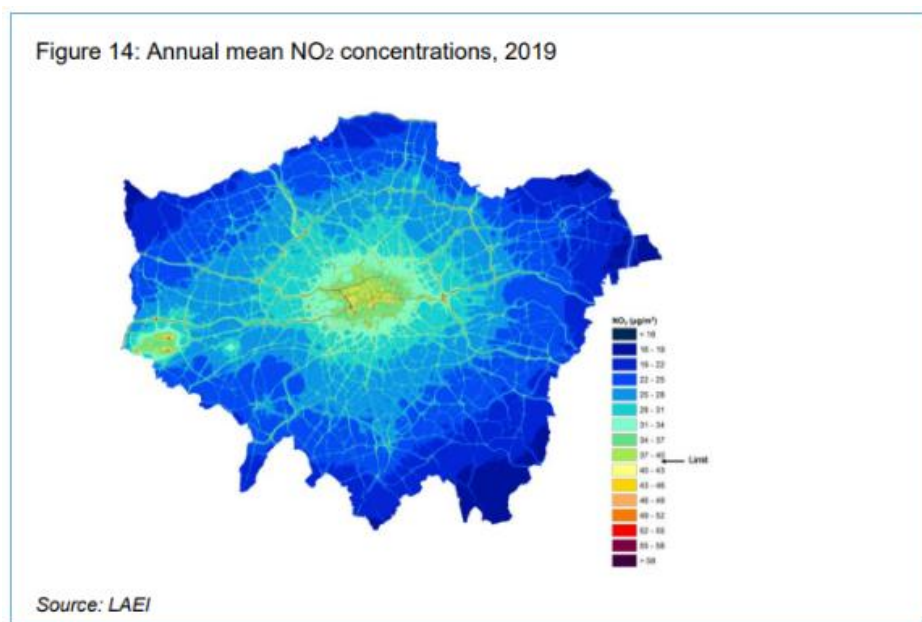
ULEZ expansion

Principle of the scheme

HATF support the principle of ULEZ as a proven tool for improving air quality.

We note the information in the consultation (Figure 14, below) around the ongoing levels of exceedance outside of central London, and particularly around Heathrow airport and agree this requires addressing.

HATF was supportive of the 'Heathrow Ultra Low emission Zone' (HULEZ) when it was proposed as part of the expansion conversation and so it is positive to see action being taken by TfL on this critical issue, given that the Heathrow expansion scheme is currently paused.



Provision of viable alternatives

Whilst accepting there is evidence the existing ULEZ scheme has been successful at improving air quality in inner London, there is concern that public transport access within and into outer London for many is clearly vastly inferior to the area covered by the current zone. For employees working at the airport and surrounding businesses specifically, shift patterns often necessitate travelling late at night or very early in the morning when already sparse public transport provision can be non-existent. Journey distances also tend to be longer, with orbital trips in particular exacerbated by severance caused by busy radial routes into and out of central London, and so make active travel less feasible.

The alternatives are therefore simply not there for many at the current time and the consultation offers very little assurance that they will be developed in future years – indeed under current proposals for ‘managed decline’ in response to the current financial issues at TfL, public transport provision may actually worsen – with bus mileage potentially dropping by up to 18%.

The introduction of a Heathrow premium on some public transport fares, applied indiscriminately to both employees and passengers, is a particularly difficult approach to square with the policy of an extended ULEZ. If the intent is to seek to move people out of cars, then public transport should be made as affordable as possible and applying this premium, which has a particularly regressive impact on the lowest income workers at the airport, pulls users in exactly the opposite direction to this. Using the same logic, we would also call on TfL to work proactively with the airport to support a reduced package of fares for airport workers on the new Elizabeth Line, as was the case with the previous TfL Rail service.

We are particularly concerned that there is no commitment to spend the additional funding gained through an expanded ULEZ specifically in improving sustainable transport options in outer and out-of London authorities. Indeed, the framing of the proposal in the paper to the TfL board in March 2022 as part of a general revenue-raising package of measures to support TfL’s transition to ‘financial sustainability’ is unfortunate and gives rise to suspicions that any revenue generated will effectively be used to cover business as usual expenditure, rather than provide an enhanced offer for sustainable modes. This has the effect of further denting the attractiveness of the proposal for those impacted.

HATF, call for a firm commitment that the proportion of revenue raised from an extended ULEZ would be hypothecated to support the improvement of public transport and active travel options in outer and out of London (specifically cross-boundary travel).

HATF calls for a review of the premium applied to travel to Heathrow airport by public transport, at a minimum for employees working at the airport, to be dropped as part of the mitigation for the expansion. Reduced fare options should also be introduced on the new Elizabeth Line for airport workers.

Equalities impacts

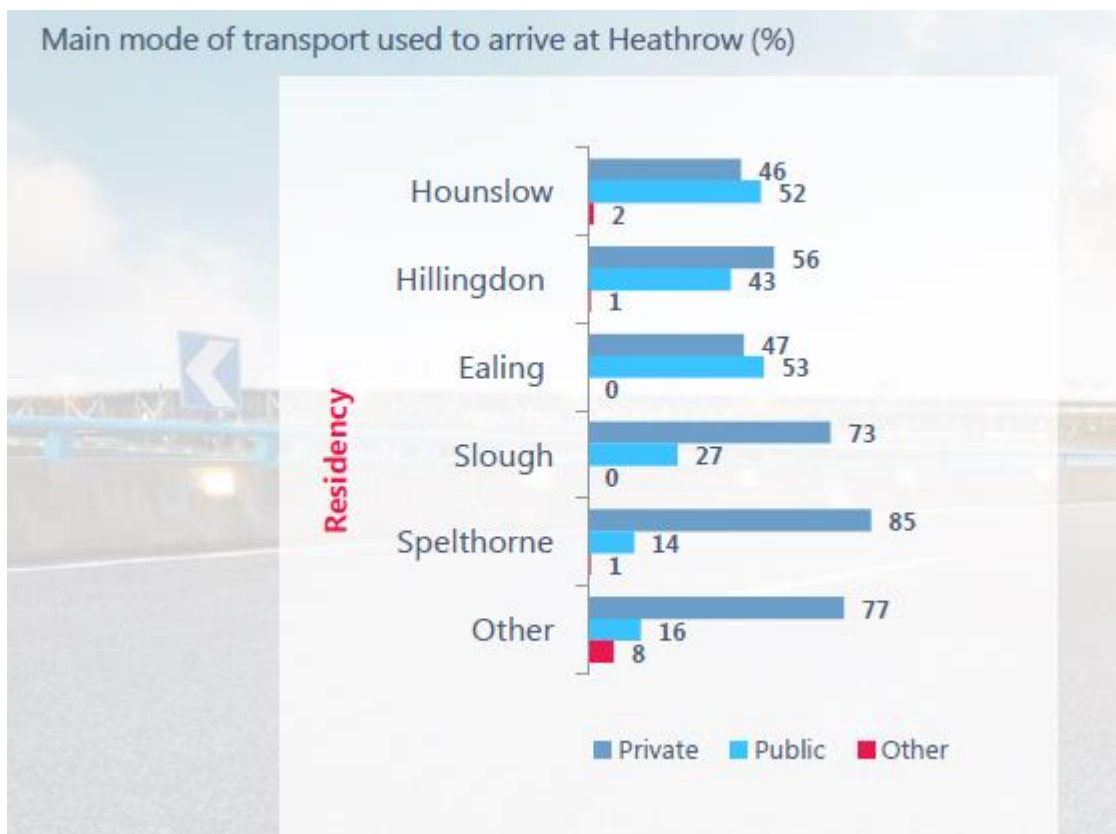
There is also concern at the extent to which the proposal disproportionately targets low-income households; people with protected characteristics under Equalities Act 2010 living in the sub-region and; businesses.

The lack of analysis in the consultation material as to who owns vehicles that are non-compliant at present, and whether they have protected characteristics is disappointing. However it would seem plausible that the oldest cars are likely to be held by poorer members of society, who as a group may also be more likely to have other protected characteristics. Whilst accepting that such groups also may disproportionately bear the negative consequences of poor air quality, the direct welfare impacts of potentially losing (or otherwise having constrained) car-based accessibility options when alternatives may be limited for these users are also material. Insight on this latter point is lacking in your impact assessment.

The inadvertent targeting of such vulnerable groups by this proposal makes the intervention problematic without appropriate mitigation. We therefore find it difficult to offer a view on the proposal without assurances on the mitigation available, and specifically the size, scope and eligibility for the scrappage scheme.

We are particularly concerned about the suggestion that low-income workers at the airport who live outside of the GLA boundary may be excluded from being able to access a scrappage scheme. There is an inherent unfairness in excluding people equally impacted by the policy from the proposed mitigation as a consequence of their home postcode. We also note this is a divergence from the previous arrangement put in place to mitigate the impact of the inner London ULEZ extension, where all residents in the GLA area could apply for the scheme, some of who would live ten miles or more from the new zone boundary.

As noted above, this unfairness is compounded by the fact that, for many of those living outside of the GLA boundary but working at the airport, the alternatives to the private car are often limited. This is shown in results from Heathrow's own employee survey (2017), which illustrates the dependence those living outside of London have on private cars to access opportunities at the airport, relative their equivalents in London Boroughs.



Properly defining the mitigation will also allow for more detailed modelling on the impact to be undertaken taking that into account – at the moment the impact figures in terms of air quality improvements, congestion and carbon do not include any behaviour change achieved through a scrappage scheme. This may therefore be under-estimating the benefits of the full proposal.

HATF call for further work to be undertaken on analysing the impacts of the proposal on low-income groups and those with protected characteristics. A firm proposal for mitigating these impacts should then be drawn up with a clear funding commitment made. This should then be consulted on as a complete package.

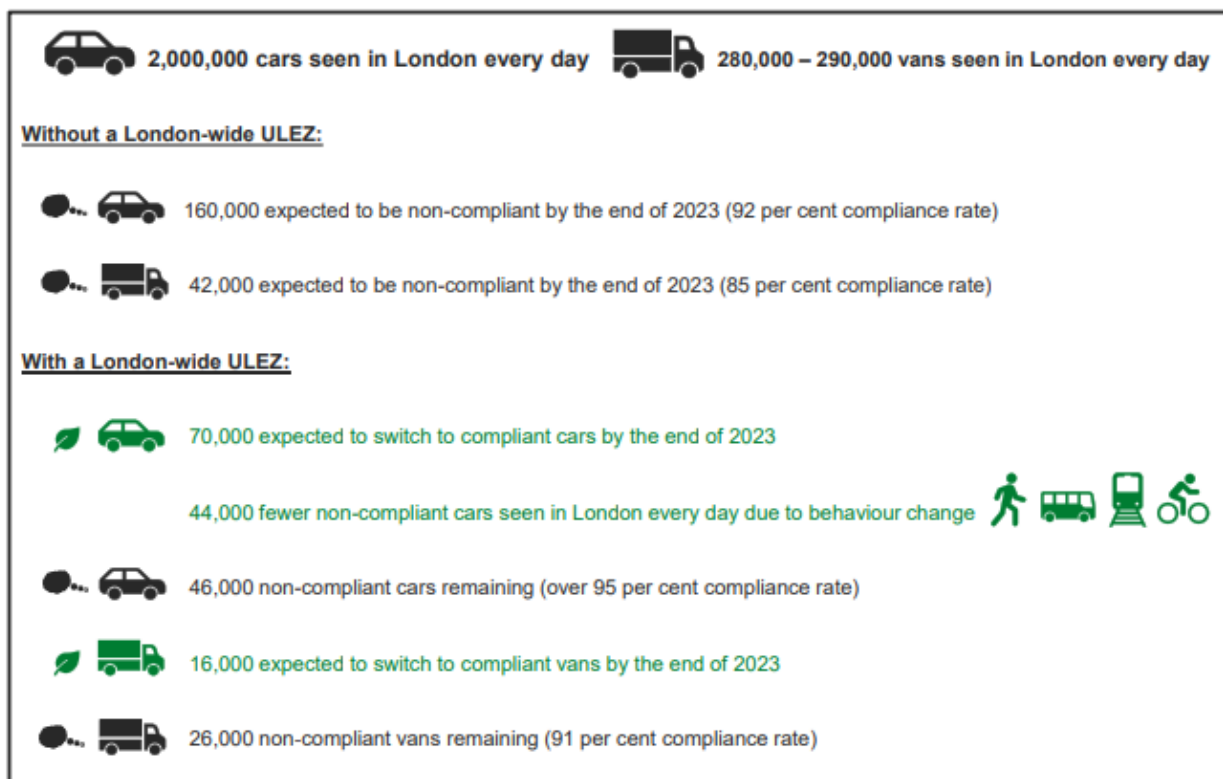
HATF call for eligibility of the scrappage scheme to be extended to cover authorities adjacent to the airport, with eligibility extending to cover the geography of around ten miles around the proposed boundary to show equivalence with the approach taken for the inner London ULEZ extension. At a very minimum all low income workers at the airport should be eligible to take place in the scheme.

Concerns on Compliancy Forecasts in Impact Assessment

Data from Heathrow suggests that the proportion of vehicles that are non-compliant may be significantly higher than that modelled by TfL.

TfL estimates that 92% of cars and 85% of vans will be compliant in 2023, as set out in Figure 20 below.

Figure 20 Scheme impacts on London-wide daily unique vehicles



Based on detailed ANPR-based survey data from Heathrow from 2019, some 81% of cars were currently compliant and 59% of vans.

Given the extreme economic shock faced by the sub-region in the last two years, it seems unlikely that there has been significant updating of the fleet in the intervening period and therefore compliance rates will not have moved significantly on from this level.

We understand that the data associated with the last ULEZ expansion showed that the compliancy of cars in the zone a year before the scheme went live was around 86% and vans around 76%.

Whilst we understand that there is evidence of a jump in compliance immediately before the commencement of a charge like ULEZ, this looks to be a particularly large jump to make by August 2023 if very significant impacts on large numbers of existing road users, and in particular for those using LGVs, are to be avoided.

Our analysis suggests that levels of compliance in some geographies impacted by the proposed scheme, and perhaps particularly on the very edges of the zone where communities have not been exposed to the same publicity in relation to the existing ULEZ (and indeed have not been eligible for previous scrappage schemes if they live outside of GLA area) compliance rates may be lower than that predicted by TfL.

This may have a particular impact on businesses that rely on LGVs, compliance rates for which appear far lower than the TfL forecast. It is not clear that this economic impact has been properly taken into account in the impact assessments included as part of the consultation material.



There may therefore be a case to defer implementation for a further year to allow for additional time for road users to adapt to the policy. This would also be more in keeping (though still shorter) than the time those impacted by the expansion to the inner ring road had to adapt. As the economy in the sub-region rebounds from the severe impact on the aviation sector in particular, and the availability of disposable income increases, the economic impact of moving to a compliant vehicle may also be reduced.

An alternative to this may be to provide a grace period for existing residents (a discounted fee for a year or more). This could be a general waiver to all residents within and living adjacent to the zone (e.g. within the 10 mile buffer we proposed above) or at the very least covering those needing to access large employment areas on the boundary like Heathrow. Finally this would also help mitigate impact on those who are willing and able to move vehicles but are prevented from doing so by the current limited availability of stock (particularly LGVs).

HATF call on further place-based research on the impacts of the scheme on particular geographies within the zone, and specifically the Heathrow functional economic area as a sector which has been identified in TfL's own impact assessment as being specifically negatively impacted by the proposal.

HATF call for the scheme implementation to be delayed by at least a year to allow for compliance rates to improve ahead of the commencement date, or a grace period provided for existing users.

Seize the opportunity for behaviour change presented by a trigger moment to travel habits

We also believe that any scrappage scheme should be developed into a more sophisticated mechanism for delivering travel behaviour change. Under the terms of the scheme that was in place for the expansion of ULEZ to the inner ring road, an owner of a 2005 petrol car could (if eligible) use the public subsidy of £2000 to upgrade to a 2006 vehicle. The benefit of this shift to the individual and the wider community is negligible and yet the cost to the public purse is high. The scrappage scheme should be designed in such a way as to incentivise a shift to sustainable and active modes in the first. This could be achieved with a similar proposal to the Transport for West Midlands 'Mobility credits' scheme. Under this arrangement, those looking to take their car off the road and replace that with public transport would receive a higher payment than if they took the funding and reinvested it in a car. The proposal could be made even more progressive if a premium payment was available to the lowest income workers impacted.

HATF call for a smart scrappage scheme to be introduced which uses the 'trigger point' of ULEZ expansion to incentivise to the greatest possible extent a move towards active and sustainable modes.

Future of Road User Charging

HATF welcome TfL starting a debate around a more rationale use of road space in the capital. The authority should be applauded for starting this difficult discussion at a time when national action in this space is notably limited.

Clearly, the proposals are at a very early stage, and there is little detail to comment on at this point.

In terms of the very specific questions posed, HATF would want to see a road user charge developed to primarily improve the efficiency of the road network and improve the productivity of UK PLC. We do not however discount the role such a system could play (alongside other mechanisms such as road tax etc) in incentivising a move towards cleaner vehicles and believe this is also a reasonable secondary policy objective for the scheme to seek to address. In this way, such a charge to moving vehicles would be similar to that



already routinely imposed by many different authorities on stationary vehicles through parking charges, which are primarily set to manage parking stock but often have an emissions differential applied.

Representing as we do an area that straddles the GLA boundary, we are primarily concerned at this stage that any boundary effects of such a charge of properly considered - particularly where these may impact low-income and more vulnerable road users travelling across that boundary to places of work like Heathrow who may have few alternatives to using a private car. It cannot be considered an equitable outcome if the scheme simply prices the poorest people off the highway. To this end, any scheme must be tailored to avoid being regressive and must therefore also include a step change in the provision of public transport provision.

HATF call for any future road user charging scheme to primarily seek to tackle congestion. Such a scheme must strive to be progressive and not price road users like low income airport workers off the road.

We hope that these comments are a useful input into your decision-making processes and we look forward to discussing the initial findings from this consultation exercise with TfL officers at our next board meeting on 20 September.

Yours faithfully,

Val Shawcross

Valerie Shawcross CBE, Independent Chair, Heathrow Area Transport Forum