

## Response ID ANON-8PZR-SFXU-T

Submitted to **Have your say on changes to the Ultra Low Emission Zone and Low Emission Zone**  
Submitted on **2018-02-26 09:47:19**

### Part 1: Proposals for a stronger Low Emission Zone (LEZ)

1 Do you support tougher vehicle emissions standards in the London-wide Low Emission Zone so that heavy vehicles must meet the Euro VI emissions standards London-wide?

No Opinion

2 Do you support the proposed implementation date of 26 October 2020 for the introduction of tougher Euro VI standards for heavy vehicles driving in the London-wide Low Emission Zone?

Neither

3 Do you support the proposed daily charges to be paid by owners of heavy vehicles that do not meet the required emissions standards at: • £300 for those that do not meet Euro IV PM standards and; • £100 for those that do not meet Euro VI NOx and PM standards?

Neither

### Part 2: Proposals for an expanded Ultra Low Emission Zone (ULEZ)

4 Do you support the principle of expanding the area where ULEZ emissions standards apply to light vehicles beyond central London?

Strongly oppose

5 We are proposing that the ULEZ emissions standards would apply to the inner London area, roughly up to but not including the North and South Circulars roads. Do you support this proposed boundary?

Oppose expansion

6 Do you support the proposed implementation date of 25 October 2021 for the expansion of ULEZ to include light vehicles in inner London?

Oppose (should be later)

7 Do you support the proposed ULEZ daily charge to be paid by non-compliant owners of light vehicles of £12.50?

Oppose (the charges should be lower)

### Part 3: Proposals for residents

8 Do you support bringing forward the end of the sunset period for residents in the Central London Congestion Charging zone from 7 April 2022 to 24 October 2021 so that all residents of inner London, including the Congestion Charging zone, pay the daily charge for non-compliant vehicles from 25 October 2021?

Strongly oppose

### Part 4: Proposals for penalty charges

9 Do you support increasing the penalty charge (PCN) level for non-payment of the ULEZ daily charge by owners of non-compliant light vehicles from £130 to £160?

Strongly oppose

### Part 5: Other comments

10 If you have any further comments about the proposals, please write these in the box below.

Comments:

The Motorcycle Action Group is opposed to the charging of users of powered two wheelers in this policy proposal. We have repeatedly provided clear and robust evidence to a series of consultations – from the Silvertown Tunnel proposals through to ULEZ - to show that the hundreds of thousands of users of powered two wheelers (PTWs) in London help to REDUCE congestion, travel times and pollution for everyone. PTWs generate far fewer PMs than many exempt vehicles, such as electric cars. PTWs also generate almost no NOx, a point confirmed by TfL's own data which we have previously supplied to you, and can supply again on request. This also applies to older machines.

Indeed, there is no credible environmental justification for charging older motorcycles and scooters. As MAG has emphatically pointed out for at least two years, citing TfL's and the GLA's own data. Since PTWs reduce congestion and thus pollution, you are actually discriminating against a user group currently contributing to ACHIEVING your targets. Motorcycles have such a small environmental footprint that they aren't even mentioned a single time in this consultation pro forma, despite their importance to the commuting population - which is certainly on a par with bicycles which ARE mentioned. We have made repeated efforts to alert TfL in regard to the logical error associated with charging motorcycles while exemption certain other groups, and the demonstrable discrimination against motorcyclists which this charge represents. In addition,

expanding the zone without this exemption simply exacerbates the problem and brings even more riders into the charging area, with all the injustice and illogicality this carries with it.

Let's turn to two-stroke vehicles, which the Mayor has explicitly cited in correspondence with MAG. These do generate comparatively more emissions versus equivalent four-stroke machines of a similar cubic capacity. MAG has researched the proportion of motorcycles which are two-strokes in London: the investigation was carried out in association the motorcycle maintenance sector in Central London (sources and contacts available on request). MAG estimates the number of two-stroke powered two wheelers to be in the region of 3% of the entire motorcycle pool in the Capital, of which almost all are 50cc mopeds. This means that 97% of the motorcycle stock in the city is four-stroke and petrol engine, with a small proportion of electric machines also contained within this group. It is wrong to suggest that a four-stroke motorcycle of any age in reasonable working orders will generate any measurable contribution to pollution in the city in the context of the intentions of the ULEZ policy.

Therefore, to charge all powered two wheelers because of some concern about two-strokes is clearly unjust. Think about the figures. Two-strokes represent 3% of 1% (TfL figure for the proportion of motorcycles making up transport in London) of the traffic in the city, and have engines with a cubic capacity of something like 4% that of even a typical small car such as a Ford Fiesta. TfL needs to explain why a contribution to emissions which amounts to 0.001% of the traffic emissions in the city justifies imposing the ULEZ charge on all powered two wheelers of a certain age. Given that we are talking about levels amounting to around one hundred thousandth of the transport emissions footprint, and that, through inevitable attrition, this percentage is reducing year on year, it is totally disproportionate to impose a ULEZ charge on them on environmental grounds. Their exemption will not increase the number of these older machines on the roads, as they are simply disappearing over time. Unless TfL is willing to treat all miniscule emitters in the same way, it is a discriminatory charge, given that the entire fleet of old two-strokes generate fewer PMs than, for example, the existing electric car fleet, due to the emissions from tyres and brakes. Even these old two-strokes cause a net reduction to congestion versus cars, including electric cars, and thus help reduce secondary emissions in the city. As such, from any angle, it is disingenuous to include powered two wheelers in the ULEZ charging arrangements given the exemption of other congestion and pollution causing vehicles. If the current PTW charging proposal is to be adopted, then it is necessary to charge electric vehicles as well as the vehicles in the London-Brighton run which will also make tiny but non-zero contributions to emissions. If powered two wheelers are not exempted then this will almost certainly lead to a legal challenge on the basis of discrimination, which will either cause the exemption of older PTWs or force TfL to impose the ULEZ charge on other currently exempt vehicles.

From a social standpoint., many of the least well-paid workers depend on older machines to get to work, at a typical cost of £1.20 per day for an average length commute on a typical 125cc machine. We have previously submitted our evidence in regard to this and are happy to do so again on request. Your proposed charge increases their daily costs by over 1,000%. We have also previously submitted evidence from the insurance sector to show that 79% of all riders are in lower wage social categories (C/D/E). TfL has not challenged these figures, so we presume this is accepted. Again, if you need us to resend this evidence, we are more than willing to do so. This shows ULEZ is a manifestly socially regressive tax, which entirely contradicts Mayor Khan's commitment to protect the least wealthy in the city from avoidable social deprivation – in this case transport poverty.

To be absolutely clear about this, qualitative evidence, and common sense, indicate riders who ride older bikes do so largely because they can't afford to rider newer ones; and can't afford the cost of public transport in the city either. It seems entirely unjust to now force a £12.50 daily charge on them, which for a proportion of them effectively makes their employment economically unsustainable. In addition, it is hard or impossible for some of these citizens to get to work using public transport during 'unsociable hours' in a reasonable time, for example when coming into the City to carry out cleaning functions. We do not accept that TfL should now be introducing this charge in a way which effectively makes the use of older machines by the least well off unaffordable. Since no offer has been made to supply more modern machines on a 'new for old' basis, the only other fair option is to provide an exemption.

It should be noted that the social injustice of imposing these charges on individuals who necessarily ride older machines for reasons of transport poverty utterly contradicts everything we have heard from the GLA and the Mayor in regard to caring for the least wealth in London's community of workers. If all you can afford is a 15-year-old moped, then how on earth are you expected to afford paying £12.50 per day to ride it? MAG cannot see how anyone could regard it as socially just to charge the small proportion of riders on older mopeds who use them for reasons of economic necessity while, for example, those in large engine modern executive cars pay nothing. The glaring unfairness is clear for all to see. As we have stated, the pursuit of this attempt to impose the ULEZ charge on older motorcycles would suggest that TfL has failed to take on-board the extensive previous submissions made by MAG in regard to the issue. For your convenience, we will seek to resend this evidence, if necessary delivering it by hand to TfL's offices. Since much of the research data is derived directly from TfL and the GLA, it should be clear that the sources are not ones that TfL is credibly able to question.

To summarise, all motorcycles should be excluded from the charge, and MAG would expect TfL to accept this point without the need for a legal test of discrimination against the poorest workers in our city. MAG is ready and willing to clarify and discuss any aspect of our argument, and to meet with TfL in person, in the interests of securing a level playing field for riders and to prevent the imposition of a large, punitive, environmentally meaningless - and morally and logically indefensible - charge on the least wealthy commuters in London.

## Part 6: About you

11 What is your name?

**Name:**  
Lembit Öpik

12 What is your email address?

**Email:**  
[public-affairs@mag-uk.org](mailto:public-affairs@mag-uk.org)

13 Please provide us with your postcode (of your home or business)?

**Postcode:**

14 In what capacity are you responding to this consultation?

As a representative of a campaign group

**Other (please specify):**

15 If you have selected 'taxi or PHV' in the question above, please indicate which of the following best describes you

Not Answered

16 If responding on behalf of an organisation, business or campaign group, please provide us with the name:

**Organisation:**

Motorcycle Action Group (MAG)

17 How did you find out about this consultation?

Read about the consultation on the TfL website

**Other:**

18 What do you think about the quality of this consultation (for example, the information we have provided, any printed material you have received, any maps or plans, the website and questionnaire etc.)?

Poor

**Do you have any further comments?:**

Your line of questioning in this consultation assumes that respondents agree with the basic principle of these charges. However, the proposed policy overtly discriminates against older powered two wheelers, with no apparent regard to the tenets of science or proportionality, causing difficulty in filling in the answers because a number of them are so clearly assumptive in favour of the proposals as they generally stand. It would have seemed much more reasonable to have framed the consultation in a more neutral fashion. In addition, you haven't even bothered to include 'motorcycles' as an option in Question 19. TfL precedent means the box 'Bike' refers to pedal cycles and not motorcycles or scooters (though the box is ambiguous and will almost inevitably be misinterpreted by a number of individuals who only ride motorcycles). This indicates either that you accept they are insignificant in terms of emissions, or that you are ignoring their significance of a method of travel used by hundreds of thousands of London citizens on a regular basis. Whichever is the case, it casts huge doubt on whether the clear case favouring exemption of older powered two wheelers has been, in any serious sense, considered. This adds to the likelihood that, should TfL insist on attempting to impose a ULEZ charge on older machines, a legal challenge will follow on the basis of discrimination.

**Part 7: Travelling in London**

19 What types of transport do you use in central London? (please tick all that apply)

Other (please specify)

**Other (please specify):**

POWERED TWO WHEELER (This question is ambiguous. TfL precedent and common parlance would indicate the 'Bike' box means 'pedal cycle,' meaning 'Powered Two Wheelers' have been entirely excluded as an option in this question: unless you mean 'motorcycle and scooter' by the box and have excluded 'bicycles.' Please refer to our answer to Question 18 for clarification of MAG's view of the implications of this omission).

20 Do you drive in the Congestion Charge Zone, if so, how often?

Every day

21 Do you drive in the area within the North and South Circular Roads, if so, how often?

Every day

**Part 8: Equality and Inclusion**

22 What is your gender?

Prefer not to say

23 Ethnic Group:

Prefer not to say

24 What is your age group?

Prefer not to say

25 Sexual Orientation:

Prefer not to say

26 Faith:

Prefer not to say

27 Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? (Please include problems related to old age)

Prefer not to say